

BLUE LINE NEWSWEEK

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Executive Digest

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Toronto police officer guilty of assaulting G20 protester



Sep 12 2013

TORONTO - A judge has found a Toronto police officer guilty of assaulting a protester with a weapon at the city's G20 summit three years ago.

Protester Adam Nobody clapped as the verdict was read, while another officer in the courtroom let out a loud sigh.

The Crown had argued that Cst. Babak Andalib-Goortani was overwhelmed by the chaos and "lashed out" at the protester, hitting him with a baton after the man had been

wrestled to the ground.

But in issuing her verdict Thursday, Judge Louise Botham told court "a police officer is not entitled to use unlimited force to affect an arrest."

"His explanation that he was responding to Adam Nobody's resistance is nothing more than an after the fact attempt to justify his blows," Botham said.

"I accept that in a dynamic situation, arrests need to occur quickly and officers may well need to use force to ensure that happens," she



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said. "(But) even on the defendant's evidence the resistance offered by Adam Nobody was minimal."

Outside court, Nobody said he was surprised at the verdict.

"I was, yes... we live in a system we all know that cops get off all the time, so yes, I can honestly say that I was."

The protester was singled out for arrest at a demonstration on June 26, 2010, at the Ontario legislature and was tackled as he ran from police.

Andalib-Goortani's lawyer told court his client saw four other officers struggling to restrain Nobody on the ground and jabbed Nobody with his baton three times toward his thigh.

Botham said she found it "surprising" that fellow police officers who testified for the defence had such a vivid recollection of one protester's behaviour in huge crowds three years ago.

She also called it curious that Andalib-Goortani had no name tag or badge number on his uniform that day.

Mike McCormack, president of the Toronto Police Association, says the officer is "very distraught" and "very crushed by this decision."

"We're going to have counsel go over it (the verdict) and then if there are grounds for appeal we'll be taking that avenue."



Sep 04 2013

Citing privacy concerns, the association representing police leaders in Canada is pressing the federal government to amend a law to make it

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more difficult for media outlets to publish or broadcast police officers' radio communications.

A resolution passed by the Canadian Association of Chiefs of Police last month cited how media outlets broadcast the distress call and published the last words of York Regional Police Const. Garrett Styles, who was killed in the line of duty in 2011, without consent from his family or police officials.

It called on the federal government to amend the Radiocommunication Act to prohibit anyone from making use of or divulging any radio transmission without permission from the sender or receiver in order to "protect the privacy of victims, the integrity of criminal investigations and the safety of both the public and emergency responders."

The Canadian Broadcast Standards Council has previously ruled that media outlets did not breach privacy rules in the York police case, saying that the officer's non-encrypted radio transmissions had been received on the public airwaves and then re-broadcast on the Internet and "therefore in the public domain."

The council also concluded that broadcasting the officer's last words was in the public interest and highlighted the professionalism of the officer, who, despite being pinned under a minivan during a traffic stop, was concerned with the fate of the van's occupants.

The Ontario Press Council ruled that newspapers that published the last words of the dying officer did not breach journalistic ethics.

York Regional Police officials previously complained to Industry Canada about the use of the radio transmissions but were told that fines would not be levied against the media outlets because it could not be proved that the outlets had intercepted the transmissions.

A spokesman for Industry Minister James Moore did not respond Wednesday to a request for comment on the resolution.

Michel Cimpaye, a spokesman for Industry Canada, did note, however, that the government has set aside a broadband network dedicated to emergency services and that the use of advanced mobile wireless technology, along with encryption, "will reduce the possibility of interception and divulgence of sensitive radiocommunication between first responders."

(Postmedia News)



Sep 06 2013

HALIFAX - Halifax police say an independent investigation will determine what happened to a man who was arrested Thursday for public intoxication and was later found unresponsive in his cell.

Police say the man was taken to hospital, where his condition was described as life-threatening.

The police force issued a statement Friday saying it had called in the province's Serious Incident Response Team to investigate.

The statement says the unidentified 53-year-old man was believed to be intoxicated when he was arrested near a walking path off Sylvia Avenue around noon.

Police had planned to release him from the cells inside police headquarters when he sobered up, but he was taken to hospital when he was found unresponsive but breathing around 6 p.m.

Sep 06 2013

Code One, the longest continuous band ever in Australia and quite possibly the world, is to break up after 122 years.

Members of the Victoria Police department formed Code One in 1891 and despite the occasional line-up change the band was kept going ... until now.

Police have now confirmed that the band is breaking up due to cost cutting measures. They claim they can have additional 45 more officers on the frontline using the funds currently allocated to Code One.

Code One is a five-piece rock band. According to the Victorian Police website, Code One is successful in reinforcing safety messages to the community.

The band plays pop music from early 50s through to the latest Top 40.

Everything from Santana to Farnham, ABBA to Simple Plan, Kylie to Madonna.

Code One is highly acclaimed as one of Melbourne's hottest groups. A versatile band and a crowd drawer, creating immense impact with audiences wherever they perform .

(Noise 11)

Sep 06 2013

VICTORIA - A man who was clocked going more than three times the speed limit will get to keep his luxury motorcycle.

The director of civil forfeiture took Jason Alan Dery to court in an attempt to seize the 40-year-old's Ducati motorcycle for the speeding violation.

A court document says Dery exceeded a speed of 200 kilometres an hour on July 2, 2011 while on a road near Victoria, B.C.

B.C. Supreme Court Justice Gregory Bowden says while he doesn't condone Dery's behaviour, the government didn't prove the motorcycle was an "instrument of unlawful activity."

He says the act of speeding was not enough to result in forfeiture, and the government didn't prove the motorbike's operation was likely to cause serious bodily harm to a person.

Bowden's ruling says Dery, who has committed 39 motor-vehicle offences since 1990, has been deterred from similar be-

behaviour in the future because of the penalties he's accumulated.

Sep 06 2013

VANCOUVER - People who see drivers talking on a hand-held phone or texting behind the wheel should signal to them to hang up by gesturing or honking their horn or even have their passengers take photos and call police, police said at the launch of a month-long campaign to get people to "leave the phone alone."

Victoria police Chief Jamie Graham, who's head of the traffic safety committee for the B.C. Association of Chiefs of Police, said police would lay charges of distracted driving if those who turn them in are willing to testify in court.

"Call the police, send us the photograph, we're prepared to charge the registered owner and take them to court," he said.

Graham said the message about the dangers of distracted driving aren't getting out to drivers, despite the education campaigns and ticketing blitzes.

Since the law was changed in 2010 to ban using hand-held devices while driving, police have issued double the number of tickets a month, to 4,000 last year from 2,000 in 2010.

Police are calling on lawmakers to increase the \$167 fine, add a demerit point to an offender's licence and implement "some type of increased sanctions," such as seizing people's phones.

"There is absolutely no debate about how dangerous this practice is," Graham said.

To show how prevalent the practice is, Vancouver police in under an hour pulled over a dozen drivers and fined them \$167 outside the Vancouver Art Gallery on Thursday.

An officer dressed as a panhandler with a hand-printed sign and wearing a wireless microphone in front of the B.C. Law Courts pointed out the offending drivers to uniformed traffic cops waiting with ticket books a few blocks down.

Graham said police are on to tricks some drivers use to make the phones "hands-free," like tucking them into their toques or taping them to steering wheels and said that doesn't work.

(The Province)



Sep 07 2013

VICTORIA - Cyclists who don't wear helmets should face stiffer fines and possibly even seizure of their bicycles in an effort to change their behaviour, according to the chair of the Police Chiefs Traffic Safety Committee.

Jamie Graham, chief constable of the

Victoria Police Department, said his committee has delivered written recommendations to the provincial superintendent of motor vehicles calling on the government to increase the current fine of \$29. The recommendations did not include the amount the fine should be raised to, he said.

In extreme cases where cyclists have repeatedly been fined and refused to wear a helmet, he said the law could be changed to allow police to seize their bikes.

"I think there is an acceptance that the fine is unusually low," he said by phone from Victoria. "Fines have to be at a certain level to send a pretty clear message that the behaviour attached to them is unacceptable. We think there is substantial danger involved with not wearing a helmet."

Graham said for many people, paying \$29 is like "the price of doing business." They shrug their shoulders and pay it but don't change their behaviour, he said.

In extreme cases where someone has up to four tickets for not wearing a helmet within a prescribed period of time, police could be given the ability to seize the offender's bike, Graham said.

"The idea is to send a very clear message to bike riders that helmets are mandatory," he said.

"There is a level of arrogance with some bike riders: they want the wind in their hair and don't think it applies to them. It is like texting and driving. There is that level of arrogance: 'I'm above the law, it doesn't apply to me. I'm not changing my behaviour or attitude,'" he said.

"I can't do anything about the attitude but I can work on the behaviour."

Graham said if cyclists don't want to wear a helmet, then they should sign a document waiving their right to use "our medical system" if they suffer a brain injury while on a bike.

"You've made a choice by not wearing a helmet, why should you benefit by your injury if you get hurt?"

(Vancouver Sun)

Sep 07 2013

TORONTO - A judge denied Toronto Police Cst. Todd Baylis' murderer parole on Friday — and barred him from ever applying for early release again.

"Clinton Gayle was found guilty of brutal and horrific crimes," Ontario Superior Justice Ian Nordheimer wrote in a judgment that slammed the door on any future applications for an early release for Gayle, who was convicted of first-degree murder in 1996. Gayle is serving a life sentence with no chance to apply for parole until 2019.

"Any murder will have incredible and lasting impact on the family and friends of the deceased," wrote Nordheimer. "The death of a police officer in the line of duty not only carries that same impact, but it additionally has a much broader impact on the community."

The judge doubted that 12 jurors "would ever ... decide he should be given the opportunity to apply for early parole."

Gayle, now 45, was 26 years old when he killed Baylis with a bullet to the temple and wounded Baylis' partner, Mike Leone, during a routine parole stop that cornered the crack dealer in the Trethewey housing complex on June 16, 1994.

Nordheimer said the trial judge described the shooting as an execution.

"These events occurred for no apparent reason and without any apparent provocation. Baylis never took out his gun and Officer Leone only did after Gayle had first fired his gun," Nordheimer recounted.

While Gayle may be "remorseful for the consequences of his actions, it's not clear he accepts responsibility for his actions," wrote Nordheimer.

Gayle, who has been in custody for 19 years, came to Canada in 1977 at the age of nine. The high school dropout rarely worked, the judge noted.

"To Clinton Gayle, lawful employment would seem anathema," Nordheimer wrote, adding Gayle's longest record of work was one year at a gas station.

He is held "in high regard in prison because certain significant segments" of inmates admire the fact he killed a cop, the judge said.

While Gayle had some positives in his prison conduct, his score for "violent recidivism" remained moderate — unchanged from previous assessments.

Gayle was ordered deported on March 1, 1991, after racking up a lengthy record that included cocaine trafficking and weapons offences. His deportation appeal was denied and he was detained until July 27, 1992, when — despite his violent background — he was released on a \$2,000 bond.

(QMI Agency)



Sep 08 2013

KITCHENER, Ont. - Two men are under arrest and two more are being sought after police say an officer was struck and injured by a car in Kitchener, Ont.

Police say it happened around 8:30 p.m. Saturday after investigators spotted a vehicle linked to a shoplifting incident.

They say officers followed the vehicle, which was moving erratically, into a parking lot and tried to block it from leaving.

Police say an officer approached the vehicle on foot, only to have it speed up and strike him before getting away.

They say he was left with a broken knee.

The vehicle was found a short time later and police arrested two men in their early 20s.

(CKGL)

OTTAWA - Ottawa police have launched an internal review after a video shows a man apparently being punched by an officer while being arrested.

The handheld footage appears to show three officers subduing a man on the ground outside a downtown bar just before midnight Friday when one of the officers apparently begins punching him.

Police say officers were responding to an incident with a man swinging a metal pole at bar bouncers when a second man reached out and punched a constable in the face.

They say that second man was brought to the ground by officers and handcuffed while a member of the crowd recorded the arrest on camera.

Police Chief Charles Bordeleau says in a release the force's professional standards section will review the arrest footage, which was posted online.

Police say the officer who was punched was treated at the scene while the two men received minor injuries.



WHITBY, Ont. - A Durham regional police detective will face a discreditable conduct charge after the police service says it found the source of some inappropriate tweets that caused a stir last month.

The force says the detective's name will not be released until a public hearing on the case begins Oct. 1 in Whitby, Ont.

The force began an internal investigation after it said inappropriate comments were made on Twitter to the Ontario ombudsman and a Toronto councillor regarding a police shooting in the city.

Ombudsman Andre Marin apologized late last month for wrongly naming another Durham region detective as the culprit behind the series of offensive tweets.

The lawyer for Det.-Cst. Scott Dennis later said his client accepted the apology.

Marin had said he believed Dennis was behind a Twitter account using the fake name "Joe Mayo" that was directing offensive messages at him.

But the Durham police force said Dennis was on annual leave at the time and did not know about the account, which investigators said was set up by a fellow officer without his knowledge or consent.

The tweets appeared Aug. 8, before ombudsman Marin was to give a news conference on the shooting death of 18-year-old Sammy Yatim on a Toronto streetcar.

Durham police Chief Cst. Mike Ewles

has asked a veteran OPP officer to serve as the hearing's officer to ensure openness and transparency.

Meanwhile, Durham regional police say the officer facing the disciplinary charge has been moved to a different assignment in a non-supervisory role.

CAMBRIDGE, Ont. - Toronto police have returned to a Cambridge-area farm owned by one of two men charged in the murder of a 32-year-old Hamilton man earlier this year.



A forensics team arrived at Dellen Millard's farm Monday morning and police say officers are executing a search warrant due to new information.

Millard, 27, and Mark Smich, 25, are charged with first-degree murder in the death of Tim Bosma, who vanished May 6 after leaving home in his pick-up with two men for a test drive after posting the truck for sale online.

His remains were found about a week later burned beyond recognition at the southwestern Ontario farm belonging to Millard.

Toronto police would not say which investigation the search is related to but they have been probing the disappearance of 23-year-old Laura Babcock, who detectives have said was in the escort business and had a relationship with Millard.

Millard is also charged with forcible confinement and theft of a vehicle in relation to Bosma's death.

(680News, The Canadian Press)

VANCOUVER - A dozen new Harley Davidson Electra Glides bought for the Vancouver Police Department's traffic section were put on display Monday. The motorcycle retails at a starting price of about \$25,000 a bike.

VPD has 44 traffic cops on motorcycles working on speed enforcement, counter attacks, traffic control and enforcing distracted driving offences such as cellphone use.

The bikes will have a distinctive vintage photo of biker cops from the early days of the force on the back hatch of the motorcycle to show the rich heritage of the motorcycle unit.

(The Province)

MONTREAL- A panel of judges has reversed the Montreal police force's decision to suspend two of its high-ranking officers without pay.

The ruling by three Quebec Court judges to reinstate the officers' salaries was made public Monday after the panel heard arguments last week in an ongoing civil case that shed new light into why the men were suspended in June.

The most serious allegation, made in an affidavit filed by a chief-inspector in the Montreal police internal affairs division, is that one of the officers ordered a detective working underneath him to find information that could help Luigi Coretti, former owner of the now-bankrupt BCIA private security firm, defend himself in his current criminal case.

A year earlier, Coretti, 48, was charged with committing fraud against a police-run credit union while trying to keep his security firm afloat.

BCIA security officers used to protect the entrance to Montreal police headquarters on St-Urbain St.

Chief Inspector Giovanni Di Feo and Inspector Jimmy Cacchione were suspended without pay on June 17 after an investigation by the Montreal police internal affairs division. Also suspended without pay was detective Tony Bianco.

The suspensions were confirmed by the city of Montreal's executive committee on June 19. Another officer, a commander, was reassigned as part of the same probe.

When they were suspended, Di Feo and Cacchione were told that they would have to appear before a disciplinary committee and "that it is possible that criminal accusations would eventually be filed against them following an investigation by the RCMP."

The suspensions shocked many Montreal police officers, who questioned why their colleagues were severely punished without being charged with any wrongdoing. Typically, officers are suspended with pay until the outcome of their cases is known.

Di Feo and Cacchione appealed the suspensions on July 19, a step that, their lawyers argued, should have reinstated their pay while they challenged their punishment, a right included in Quebec's Police Act.

The city of Montreal disagreed, prompting Di Feo and Cacchione to file a motion as part of the ongoing appeal currently before the panel of three judges.

On Friday, the judges — Richard Landry, Armando Aznar and Gilles Lareau — ordered the city of Montreal to pay Di Feo and Cacchione retroactive to June 17 and until a decision is made on the appeal, a case which returns to court in October.

A series of four affidavits filed recently in the case by the city of Montreal detail why the two officers were suspended in the first place.

The RCMP seemingly stumbled upon something in the summer of 2012 during a separate drug trafficking investigation dubbed Project Cobra. The Mounties passed on information to the Montreal police, who decided to conduct its own investigation.

On Dec. 10, 2012, a Quebec Court judge authorized the RCMP to intercept any conversations between Di Feo, Cacchione and Coretti for a period of 60 days. Based on an analysis of those conversations, a group of Montreal police officers, including Chief Marc Parent, determined their officers showed a lack of loyalty toward the Montreal police, frequented dubious people and hadn't always followed operational procedure.

The affidavits also suggest friction between the two senior officers and their police chief. Di Feo and Cacchione allegedly discussed "drawing up a letter" they planned to send to several media and the public security minister to harm the reputation of Parent and other high-ranking officers.

The investigators who swore out the affidavits also allege Di Feo and Cacchione contacted a "barred source" several times. The term is part of the police force's internal policy governing the use of informants. A "barred source" is someone known to have supplied false information to investigators in the past.

The affidavits also allege Di Feo went on a vacation to Florida with "an individual who possesses a criminal record for trafficking and possession of drugs." Cacchione is alleged to have visited the residence of the same 46-year-old man in Florida in December 2012. According to provincial court records, the man in question pleaded guilty to possession of hashish in 1995 and was fined \$400.

The same affidavits allege Di Feo was in a potential conflict of interest when, in February, he accepted four tickets to a Canadiens hockey game, vs. the Bruins, from a representative of Motorola, "a company that had submitted (a bid) for Phase 2 of a project to renew the Montreal police telecommunications infrastructure."

But the most serious allegation made in the affidavits is the one involving Cacchione and Coretti.

Chief Inspector Michel Guillemette, of the Montreal police internal affairs division, alleged Cacchione "ordered a personal investigation by one of his detective-sgt.s to determine the identity of the owner of a business with the goal of divulging that information to Mr. Luigi Coretti for his case before the court."

The association representing Di Feo and Cacchione could not be reached for comment on the decision to reinstate their pay.

A spokesperson for the Montreal police said Monday it was too early to comment on whether the city will appeal.

(Montreal Gazette)

TUESDAY
SEPTEMBER 10, 2013

Sep 10 2013

WASHINGTON - The Obama administration is facing criticism over its attempt to straddle the federal law that makes marijuana illegal and state laws that permit recreational use of the drug.

In the first congressional hearing since the administration announced a new, permissive enforcement policy, law enforcement and drug-prevention groups and their congressional allies see an opportunity to push back. The administration's Aug. 29 announcement allows the two states where recreational marijuana use has been legalized - Colorado and Washington - to go their own way without federal interference as long as they implement strong enforcement systems.

"We are at a precipice," said Kevin Sabet of Smart Approaches to Marijuana, a drug prevention group. "We're about to create Big Marijuana by allowing the commercial production, retail sales and mass advertising of this drug similarly to how we have had Big Tobacco for the last hundred years."

With the door to legalization open in two states, others could follow.

The 20,000-member Marijuana Policy Project says it will support efforts to end marijuana prohibition in 10 more states by 2017. Voters in Oregon and Alaska could consider marijuana legalization measures next year.

Sep 10 2013

QUEBEC - The Quebec government has released its proposals for a controversial "values charter" aimed at restricting religious clothing and symbols in the public sector.

If adopted by the legislature, the plan would apply to every public servant; civil authorities like judges, police, and prosecutors; public daycare workers; teachers and school employees; hospital workers; and municipal personnel.

Employees could only be spared from the rule if they can satisfy four conditions - the accommodation must spare them from discrimination, must satisfy gender equality, must be reasonable, and must not affect personal safety.

The Parti Quebecois government has revealed its suggestions in the provincial legislature, 13 months after making an election pledge to introduce such a plan.

While polls have suggested the idea could be popular in Quebec, it has been denounced by some politicians inside the province and from many outside.

The federal government has voiced its wariness of the plan, without getting too deeply involved so far.

Sep 10 2013

COBOURG - Retired Cobourg Police Chief Daniel K. McDougall, who served as chief from 1982 to 1996, died on Sept. 9.



Cobourg Police Service members were saddened to learn of his death, said Cobourg Police Constable Terry Stanley in a press release.

During his tenure as chief of the Cobourg Police Service, Chief McDougall led several successful changes including implementing 10-hour rotation shifts for officers in 1983. He hired the first female police officer for the Town of Cobourg in 1989 and first female Special Constable in 1994. He led the way for the successful implementation of 9-1-1 in the Town of Cobourg in 1989 and helped introduce the new Police Services Act, which established the first Police Services Board in 1991.

Chief McDougall started his career in policing with the City of London police force, achieving the rank of Staff Sgt. - Commander of Traffic.

In respect of his passing the Cobourg Police flags have been lowered to half-staff.

He died at Northumberland Hills Hospital in his 75th year surrounded by his family. He is mourned by many family members including his wife Viola McDougall and children Christine Barrett, Cynthia Dann, Teresa Richardson and Kelly Carlson.

A funeral service will be held on Sept. 13 at 3 p.m. at the MacCoubrey Funeral Home in Cobourg.

(Northumberland News)

Sep 10 2013

ORILLIA - Orillia's Council Committee giving the thumbs up to returning to the OPP.

Council Committee also removed a couple of clauses from the original Police Services Board recommendation.

One was to eliminate the term "under protest" and the other was to remove a clause where a new costing formula can be implemented into the current contract.

Councillor and Committee Chair Pete Bowen says there was no secret that the City is not happy in their negotiations with the OPP.

But he says remaining with the OPP under a Section 10 was the only obvious choice and didn't see the numbers to suggest going to a municipal policing force would be a good idea.

Bowen says the 5-year agreement has a clause where either party can give a 1-year notice to opt-out of the contract.

He says that could be used if a better costing formula comes along.

Bowen says the current formula would see Orillia taxpayers be hit with a 4.1 percent increase.

He says that is very difficult for many citizens and that is why the City fought long and hard in trying to find something more affordable.

The province is proposing a new costing formula that will take effect January 1, 2015 that could see urban centres like Orillia pay less while rural municipalities pay more.

Bowen says the new costing formula may benefit Orillia in the long run but he says there isn't a municipality anywhere in Ontario that doesn't find policing to be very expensive.

(Bayshore Broadcasting)

Sep 10 2013

CALGARY - Calgaryians will soon start to notice that police cars in the city are black and white instead of blue and white.



The Calgary Police Service (CPS) is beginning the gradual process of replacing its entire fleet with a new model sporting the new colour scheme.

The change was necessary because Ford ended production of its Crown Victoria model that the CPS has used for many years.

After a pilot project to try out various replacement models — and gauge public response to the black and white decals — the CPS selected Ford Interceptors as the new standard cruiser.

“The move to a black and white theme comes after research identified numerous benefits including enhanced visibility and public recognition, improved officer and public safety, and economic efficiencies,” police said in a written release.

The force expects to save about \$6,000 per car, partly because of a less expensive decal design.

It could be up to five years before the entire fleet is replaced with the new cars.

The CPS will also replace its current SUVs with Ford Explorers.

(CBC News)

Sep 10 2013

RIVER TILLARD, N.S. - The RCMP say one of its officers in Nova Scotia was treated for minor injuries Monday after a struggle with a man during an arrest.

The Mounties say the officer was trying to arrest the man for a breach of a court order along Highway 4 near River Tillard at about 5 p.m.

Police say the officer and the suspect got into a struggle and the suspect fled into nearby woods.

The man was arrested about an hour later with the help of a police dog.

Police say he was also taken to hospital for treatment of a dog bite.

A 36-year-old man from St. Peter's was charged with breach of probation, assaulting a police officer and resisting arrest.

The RCMP say during the struggle, the man and the officer rolled across the highway and were almost hit by several passing vehicles, despite the fact the police vehicle's emergency lights were flashing.

(CIGO, The Canadian Press)

Sep 10 2013

PROVIDENCE, R.I. - Five Rhode Island law enforcement agencies are faced with an enviable problem: what to do with \$230 million forfeited by Google Inc.?

Investigators from local agencies are entitled to the money because they helped a federal investigation into the search engine's distribution of ads for illegal prescription drug sales. In 2011, Google agreed to forfeit \$500 million, and last year the U.S. attorney announced the agencies that helped would receive shares ranging from \$5 million to \$60 million.

Since then, the Rhode Island agencies have spent or committed tens of millions of dollars in what's known colloquially as “Google money” to better fund police pensions, buy new police cars, upgrade technology and purchase weapons. They say they're still working out how to spend well over \$100 million that's left. The windfall comes at an especially fortuitous time as the state and local governments have been grappling with years of budget cuts and underfunded pensions.

The awards represent a staggering sum for the beneficiaries - the Rhode Island attorney general's office, state police, National Guard and the police departments in North Providence and East Providence.

The attorney general's office, for example, is entitled to \$60 million, more than double its annual budget.

North Providence police are also entitled to the same amount, 10 times its annual budget, according to Police Chief Paul Martellini.

“It's an extraordinary amount of money,” he said, adding that he hopes his department will be able to reinstitute some programs that have been cut in recent years, such as community outreach programs and putting an officer in the middle school. Officials are discussing building a new police department, and have already spent around \$1.2 million for new vehicles and bought new computers and radios.

“It'll make it much more efficient to respond to calls. It's all about the service the

public deserves,” Martellini said.

Under the asset forfeiture program, the money can only be spent on things such as investigations, training and equipment, and there are several restrictions.

The U.S. Department of Justice must approve any spending. It made an exception to the rules in January to allow state police and the financially troubled East Providence and North Providence to put a total \$85 million of Google money into their underfunded police pension plans.

Besides the pension money, only a small portion what's left has been spent. The National Guard is still working on a plan for its \$5 million entitlement, said Lt. Col. Peter Parente.

“Everybody is taking a deep breath, trying to do the right thing. Once you spend the money, it's difficult to go back,” he said.

(AP)

Sep 10 2013

ELLIOT LAKE, Ont. - The specialized disaster team that deployed to the site of last year's deadly mall collapse in northern Ontario came under withering criticism Tuesday over its role in the rescue operation.

In evidence at the judicial inquiry into the tragedy, crane company owner Dave Selvers said the Toronto-based Heavy Urban Search and Rescue Team showed “limited efficiency.”

“(They) were of no use whatsoever in a situation like this,” Selvers noted.

“This team did not have any idea as to the means required to perform this operation.”

Selvers's company, Millennium Crane of Sault Ste. Marie, Ont., was called in hours after part of the mall's rooftop parking deck collapsed in the afternoon of June 23, 2012, and worked under direction of the Ontario Provincial Police.

His crew arrived on the scene the next morning at a time when it was feared victims were still alive in the rubble and removed some of the precarious debris.

Selvers said he thought the heavy urban search and rescue team - known as Canada TF3 - under Toronto police Staff Insp. Bill Needles had no idea how to go about the rescue task.

“There were too many people relaying too many different messages,” he said of the team's leadership.

“I didn't know what directive was going to be fired at me next.”

TF3 is one of five such urban search and rescue teams in Canada that can respond to disaster situations.

But Selvers said TF3 did not have the needed equipment. Not did its personnel appear to understand anything about building construction yet they were reluctant to tap the expertise at hand.

He said he was surprised at the search team's unwillingness to call in a heavy crane to remove rubble partly because of the

roughly \$2,500 an hour cost.

"I thought life was worth more than that."

By contrast, Selvers said, the provincial police rescue team was "organized and professional" while several TF3 people were "walking around really doing nothing."

Needles, who began testifying after Selvers Tuesday, has yet to respond directly to the criticism.

Sep 10 2013

LONDON, Ont. - Three OPP officers who shot a 17-year-old on the Oneida First Nations settlement last month were justified in their use of force, the head of Ontario's civilian police watchdog has found.

"I have no grounds to believe that the subject officers committed a criminal offence when they discharged their firearms at the male," Ian Scott, director of the Special Investigations Unit, said in a release Tuesday.

Four OPP officers were at the settlement early Aug. 3 to investigate a robbery and attempted murder. While there, the police discovered the teen had armed himself with a sawed-off rifle and was walking down the street.

As police arrived on scene, the teen fired a shot in the direction of a civilian and one officer, the SIU found.

Police reversed their cruisers, following the teen from a distance.

When the officers stopped and got out of their cruisers, the teen reloaded his rifle, turned and walked toward the officers and fired a second shot, the SIU found.

The officers returned fire, striking the teen, who was shot above his right eye, in the upper chest and in both arms.

He's expected to survive.

Three officers were named "subject" officers. Though two declined to speak with the SIU or turn over their notes, Scott said interviews with witnesses and firearms analysis determined the shooting was justified.

"It was clear on this pattern of behaviour that the male continued to represent an imminent threat to the lives of the officers at the time they discharged their firearms at him," Scott wrote.

(QMI Agency)



Sep 11 2013

VANCOUVER, B.C. - A man who registered two warning readings on a roadside screening device has had his immediate, three-day driving ban thrown out by a judge who ruled there was no evidence alcohol affected his ability to drive.

B.C.'s superintendent of motor vehicles says police will continue to hand out

immediate, three-day roadside prohibitions to those who drink and drive despite the judgment.

Lee Michael Wilson was stopped at a police road check near Coombs, B.C., Sept. 12, 2012 and had an odour of alcohol on his breath and admitted to drinking four beers earlier, according to the ruling by B.C. Supreme Court Justice Dev Dley.

He provided two breath samples to an approved roadside screening device, both of which registered warn readings, and was then served the immediate driving prohibition.

Wilson asked the superintendent of motor vehicles to review the ban but had his application dismissed, so he asked the B.C. Supreme Court to quash the prohibition.

"A plain reading of the legislation requires more than just a warn reading," said Dley in his ruling. "There is no presumption that a driver's ability to drive is affected by alcohol solely on the basis of a warn reading."

Dley said police must satisfy three conditions before issuing a prohibition: an officer must make a demand under the Criminal Code for a sample of the driver's breath, the screening device must register a warn, and the officer must have "reasonable grounds" to believe the driver's ability is affected by alcohol.

"There was no evidence in the record to indicate that Mr. Wilson's ability to drive was affected by alcohol," he said.

"There was no evidence to suggest that a warn reading would affect Mr. Wilson's ability to drive. There was no evidence, either independent of, or in conjunction with, the warn reading that would suggest Mr. Wilson's ability to drive was affected by alcohol."

"On the whole of the record, there was simply no evidence upon which the adjudicator could reasonably conclude that Mr. Wilson's ability to drive was affected by alcohol."

Dley said the officer's decision was not defensible under the law and dismissed the driving prohibition.

Sam MacLeod, the superintendent of motor vehicles, said his office will review the ruling to decide whether to appeal.

"I can assure you that those who drink and drive will continue to be held to account with an immediate roadside driving prohibition."

He would not say, however, if he'll give police a directive to look for and record additional evidence before issuing roadside prohibitions.

(CHNL)

Sep 11 2013

VANCOUVER - A US court has ruled that the RCMP breached a contract with an American company that was originally slated to provide cruise ships to house security forces during the 2010 Vancouver Olympics.

Cruise Connections sued the force, alleging the Mounties entered into the contract but then refused to offer assurances the company wouldn't get hit with a massive Canadian tax bill.

The force and Cruise Connections reached a contract to provide room and board to members of the RCMP-led integrated security unit that was put together for the Olympics, made up mostly of Mounties.

Cruise Connections planned to secure cruise ships through subcontracts with Holland America and Royal Caribbean, but those cruise lines wanted the RCMP to assure them they wouldn't be forced to pay income and payroll taxes.

US District Judge Rosemary Collyer says the force failed to live up to previous commitments to take care of the tax issue, and therefore the force's own actions scuttled the cruise ship contract.

The decision doesn't specify damages, but the company has previously asked for up to 57-million-dollars.

Sep 11 2013

MISSISSAUGA, Ont. - A Toronto police officer facing several child pornography charges will appear in a Brampton court today for a bail hearing.

Peel police say Dariusz Kisielewski of Mississauga was arrested following an investigation by its Internet Child Exploitation Unit.

Kisielewski, 44, is charged with one count each of possession of child pornography and making child pornography and three counts of voyeurism.

Toronto police spokesman Victor Kwong confirmed Kisielewski is a constable with the force's 22 Division and has been suspended with pay pending the outcome of the Peel investigation.

Kwong would not comment further on the case.

Peel police say Kisielewski was arrested last week after officers executed a search warrant at his home.

Sep 11 2013

WINNIPEG - A media report says several Winnipeg police officers who rescued a kidnapped teenage girl refused a superior's orders to give up a late-night pursuit that led to the capture of the teen's abductor.

The Winnipeg Free Press says it's learned the officers decided to ignore a duty inspector's order while chasing a man who was heading out of the city after a June 2011 carjacking and sexual assault.

The newspaper says the senior officer chose to let the RCMP pick up the trail, but members of three units kept going and a suspect was eventually tracked down west of Portage la Prairie.

Based on sources, the paper says officers feared for the safety of the 16-year-old victim and were concerned about the limited

ability of the RCMP to assist, especially on such short notice.

The police executive has not commented and the Winnipeg Police Association says none of its members has been disciplined, despite reports of several heated, closed-door meetings.

The Crown is seeking a 14-year sentence for Clay Byron Starr, who has pleaded guilty to several charges and will be sentenced next month.

(Winnipeg Free Press)

Sep 11 2013

OTTAWA - Marijuana growers in Eastern Ontario are keeping their eyes peeled this month for a legendary figure who roams the skies every harvest season: the Fan-man.

"The Fan-man is a guy that goes searching in cornfields for marijuana plants," says a rural property owner, who asked for anonymity for fear of retribution from members of the drug trade.

With a paraglider powered by a fan-like propeller strapped to his back, the Fan-man soars above area cornfields, using a GPS to pin-point places where illegal marijuana grows, he says.

"What he'd do is literally fly real low, looking for these plants. He's been seen around the area by a lot of people - and there's most likely more than one."

The Fan-man is believed to sell GPS coordinates of illegal weed to criminals, who then camouflage and arm themselves at night to steal the plants. They're known in criminal circles as "pot pirates."

A spokesman for the Ottawa police service says the drug section is not aware of the Fan-man.

Sep 11 2013

TORONTO - A man is facing assault charges after Toronto police say an officer was assaulted outside a police station and left with serious injuries.

Police say two officers were speaking with a man in front of 53 Division just before 11 p.m. Tuesday, in regard to his "interfering with traffic."

It's alleged that the man suddenly attacked both officers, causing serious injuries to one of them.

The officer was taken to hospital and treated for a head injury.

Alexander James, 22, of Newmarket, is charged with aggravated assault on a peace officer and assault on a peace officer.

His court date has not yet been scheduled.

Sep 11 2013

EDMONTON - Police have shut down a suspected marijuana grow-op at a house in Edmonton that they say was also home to a private babysitting service.

The Alberta Law Enforcement Response Team's Green Team North executed a search warrant last week at 10454 69th Avenue was

found to house a small, 17-plant hydroponic marijuana grow operation, ALERT said in a news release. A small quantity of processed marijuana and cannabis resin were also found within the home.

Two adults, a husband and wife, believed to be operating the babysitting service, along with their two young children, were located in the home.

As well, two other young children were also present. It is believed a total of seven children, between the ages of two and five-years-old, were being cared for at the home.

"When we entered the property, we found electrical modifications to the furnace, along with fertilizers and chemicals present," Det. Cory Buerger said in the release. "Yes, it was a relatively small grow-op by our standards, but that doesn't make it any less serious, especially when you have toddlers crawling around in that environment."

An Alberta Health Services has deemed the home unfit for human habitation.

(Edmonton Journal)

Sep 11 2013

ELLIOT LAKE, Ont. - The head of the disaster team responding to last year's deadly mall collapse admitted Wednesday to calling off the search for survivors without any discussion of options for proceeding.

Toronto police Staff Insp. Bill Neadles testified he made the decision, which came just hours after signs of life were detected in the debris and which infuriated the community, for fear the rescue had become too dangerous.

In a discussion that lasted a few minutes two days after part of the rooftop garage caved in killing two women, the head of rescue operations told Neadles further collapse of the Algo Centre Mall was imminent.

"The recommendation to me was that we remove all of the workers from the building," Neadles testified.

"They'd already been pulled out but then I went one step further to say we would not at this point in time be going back in."

He called it "regrettable" he did not ask for advice on whether there might be some way to continue the search.

The decision came after Neadles had reported publicly that a "life detector" had picked up breathing in the inaccessible rubble early that morning.

"They had a positive result from that machine," he said.

However, he did not mention being told the finding was in fact unreliable, and the detected breathing may have been from other rescuers.

Neadles testified the search had forged ahead until he called it off, despite the opinion of a team doctor that the likelihood of finding anyone alive would be a "miracle."

"I knew in my head that this was going to

be a very difficult situation for anyone to survive," Neadles said.

"But my heart was telling me that I still need to go forward with continuing this."

Neadles said the Ministry of Labour played no role in calling off the rescue - which was restarted later that day after a phone call with then-premier Dalton McGuinty - as was reported at that time.

Neadles, who commanded the Toronto-based Heavy Urban Search and Rescue team, admitted to lapses in communications as various plans to get to the area were devised.

At times, he appeared to operate in a strange vacuum.

For example, he announced a plan to remove a steel beam and concrete slab without speaking to his engineer or operations manager.

On another occasion, he reported a crane would be deployed but the person in charge of operations did not know about it.

"It's really quite astounding that your operations' chief didn't know there were going to be crane operations," commission lawyer Mark Wallace said.

Neadles was frequently unable to recall who gave him various pieces of information and was often hazy about what he said to others.

Sep 11 2013

EDMONTON - A judge has sentenced an armoured car guard who gunned down four of his crewmates during a robbery to life in prison with no parole for at least 40 years.

Justice John Rooke accepted a joint submission from the Crown and Travis Baumgartner's defence lawyer.

The sentence is based on a federal law passed in 2011 that allows consecutive parole terms in cases involving multiple murders. The Crown has called it a first for Canada and the toughest sentence for a crime since the country's last execution in 1962.

Rooke called Travis Baumgartner a coward and a cold-blooded killer.

"The deaths were senseless," the judge said in an Edmonton courtroom Wednesday. "It's difficult to describe the revulsion of society and this court and the public."

Baumgartner, 22, pleaded guilty earlier this week to one count of first-degree murder, two counts of second-degree murder and a charge of attempted murder.

He shot his fellow guards during a routine night shift reloading bank machines at the University of Alberta in June 2012.

Court heard that Baumgartner was in debt after buying a new truck, owed friends money and had fought with his mother about paying rent in the hours before the shooting.

Rooke said Baumgartner could simply have taken the money and run rather than leaving three people dead and a fourth seriously wounded.

He said he had to find an appropriate sen-

tence to make sure that Baumgartner never hurts anyone again, but also to give him some hope for freedom to ensure his good behaviour behind bars.

A statement of facts entered in court said Baumgartner used his company gun to shoot three of the guards as they had their backs to him, then returned to the waiting armoured truck and shot a fourth co-worker. The victims didn't have a chance to remove their own guns.

Court was told he had joked with a friend about robbing his employer and had sent a text that said: "This is the night."

Baumgartner killed Eddie Rejano, 39, a father of three who had started working for the company six months earlier; newlywed Michelle Shegelski, 26; and Brian Ilesic, 35, the father of a daughter.

Matthew Schuman, who was 25 at the time, was rushed to hospital and survived a bullet to the head.

Police quickly named Baumgartner as a suspect after the early-morning shootings. He was arrested the next day in British Columbia at a Canada-U.S. border crossing. Police said they found \$334,000 in a backpack he had with him.

Sep 11 2013

RCMP west of Edmonton are calling an alleged impaired driver 'industrious' – after he was pulled over Tuesday evening, his vehicle was towed, but he had another form of transportation to get him home.

Officers patrolling Highway 16 west of Stony Plain came across a truck pulling a horse trailer that had no license plate at about 7 p.m.

The truck was pulled over, and officers said the driver registered a 'caution' reading on their alcohol screening device, which police said means the driver had a blood alcohol content of 60 to 100 milligrams of alcohol, per 100 millilitres of blood.

As a result, the driver's license was suspended, and his truck and trailer were towed.

After that, police said the man utilized the horse he had in his trailer, and he rode the several kilometres home in the ditch.

(CTV News)

Sep 11 2013

HAMILTON - Hamilton Police Chief Glenn De Caire has been directed to lay misconduct charges against a veteran constable, Tom Chalmers, over a letter Chalmers is alleged to have written to a citizen's employer.

The charges follow an investigation by the Office of the Independent Police Review Director (OIPRD) which had received a citizen's complaint against Chalmers.

The exact nature of the charges is difficult to gauge as De Caire does not routinely release the particulars of allegations against police.

However, the fact that the OIPRD chose to direct the chief to conduct the hearing means their finding is that the charges are serious.

Chalmers was also served with a "notice of increased penalty" warning that demotion or dismissal "may be imposed" if he is found guilty.

Hamilton Police Service corporate communicator Catherine Martin would not identify Chalmers' current role within the service; news files show he worked in traffic services for many years.

Chalmers has been credited with creating the Cops 'n' Cats basketball program, a community outreach initiative that brought Ticat players and police officers together to play Hamilton high school teams in exhibition matches.

The Notice of Hearing, the only information released by Hamilton police, reveals Chalmers is charged with three counts of misconduct: one of breach of confidence and two of neglect of duty.

All of the charges cite a Feb. 22 letter sent to "an individual's employer outlining (Chalmers') professional encounters with the individual."

Police would not provide any information about the charges beyond that single sentence description contained in the Notice of Hearing.

The hearing officer, Superintendent Mike Shea, put the matter over until Oct. 4. That procedural appearance will be conducted by conference call.

(Hamilton Spectator)

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Sep 12 2013

ELLIOT LAKE, Ont. - The head of the disaster team at last year's mall collapse in Elliot Lake, Ont., says he did not believe mine rescuers had the ability to safely enter the dangerous building.

However, Bill Neadles admits he had no idea what their capabilities might have been, nor did he try to find out.

Members of the community were furious Neadles had called off the search, and they wanted miners to go in.

Neadles also tells the inquiry into the tragedy that after a call with then-premier Dalton McGuinty, his team devised a last-ditch plan to find a woman who might have still been alive.

The plan involved having a large crane brought in to move a collapsing escalator away from where the victims were.

Neadles says he didn't believe anyone was still alive in the rubble but still hoped that might happen.

Sep 12 2013

EDMONTON - An Edmonton police officer has been charged with dangerous driving causing death in a crash last year that killed an 84-year-old woman.

Alberta's Serious Incident Response Team says the plainclothes officer was conducting surveillance and was driving an unmarked police car at the time of the crash.

The woman was turning left at a south-side intersection, crossing the path of the police cruiser, when the two vehicles collided.

The officer suffered serious, but not life-threatening injuries.

Const. Chris Luimes (LOO-miss) is to appear in court Oct. 10.

The response team is the agency that investigates incidents involving police officers that result in serious injury or death.

Sep 12 2013

PETERBOROUGH - A 78-year-old woman took matters into her own hands when a would-be robber broke into her Peterborough home.

Peterborough-Lakefield police say the break-in took place on Sept. 11 at 12:35 a.m. The woman, 78, and her 81-year-old husband were home at the time and were awoken when they heard a loud bang.

Police say the thief had entered the house through an insecure window.

The couple found the stranger, described as 17 to 19 years of age, in a crouched position in a room. Police say the woman took control

of the young man's arms and escorted him out of the home. Police were then called.

Police are looking for a white man, clean shaven, six-foot tall and with a thin build.

(Peterborough This Week)

Sep 12 2013

MONTREAL - A man who tried to kill two Montreal police officers two decades ago will serve his entire sentence for the shooting.

Claude Forget, 57, was recently turned down for any form of release for the eighth time as he continues to serve a 28-year prison term that includes the 20-year sentence he received for the attempted murders of Constables Walter Filipas and Lucy Krasowski in May 1993. They were investigating an assault on a taxi driver and approached Forget while he sat on a park bench in Place du Canada. The officers were shot at point-blank range. It is believed they prevented a murder. One theory behind the shooting is that Forget was stalking a CP rail police officer who had shot him in the stomach years earlier.

In 2005, the Parole Board of Canada ordered that Forget remain detained beyond his statutory release date, the two-thirds mark of his sentence. He was deemed to be too much of a risk to release into society and according to the board has made very little effort toward rehabilitation.

Under Canada's Corrections and Conditional Release Act the board is required to review the decision on an annual basis and, in a few cases, Forget hasn't even bothered to attend his hearings.

The most recent hearing was scheduled for Aug. 9 and Forget again refused to attend. The parole board was left to make a decision weeks later based on written submissions from people like his parole officers. Forget was given more than two weeks to file his own written submission to the board but failed to do so.

It is likely the last decision the parole board will have to make in Forget's case as his sentence expires on April 26, 2014. The two victims filed their submission to the board. Both constables survived being shot in the face but no long worker for the force.

According to a written summary of the decision: "Both victims stated that they had suffered extended and horrendous damage, both physically and psychologically. To this day, they are still living the consequences of your unjustifiable attempted murders."

The only positive thing the board had to say about Forget in its report is that he has not caused problems for staff at his penitentiary and works regular in the kitchen "offering an overall excellent work."

(Montreal Gazette)

Sep 12 2013

VANCOUVER - The Crown has filed an appeal in a case that saw an RCMP officer acquitted of perjury charges for his testimony at the Robert Dziekanski inquiry.

Const. Bill Bentley was among four officers who confronted Dziekanski at Vancouver's airport in October 2007, when the Polish immigrant was repeatedly stunned with a Taser and died.

All four officers were charged with perjury for their testimony at a subsequent public inquiry, where they were asked to explain discrepancies between what they told investigators and what could be seen on an amateur video that emerged later.

The Crown argued at Bentley's trial that similarities between all four officers' notes and statements was evidence they colluded on a fabricated story and then lied at the public inquiry to cover up that collusion.

But the judge found Bentley not guilty after concluding there were other, innocent explanations for the discrepancies, while also questioning whether some of the alleged errors were even incorrect in the first place.

The special prosecutor in the case, Richard Peck, has filed a notice of appeal, arguing the trial judge failed to consider all of the evidence and failed to apply the correct legal test when determining whether the Crown proved its case.

All four officers were charged with perjury, with jury trials currently scheduled for the other officers in mid-October, November and January.



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