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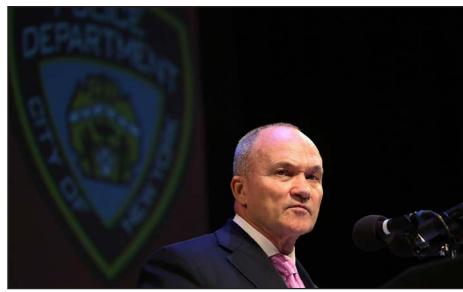


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warns against carding reform

Former police commissioner



Oct 12 2015

TORONTO - When former New York police commissioner Ray Kelly touched down in Toronto to promote his memoir, he detected something familiar in the newspaper headlines he read and the queries lobbed his way during interviews.

For most of the 12-year term he spent as Gotham's top cop, Mr. Kelly's most persistent adversaries were not criminal masterminds or spandexed super-villains, but rather a knot of civil libertarians, lawyers, judges

and activists who attacked "stop-and-frisk," one of his force's key crime-prevention practices, as racist and unconstitutional.

"There was an agenda driven by activist attorneys," Mr. Kelly - whose book is titled Vigilance: My Life Serving America and Protecting its Empire City - said between bites of a turkey club at the Four Seasons last week. "But to reduce this valuable tool is a disservice to the people of New York City."

While he knows far less about Toronto's simmering dispute over carding - the police



practice of documenting interactions with members of the public for intelligence purposes - he is just as sympathetic to activists here as in New York. "It gets to the fundamental issue of what we want police officers to do to protect us," he said. "Stopping those engaging in suspicious activity is what they get paid for."

The fate of carding remains uncertain. Queen's Park has stepped in and plans to introduce a standardized policy for carding and street checks, a similar but not analogous practice used by police forces in the rest of the province, some time this fall. Draft versions of the new regulations are already being circulated among stakeholders. The process has frayed nerves among the policing community and appears destined for litigation.

"If the government does what a lot of people around Queen's Park want them to do, which is to make it impossible for us to use valuable, legal tools, there will be legal challenges," said Joe Couto, director of government relations and communications for the Ontario Association of Chiefs of Police. "We would rather the government pass regulations that guide police without restricting our ability."

For his part, Yasir Naqvi, Ontario's Minister of Community Safety and Correctional Services, has not committed to banning carding and street checks outright, as many rights activists would prefer, nor is he heeding calls from police chiefs to leave the practice relatively untouched.

"If the police are engaging in a process where they are stopping someone in a random and arbitrary way, there is no cause or reason to do so," Mr. Naqvi told The Globe and Mail. "If they simply want to collect information for their database - not acceptable. We'll put an end to it."

In New York, the courts eventually intervened to reform the practice, now a threestage process known as "investigative encounters."



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12A-4981 Hwy. 7 East, Ste. 254, Markham ON L3R 1N1 Phone: 905 640-3048 eMail: news@bluellne.ca Mr. Kelly's advice is to avoid his city's path. "It's a lot of verbal mumbo-jumbo," he said of the court-ordered procedure that has replaced stop-and-frisk. "They basically said they're going to suspend the old policy, complicate it and give it another name. The more you complicate something, the less likely we are to do it. The result is police officers backing off. They are being given signals not to engage. It's unrealistic and not properly protecting the citizens of New York City."

Police chiefs in Canada warn that an overhaul of street checks could have a similar effect here. They argue that street checks are a necessary tool in their crime-fighting arsenal aimed solely at "people, vehicles or locations known or suspected of being involved in criminal activities," according to an Ottawa police handout.

But Mr. Naqvi said the police definition is at odds with the experiences of individual Ontarians he heard from at consultation sessions across the province, many of whom talked about random, discriminatory police practices. "There is a lot of anger and anxiety that exists and we saw that in many of our consultations," he said. "I'm not going to discount people's individual experience. I think that speaks volumes."

Anthony Morgan, a policy and research lawyer at the African Canadian Legal Clinic, finds the minister's comments somewhat reassuring. "It seems the ministry recognizes that African Canadians and Canadians writ large are not going to tolerate systemic abuses of our rights," he said.

The ACLC and several other humanrights groups want the province to legislate a preamble for street checks similar to the reading of Charter rights. Officers would be required to inform civilians of the reasoning behind the stop and of their right to remain silent and walk away. Other demands from rights groups include issuing a receipt to citizens and placing strict limits on how long any information arising from the stop would be stored in a database.

"We don't want a fissure in relations with police, so we are at opposite sides of a chasm," Mr. Morgan said. "We want a healthy, trusting, reliable relationship. The current practice fundamentally undermines that. People feel humiliated. People feel violated." (Globe and Mail)

THURSDAY OCTOBER 8, 2015

Oct 08 2015

HALIFAX - A review into the handling of the Rehtaeh Parsons case by the RCMP and Nova Scotia's Public Prosecution Service says it was reasonable of the Crown to conclude there was no realistic prospect that sexual assault charges would result in conviction.

The province ordered the review by Murray Segal, a former Ontario chief prosecutor,

in August 2013 but it was delayed until legal proceedings involving two men charged with child pornography offences in the case concluded

Segal says the investigation into the allegations was diligent but it took too long for a teenager in crisis.

Police concluded there weren't enough grounds to lay charges after consulting with the prosecution service.

They apologized this afternoon for mistakes they made in investigating the case.

Acting Chief Superintendent Dennis Daley of the RCMP says they have made changes to address those shortcomings.

The young woman's family alleged she was sexually assaulted in November 2011 when she was 15 and bullied after a digital photo of the alleged assault was passed around her school.

Oct 08 2015

CALGARY - The Calgary Police Service is introducing a new tool that will help first responders when dealing with emergency situations involving people with disabilities.

The Vulnerable Person Self-Registry allows people with a physical, mental or medical condition that may require special attention in an emergency to voluntarily submit personal information, including name, date of birth, physical description, contact information, methods of approach or communication, a photo and description of any threatening medical conditions.

First responders can then quickly access the data through the city's 9-1-1 centre, when a vulnerable person is in danger or distress.

The information must be updated at least once a year, or it will be removed from the database. Police say the information will not be used as part of criminal investigations.

The database is an initiative by the Diversity Resource Team to better serve citizens with disabilities, and was implemented following consultations with various community organizations and units within the police service.

(Calgary Herald)

Oct 08 2015

EDMONTON - Edmonton is naming a new park after a city officer who was killed in the line of duty earlier this year.

Constable Dan Woodall Park will be located on the city's south side.

The park is still under construction, but will have a soccer field, baseball diamond and playground.

Woodall, the father of two young boys, was killed in June while executing an arrest warrant related to hate crimes.

Norman Raddatz fired dozens of shots through his front door, killing Woodall and wounding another officer.

Raddatz then killed himself.

"It is a privilege for the City of Edmonton to honour Const. Dan Woodall in this way," said Mayor Don Iveson.

"His example of bravery, his commitment

to this community and his abiding love of family and sport will be remembered for years to come."

Woodall's widow, Claire, released a statement expressing her thanks.

"I am so honoured that the city has not only decided to permanently honour my husband, but to do so by building a park - somewhere where his children and all children can play," she said.

"The fact that it will be local for my children is also great. It shows the thought that was put into this.

"I know they will play there often."

FRIDAY OCTOBER 9, 2015

Oct 09 2015

HALIFAX - Police in Halifax are apologizing for mistakes they made in investigating the Rehtaeh Parsons case.

Chief Jean-Michel Blais was responding to the findings of an independent report into the police and prosecution service's handling of the matter.

He says the force has improved its training of officers investigating sexual assault cases.

Parsons' family alleged she was sexually assaulted in November 2011 when she was 15.

A report released yesterday found it was reasonable for the Crown to conclude there was no realistic prospect that sexual assault charges would result in conviction.

The province ordered the review by Murray Segal, a former Ontario chief prosecutor,

in August 2013 but it was delayed until legal proceedings involving two men charged with child pornography offences in the case concluded

Segal says the investigation into the allegations was diligent but it took too long for a teenager in crisis.

Oct 09 2015

MISSISSAUGA, Ont. - Ontario's Special Investigations Unit says it is probing the circumstances surrounding a man's death this morning in West Lincoln, Ont.

The SIU says at about 2 a.m., Niagara Region police officers located a man in the rear yard of the residence.

While one of the officers was talking with the man, he suffered a gunshot wound and died at the scene.

The SIU has not said why police were called to the residence, nor release the man's name or age.

Five SIU investigators and two forensic investigators have been assigned to investigate this incident.

Oct 09 2015

SYDNEY, N.S. - The union that represents a Cape Breton police officer charged with identity fraud is questioning whether appropriate force was used during his arrest.

The Nova Scotia Government and General Employees Union says the officer, a 15-year member of the Cape Breton police force, was arrested early Wednesday morning at his home.

President Joan Jessome says the officer, his wife and his three young children awoke

to find a team of RCMP officers, some armed with carbine assault rifles, inside their home.

She says it seems excessive to have armed officers "storm" a house to retrieve a computer.

Jessome also questioned why police couldn't have arrested him when he was scheduled to go into work the next day.

RCMP Const. Mark Skinner says police action during any search is based on a risk assessment.

"In order to prevent injuries to all parties involved, police may use a number of options when we conduct a search," said Skinner. "In this case, actions of the RCMP were consistent with this approach."

The charges against the 39-year-old man involve fraudulently impersonating another person, living or dead.

RCMP say during his arrest, investigators seized electronic devices and a computer from a police-owned vehicle.

The Mounties say the accused has been released from custody and will appear in Sydney provincial court Dec. 15.

The Cape Breton Regional Police has said the officer in question has been suspended with pay pending the outcome of the investigation.

They say the officer will be paid for 60 days as required by the Police Act, after which time the chief of police will make a decision on whether he should continue to be paid.

Oct 09 2015

MONTREAL - Five Hells Angels on trial on murder and conspiracy charges have seen the case dismissed because of lengthy delays in the disclosure of evidence by the Crown.



The five men - all members of the biker gang's Sherbrooke chapter - were ordered released today in mid-trial by Quebec Superior Court Justice James Brunton.

Claude Berger, Yvon Tanguay, Francois Vachon, Sylvain Vachon and Michel Vallieres were arrested in 2009 under a widespread police sweep against the biker gang dubbed Operation SharQc.

Brunton was severe in his ruling, granting a defence motion for a stay of proceedings because the Crown only disclosed key information in September, while the defence had been seeking the evidence since 2011.

The Crown says it will consider appealing the decision.

Brunton is the same judge who ordered a stay of proceedings in 2011 for 31 Hells Angels members and sympathizers because of huge delays in brining them to trial.

They were facing various drug-related offences and were arrested during the same 2009 sweep.

The Crown attempted to appeal that decision to the Supreme Court of Canada, which ruled that Brunton did not err in exercising his discretion to order a stay in the case.

Oct 09 2015

TORONTO - Many domestic homicides in Ontario may have been "predicted and prevented" had risk factors such as a history of domestic violence been spotted and acted on earlier, according to a report by a committee formed in the wake of two domestic murder-suicides.

The "vast majority" - about 80 per cent - of the 199 cases reviewed by the Domestic Violence Death Review Committee between 2003 and 2014 showed at least seven risk factors, the committee wrote in its report to the Office of the Chief Coroner.

Close to three quarters involved a couple where there was a history of domestic violence, and more than two thirds involved a couple that had separated or was in the process of doing so, the document said.

Other common risk factors include obsessive behaviour, depression, unemployment, prior death threats and escalation of violence.

"The significance of this finding is that many domestic homicides may have been predicted and prevented with earlier recognition and action towards identified risk factors for future lethality," the report said.

The report comes weeks after the killing of three women in a rural area west of Ottawa and the arrest of a man who had reportedly dated all of them.

Basil Borutski, 57, is charged with firstdegree murder in the separate slayings of 36-year-old Anastasia Kuzyk, 48-year-old Nathalie Warmerdam, and 66-year-old Carol Culleton.

He had a brief hearing in a Pembroke, Ont., court Monday and is due back in court on Nov. 2.

The bodies of the women were found within hours of each other on Sept. 22.

Borutski was arrested after a manhunt that kept the village of Wilno, Ont., under lockdown for several hours.

He has a criminal history that includes a conviction for assaulting Kuzyk in December 2013. He was released from jail last December and placed on two years probation.

In 2012, Borutski was accused of assaulting Warmerdam, and also accused of threatening to hurt one of her family members and to kill a family pet.

Court documents say he was convicted of making threats and breaking a door while he lived with Warmerdam but the Crown did not proceed with the assault charge.

The Domestic Violence Death Review Committee was formed in 2003 in response to recommendations stemming from the inquests into the deaths of Arlene May and Randy Iles, and Gillian and Ralph Hadley. In both cases, the men killed their exes before taking their own lives.

Oct 09 2015

NEW YORK - California now requires police to get a court order before they can search messages, photos and other digital data stored on phones or company servers in the nation's most-populous state.

The California Electronic Communications Privacy Act was signed into law by Gov. Jerry Brown on Thursday. It's only the third of its kind in the U.S.

While some states guarantee some of its protections, only Maine and Utah previously had comprehensive laws on the books, noted Hanni Fakhoury, senior staff attorney for the Electronic Frontier Foundation.

The digital rights group, along with the American Civil Liberties Union, news organizations and tech companies, worked for the bill's passage. They argued that previous California law dating back to the 1980s was in desperate need of an update given the dramatic changes in the digital world.

But the bill's opponents, including several California police groups, argued that the measure would hamper the ability of law enforcement to investigate child pornographers and others who commit crimes online.

Previously, all that was generally needed to get the information was a subpoena. Now, under the new law, a warrant will be required in most cases.

Oct 09 2015

SALEM, Ore. - Retailers sold more than \$11 million of marijuana during Oregon's first week of legal recreational sales, outpacing the early business done in other states that have legalized pot, according to the Oregon Retailers of Cannabis Association.

Oregon retailers had sales of \$3.5 million by the end of opening day, Casey Houlihan, executive director of the association, told the Statesman Journal. By contrast, Colorado's first week of sales reached \$5 million. In Washington, sales during the first month hit \$2 million. Under the state law approved by Oregon voters last year, possession of marijuana in limited quantities has been permitted since July 1.

But there was no legal way to buy it until Oct. 1. Pot shops that already sell medical marijuana made big plans for the historic day, with some opening just after midnight.

Oct 09 2015

Over the summer, the Texas Forensic Science Commission, which sets standards for physical evidence in state courts, came to an unsettling conclusion: There was something wrong with how state labs were analyzing DNA evidence.

It seemed the labs were using an outdated protocol for calculating the probability of DNA matches in "mixtures"; that is, crime scene samples that contain genetic material from several people. It may have affected thousands of cases going back to 1999.

At first, they assumed the update wouldn't make a big difference - just a refinement of the numbers.

But when a state lab reran the analysis of a DNA match from a murder case about to go to trial in Galveston, Texas, it discovered the numbers changed quite a bit.

Under the old protocol, says defense lawyer Roberto Torres, DNA from the crime scene was matched to his client with a certainty of more than a million to one. But when the lab did the analysis again with the new protocol, things looked very different.

"When they retested it, the likelihood that it could be someone else was, I think, one in 30-something, one in 40. So it was a significant probability that it could be someone else," Torres says.

The change didn't affect the outcome of that case because there was other evidence against his client, but officials in Texas have just begun the process of correcting the mistake.

"We have to go back and identify which of those cases involved DNA mixtures where the lab may have given incorrect results," says Jack Roady, the district attorney in Galveston. "It's going to be a herculean task, but we're gonna do it."

Roady has been cooperating with the Texas Forensic Science Commission on fixing the problem, and he recalls the scene in September when he described the situation to a meeting of his fellow prosecutors.

"There was sometimes moments of collective gasps," he says. "The fact that this science may not have been done correctly in the past gives us great pause."

It's unsettling to find out DNA analysis can vary like this because it threatens to undermine the deep faith people have placed in the technology.

"And it's not faith they should not have had to begin with," says Keith Inman, who teaches forensic science at California State University, East Bay.

Inman has worked with DNA evidence since the 1980s. He says forensic DNA-matching is based on sound science, but sometimes labs can get ahead of themselves.

What happened in Texas, he says, is that labs have been using cutting-edge "testing kits" that can extract tiny traces of DNA from crime scenes, but those samples were then analyzed with math that's not suited to "weak" samples that combine DNA from many people.

He says the problem isn't limited to Texas. He says the newest, best analysis method called "probabilistic genotyping" - takes time to roll out, and that's put labs in a quandary.

"There's this interim time that cases are coming up and the analyst has to do something with it, and they know by definition that there is a better approach," Inman says.

Meanwhile, the justice system's hunger for DNA evidence just keeps growing. There are now police departments that have made swabbing for DNA part of their routine.

"We collect DNA evidence daily," says Jim Ferraris, deputy chief in Salem, Ore. His department has taken advantage of quicker testing provided by the state lab, and he says every officer in town is now trained to collect DNA. They even swab stolen cars and burgled homes.

All that swabbing has paid off. They've found DNA links between crimes, and they've found suspects. Ferraris believes the DNA-swabbing has led to a decrease in property crimes.

At the same time, these "touch samples" can be very challenging for the labs. When you take a sample from a doorjamb, the sample may include DNA from several people, in roughly equal proportions, all mixed together.

Faced with ambiguous samples like that, results can vary. A lab using one method may find a match, while another lab, using a more conservative analysis, may judge the same sample to be inconclusive.

In the world of scientific research, this would be seen as normal; scientific doubt is considered part of the process. But NYU law professor Erin Murphy says in the world of courts and lawyers, those doubts aren't always understood.

"We have this tendency in criminal justice to look for solutions to the most vexing problem, which is, 'How do we find dangerous people and stop them?' And when we look for those solutions, we like for them to be perfect," Murphy says.

Murphy has written a new book about this called Inside the Cell: the Dark Side of Forensic DNA. She says people should understand that DNA analysis can involve "subjectivity," and she worries about the tendency of juries to look past doubt.

"[Juries] are even willing to go a step further and say, 'We'll convict on the basis of DNA, even in the face of evidence - non-DNA evidence - that this isn't the perpetrator," Murphy says.

She has a pet theory about this. She says the public has seen other kinds of evidence discredited over the years, such as bite mark analysis and hair analysis. Even eyewitness testimony is now seen as unreliable. So we look to DNA.

"I feel like we're clinging to a life raft of

DNA and saying, 'Well this one will save us!'
"Murphy says. "But I think that both wrongly inflates DNA's capabilities, and it also is just overlooking the part of the story of these old techniques, where they were used in our system for decades without challenge."

(NPR)

Oct 09 2015

A civil suit from a group of RCMP officers in B.C. claims the force handed over sensitive health information - including mental records - to the College of Psychologists without their permission.



The lawsuit, filed in B.C Supreme Court, names RCMP Commissioner Bob Paulson, the Minister of Justice, and Canada's Attorney General among others.

It dates back to 2012 when the force had a falling out and severed ties with Dr. Mike Webster, who worked as a psychologist for the Mounties.

The force accused Webster of not being objective and launched a complaint about him with the College of Psychologists of B.C.

The civil suit alleges the medical records of at least seven officers were submitted as part of that complaint, without the permission of the officers.

"We have had no response from Commissioner Paulson," said Sebastien Anderson, the lawyer for plaintiffs David Reichert and Derrick Ross. "As a result we're resorting to the courts."

Anderson says Webster's relationship with the RCMP soured after he was critical of the force's workplace environment.

"The most current and comprehensive data on the members' health suggests that working for the RCMP can make you sick," Webster had said in an interview with CBC News in 2012.

Reichert claims his medical records were also shared with senior RCMP staff.

"Not only to the College of Psychiatrists and Psychologists, but also to the general membership," he said outside the Supreme Court of B.C. in Vancouver on Friday.

"There were members on the force that had no right to see our medical [files]."

According to the notice of civil claim, the records included psychological counselling reports with names, diagnoses, symptoms and treatment offered to officers.

"Those members that were involved in this privacy breach that are still working, are afraid to come forward for fear their jobs will be put at risk," said Rob Creasser with the Mounted Police Professional Association of Canada.

The force says it will only respond to the case in a statement of defense, which has yet to be filed.

The civil claim has not yet been certified as a class action lawsuit, and none of the allegations have been proven in court.

SATURDAY OCTOBER 10, 2015

Oct 10 2015

KAMLOOPS - The decision by B.C. RCMP brass to move a Kamloops-based police helicopter to Prince George will leave the Tournament Capital "vulnerable," according to a former Mountie and the the spokesman for the Mounted Police Professional Association of Canada.

"It's robbing Peter to pay Paul," Rob Creasser told KTW.

"There's a need for helicopter services in three areas of the province [outside the Lower Mainland and Vancouver Island] - the north, the Interior, to serve the Kamloops area, and Kelowna.

"We're going to leave one part of the province somewhat vulnerable."

Creasser said he's not sure why the decision was made, especially after an RCMP report recommended keeping the chopper in Kamloops.



"There was an RCMP report done and it actually recommended keeping the helicopter right where it is," he said.

"Kamloops owns the hangar. They do not own the hangar in Kelowna. They have to pay a lease of \$150,000 each year.

"So, financially, I think it would make sense to keep it in Kamloops."

It's not known when the chopper will leave Kamloops, but Creasser said a Kamloops RCMP employee who works with the helicopter told him he was listing his house for sale next week.

The Kamloops-based Mountie chopper is a resource of the B.C. RCMP, not the Kamloops detachment.

The RCMP's B.C. headquarters has not responded to a request for comment, but Sgt. Rob Vermeulen has previously told KTW that Kamloops would likely receive a fixed-wing aircraft from Prince George in exchange for the helicopter. (Kamloops This Week)

Oct 10 2015

LETHBRIDGE, Alta. - The Alberta agency investigating a police shooting says the person who was shot on Friday evening had a knife that he'd taken from a supermarket butcher counter.

The Alberta Serious Incident Response Team, which investigates officer-involved shootings, says police in Lethbridge received multiple 911 calls about a man with a knife in a Safeway.

The agency says callers believed the man was impaired and was acting irrationally, but he was gone by the time police arrived.

They say officers later found the suspect, who turned out to be 17, and that he appeared agitated and was armed with a large-bladed knife.

An officer shot him with his service pistol, and the teen remains in hospital with serious but non-life-threatening injuries.

ASIRT says it has spoken with some witnesses to the shooting, but hopes to find the occupants of a newer, red SUV that would have had a good view of the incident.

SUNDAY OCTOBER 11, 2015

Oct 11 2015

THUNDER BAY, Ont. - Police in Thunder Bay, Ont., say a police firearm was stolen this weekend.

Police say an officer's personal vehicle was broken into, and his backpack was taken.

The backpack contained a police-issued Glock 26, known as a "baby Glock", and ammunition.

Investigators say the break-in happened between 11 p.m. Saturday and 5 a.m. Sunday.

Police continue to investigate the incident, and are asking for the public's assistance in locating the gun. Oct 11 2015

WELLAND, Ont. - Two police officers shot in Ontario's Niagara region on Saturday evening have been released from hospital and are expected to make a full recovery.

Niagara Regional Police identified the officers as Const. Neal Ridley and Const. Jake Braun, who both work out of the force's Welland detachment.

Police said the shooting occurred while police responded to a report of an attempted suicide in the village of Fenwick, which is northwest of Welland.

A police news release says when the officers arrived at an apartment complex, a man left his room and fired shots at them.

One of the officers underwent surgery and has since been released from hospital, the other was treated for a gunshot wound to his foot and was also released.

A civilian man was also wounded at the scene, but there was no word on his condition.

Police aren't providing further details because Ontario's police watchdog was been called in to review how the incident was handled.

"I am incredibly proud of the courage and professionalism of these officers," said Niagara police chief Jeffrey McGuire in the news release issued Sunday.

Police say both officers are recovering at home.

MONDAY OCTOBER 12, 2015

Oct 12 2015

Women's advocates are sounding the alarm about a shortage of forensic nurses to administer rape kits in many hospitals across Canada.

Squamish, BC councillor Susan Chapelle says women who want a rape kit in her region have to travel for an hour or more to Vancouver General Hospital, sometimes in the back of a police car.

Chapelle says the issue comes down to under-funding and her research shows that some women in B-C have to travel as far as 200 kilometres to get a kit.

Rape kits are exams conducted by highly-trained health-care staff to collect evidence that can be used in court, such as fluid samples, swabs and photographs.

Access varies widely between provinces, but advocates say the problem is most acute in remote and rural parts of Canada, and remains a huge barrier to justice for sexual assault victims.

Nova Scotia has also been criticized for a lack of resources, but the province says it currently has three regional teams of forensic nurses and plans to add two more.

Oct 12 201

TORONTO - The standard form sent to prospective jurors in Ontario contains inaccurate instructions that could

lead to ineligible people sitting on juries, has discovered.

Seasoned lawyers, initially unaware of the issue, said the problem raises concerns about whether juries have been properly constituted.

"There's a real risk that potential jurors are misled and that some who are actually ineligible in good faith don't claim ineligibility and may not be weeded out in the course of the jury-selection process," said lawyer Brian Gover, who has also been a prosecutor.

"There's also the concern about the perception that this could create about the administration of justice."

In line with other provinces, juror notices in Ontario state that anyone convicted of a criminal offence is, in most cases, barred from serving on a jury. However, instructions accompanying the eligibility questionnaire list more than two dozen offences that do not lead to automatic disqualification

"If you have been convicted of an offence listed below, you may still be eligible for jury duty," the instructions for Question 6 state.

The list includes offences from engaging in a prize fight and trespassing at night, to being nude in public place or committing an indecent act.

The Criminal Code recognizes two groups of crimes: indictable offences, and less serious summary offences. In so-called hybrid offences, it is up to the prosecutor to decide whether to go the summary or indictment route.

According to Ontario's Ministry of the Attorney General, the Juries Act was changed in mid-2010 to exclude people convicted of hybrid offences - in addition to those convicted of indictable offences - from serving as jurors.

The problem is that three of the offences listed on the questionnaire as not affecting jury eligibility became hybrid as long as five years ago. They include impersonating a police officer, committing an indecent act, and making indecent or repeated phone calls.

As a result, legal experts say jury panels created on the basis of the questionnaire could be tainted.

"That list is inaccurate. It's flat out wrong in at least three instances," said longtime criminal lawyer Tony Bryant.

"That would mean some jurors, quite inadvertently, may well have filled out that form thinking that they are eligible - but they are in fact not eligible."

While it's unlikely an Appeal Court would overturn convictions solely based on the eligibility-form problem, experts say such a challenge might succeed if a lawyer raised the issue at trial without success.

Notified about the problem, the Attorney General Ministry said it would be making changes.

"We are taking immediate action to address the discrepancy and are instituting additional processes to screen out any prospective jurors who are ineligible," spokeswoman Heather Visser told in an email.

An arson at the old Kanesatake police station is renewing calls for the Quebec government to fund a detachment of Mohawk peacekeepers on the territory.

According to early reports from the community, a Chevrolet pickup truck was seen driving away from the abandoned building as it caught fire shortly after 2:30 a.m. Monday. By the time fire trucks from Oka, Mirabel and Pointe-Calumet arrived on scene, the station had burned to the ground.

The vehicles had to carry their own water because Kanesatake does not have a system of fire hydrants. The Sûreté du Québec, which has patrolled the territory since 2004, sent arson investigators to the station.

Reached for comment Monday afternoon, Grand Chief Serge Simon was furious, claiming the lack of a local police force has created a "free for all" environment in Kanesatake - a Mohawk settlement with a population of about 1,400.

"Same old story, we've had three fires in recent years, all arsons," said Simon, the band's Grand Chief since 2011. "Two years ago, it was a small administrative building next to the gym. Then it was some vandals trying to burn down the canoe club. Now this. I'm sick and tired of it."

Simon and other locals claim that, in recent months, outside construction companies have been using Mohawk territory to dump discarded materials along the shores of Lac des Deux Montagnes - about 45 kilometres west of Montreal.

"I've got idiots coming in here and they're burying old plywood, insolation foam, concrete, shingles, you name it," he said. "There's this attitude of, 'Oh, go dump on Indian land, there's no law over there, no one's going to stop you.' We've been lobbying the provincial government to try to put a stop to this.

"If we had our own police force, our own conservation officer, we could put a stop to this, kick these companies out and sue them for damages," Simon continued. "We've tried with Quebec, we've tried with the federal government because this is Crown land, but they keep passing the buck to each other."

The old peacekeeper station was the site of an armed standoff in January 2004, when Grand Chief James Gabriel brought in 50 outside police officers to seize the building from local officers. Gabriel said the raid was meant to rid the reserve of corruption and drug dealers, but his tactic was met with fierce resistance.

Just minutes after the takeover began, local men and women surrounded the station and eventually ran the outside police force out of town. A fringe, but infuriated, group walked over to Gabriel's house and burned it down.

The peacekeepers were subsequently disbanded and the building was abandoned. For years, the band council tried to fund projects that would see the station converted into a local gym or another type of service for Mohawk youth but nothing materialized.



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Monday's fire, Simon says, reminds his community of a moment in its history that's best forgotten.

"Seeing the station burn down, it's reliving a trauma," he said. "That's why I'm asking people to come forward if they saw anything. We've had calls about a pickup truck driving away as the fire started. There's tire tracks in the parking lot. We need to find the people responsible for this."

Between 2004 and 2009, the SQ spent \$36 million policing the territory, whereas a funding agreement between Quebec and the Mohawk peacekeepers cost less than \$2 million a year.

Only a handful of the province's 34 First Nations communities are patrolled by the SQ. Most indigenous territories have either a locally-run police department or operate alongside the SQ to overcome language and cultural barriers.

(Montreal Gazette)

Oct 12 2015

"What will stay with me for the rest of my life is the scream the man let out when he got to the crash," wrote Cst. Vanessa DeMerchant. "This father had just lost his daughter."



DeMerchant is one of several Mounties from Atlantic Canada writing on an RCMP web page about traumatic experiences they have had on the job.

The project is part of a national campaign, run through The Canadian Association of Chiefs of Police, called Operation Impact. It's aimed at getting drivers to focus on the importance of safe, sober driving.

Police are also sharing stories and realtime information about stop checks on Twitter, using #DontDrinkAndDrive.

According to the RCMP, impaired driving is the No. 1 criminal cause of death in Canada.

Operation Impact ran through Thanksgiving weekend. It began as a single-day campaign aimed at increasing seat belt use across the country.

Several Saskatchewan RCMP detachments and police services are taking part.

Oct 12 2015

After just over 15 years, Air One, Edmonton's police helicopter, celebrated its 10,000th flight this past weekend.

That translates to around 13,200 hours

of flying, but Const. Brian Griffith says that Air One is still in great shape.

"The thing that's different about helicopters from say an automobile is that at certain times in their lifespan they get a complete rebuild, a complete overhaul." he says. "And Air One has had that; I believe it was at the 11 year mark."

Air One was purchased in 1999, thanks to a fundraising effort spearheaded by 630CHED's own Bob Layton.

Const. Brian Griffith says it got so much use, that EPS bought another chopper, Air Two, a decade later.

"...with the intent of having one always available, even if one was down for maintenance." he says. "And I would suspect that it's used a lot more than initially expected or more than people actually realize."

EPS is looking to upgrade to a new chopper by the end of 2016. But that doesn't mean that Griffith loves the old bird any less.

"Air One is great." he says. "I've been flying a long time, and I can tell you, that machine, as experienced as it is, is one of the best helicopters I've ever flown."

(630 CHED)

TUESDAY OCTOBER 13, 2015

Oct 13 2015

STETTLER, Alta. - An RCMP officer was injured when a police vehicle rammed by stolen truck in central Alberta.

It happened on Monday in the industrial area of Stettler.

Police answered a call about a suspicious vehicle and found a black pickup that had been stolen.

When Mounties put on their lights and siren, they say the truck took off past the first marked cruiser.

The pickup changed direction, accelerated, and drove directly at the second cruiser, ramming it.

The officer inside the cruiser was taken to hospital, treated and released with minor injuries.

The three people in the stolen vehicle were arrested.

Oct 13 2015

TORONTO - A grieving mother who lost her three children and her father in a horrific crash north of Toronto is harnessing a wave of public support and outrage to push for tougher penalties against drunk drivers.

Jennifer Neville-Lake says returning to the site of the crash on Thanksgiving weekend inspired her to launch what she called her "final bit of advocacy" for her children.

Nine-year-old Daniel, Harrison, 5, and two-year-old Milly Neville-Lake were killed along with Gary Neville, 65, after the van they were in was T-boned by an SUV in Vaughan, Ont., on Sept. 27.

The children's grandmother and

great-grandmother were also seriously injured in the crash.

Marco Muzzo, 29, has been charged with a dozen counts of impaired driving and six more charges of dangerous operation of a motor vehicle related to the incident.

He remains in police custody pending a bail hearing next Monday and his high-profile defence lawyer has said it's premature to indicate how Muzzo will plead.

The maximum sentence for impaired driving causing death is life in prison and Neville-Lake says it's crucial for politicians and the courts to know the public supports that ruling.

Oct 13 2015

TORONTO - The trial of a Toronto police officer charged in connection with the shooting death of a teenager on a streetcar two years ago has been delayed until next week.

The postponement in Const. James Forcillo's case comes because his defence lawyers and Crown prosecutors need to make legal arguments on certain matters to the judge presiding over the case, outside the presence of the jury.

Forcillo is charged with second-degree murder and attempted murder in the death of 18-year-old Sammy Yatim.

He has pleaded not guilty to the charges against him.

Yatim was shot and killed on an empty streetcar on July 27, 2013 - an incident captured on surveillance and cellphone video on which nine shots can be heard following shouted commands to drop a knife.

The teenager's parents and his younger sister were at the courthouse on Tuesday, as were Forcillo's wife and some of his supporters.

Opening statements in Forcillo's trial - which were expected on Tuesday - are now anticipated next Tuesday or Wednesday.

Forcillo, who has been free on bail, has been working at Toronto Crimestoppers in an administrative role.

His lawyer has said his client is eager to tell his side of the story at trial.

Oct 13 2015

EDMONTON - An Alberta man who shot at an RCMP officer and ran over another with a truck has been sentenced to 12 years behind bars.

Michael Leslie Johnson was originally charged with 36 offences, including four counts of attempted murder.

On Jan. 6, 2014, two Alberta RCMP officers were injured during a standoff in an area between Vegreville and Tofield, east of Edmonton.

One RCMP member's arm was grazed by a bullet, and was treated and released.

The other had surgery after being run over by a vehicle at the rural property.

With credit for time served, Johnson will spend another nine years and five months in custody.

Global Edmonton)

Oct 13 2015

GRANDE PRAIRIE, Alta. - When there's a robbery, you usually call the police, but RCMP in Grande Prairie, Alta., are turning the tables and asking the public to help them recover weapons and ammo stolen from a parked, locked police vehicle.

RCMP say the robbery took place either the night of Oct. 8 or early the next morning.

One or more thieves took an RCMP-issue Smith and Wesson 9 mm service pistol; three RCMP-issued magazines with ammunition for the service pistol; and one extendable black police baton.

The service pistol had a trigger lock device on it and was secured in a locked gun box inside the car.

RCMP are asking anyone who may have seen anything suspicious or who know about the whereabouts of the stolen items to contact them immediately.

Oct 13 2015

TORONTO - Belleville's chief of police has been recognized with the Award of Tolerance for her role in gaining a greater understanding of discrimination, hate and working towards change.



Cory MacKay, along with Chief Kai Liu of Cobourg and Chief Jeff McGuire of Niagara Region, was presented with the Friends of Simon Wiesenthal Center (FSWC) Presents the Award of Tolerance last week in Toronto.

MacKay was recognized for her effort to gain a greater understand of the Holocaust on a FSWC Compassion to Action mission and for continuing to work the FSWC to further tolerance education in her community.

MacKay was introduced to the group in 2012 when she was invited to take part in the Compassion to Action mission, touring Poland and Israel.

"We saw first-hand the horrors that have happened," she said. "It was a life-changing experience."

"A lot of it was on the education of what hate and discrimination can do. Even the smallest of acts."

The mission - including a visit to Auschwitz - made a lasting impression on the chief. (Belleville Intelligencer)

Oct 13 2015

Delta's new police chief has ordered a review of the department's patrol officers in an attempt to improve performance and public safety. According to a police patrol workload analysis request, the force is seeking a review of current operational demands, workflow bottlenecks, resource allocations and of overall asset deployment.

The document points to the need to find information on how many calls Delta Police receives for service, how quickly it's getting there, what demand for policing is there in the community - both now and in the future - and more.

"We have a new chief who started this summer and he's just looking to get a complete picture of Delta Police and how various aspects of it function, one of those aspects will be the patrol section," said A/Sgt. Sarah Swallow, spokeswoman for the force.

"Pending the review, any recommendations made by the reviewers will be considered to ensure we continue our model of excellence in policing."

Neil Dubord, former Transit Police chief, was appointed the role of top cop in Delta in late April.

The force has an annual operating budget of approximately \$32 million and employs 252 people, including 177 police officers. The review request, posted on Oct. 6, points towards the Tsawwassen First Nation and its expected "massive growth" in the near future as one potential upcoming concern. (24 Hours Vancouver)

WEDNESDAY OCTOBER 14, 2015

Oct 14 2015

EDMONTON - A grieving family is hoping a meeting today with two Alberta government ministers will result in a public inquiry being called into the death of a 46-year-old woman.

Colleen Sillito-Kruger was killed at her Fort Saskatchewan home on Oct. 2 by her former boyfriend Paul Jacob, who then killed himself.

Colleen's mother, Joyce Sillito, says a small family delegation will meet with Status of Women Minister Shannon Phillips and Justice Minister Kathleen Ganley.

Sillito says the family is impressed with how quickly the meeting was arranged, lauding the ministers for being "very prompt" in responding to the family's request.

She says her family is not looking to blame anyone, just to make sure the right tools are there for the next person dealing with a family violence situation.

The family has said Sillito-Kruger was a victim of escalating threats and violence and had obtained a peace bond from the RCMP that was violated many times.

Oct 14 2015

VANCOUVER - Police in Vancouver and Surrey, B.C., combined resources to break up a sophisticated theft operation they say was responsible for

hundreds of crimes a month.

Vancouver police say they acted on a tip that owners of a convenience store on King George Boulevard in Surrey were taking in large amounts of stolen property.

Police allege the operation acted as a socalled predatory fence, purchasing property that had been stolen by drug addicts supporting their habits and then selling it back to retailers, at flea markets or sending it overseas.

Investigators used search warrants at the business and two homes in Surrey and seized \$10,000 in cash and about \$100,000 in stolen property.

Police say they also seized over-the-counter medications they believe were being sold to produce methamphetamine in illegal labs.

Three people, ranging in age from 49 to 61, were arrested and have been released pending approval of criminal charges.

Oct 14 2015

CRANBROOK, B.C. - A prosecution has been stayed against a B.C. Mountie who was on trial for the careless use of his firearm.

The charge against RCMP Const. Richard Drought arose from an Oct. 2, 2012 investigation into a carjacking complaint and police chase near Cranbrook, B.C.

Drought was accused of firing his weapon into a vehicle containing two people, injuring the male driver.

Neil MacKenzie of B.C.'s Criminal Justice Branch says Drought's trial began Oct. 6 in Cranbrook but the Crown decided to stay the charge on Wednesday morning.

He says inconsistencies appeared in the evidence given by the complainant before and during the trial, and new evidence emerged about the location that affected analysis of the shooting.

MacKenzie says the Crown concluded that there wasn't sufficient evidence to proceed and directed a stay of proceedings against Drought.

Oct 14 2015

EDMONTON - What started as a stop for not having a bell on a bike turned into almost 20 charges for an Edmonton man.

Police stopped the 25-year-old for riding on the sidewalk and not having the bell.

Police say they gave him a false name, so he was arrested for obstruction of justice.

While officers were trying to arrest the man, a knife fell out of his pants.

That led to a full search of his backpack, where police say they found a sawed-off shotgun, drugs and trafficking paraphernalia.

The cyclist is now facing charges related to weapons, trafficking, obstruction and breaching conditions, along with the ticket for not having a bell on his bike.

Oct 14 2015

OTTAWA - The commissioner of the RCMP says he has "every intention" of recognizing the officers who helped

take down a gunman who stormed Parliament Hill last October.

Responding to a TV report that said four Mounties had not received formal recognition for their actions in bringing Michael Zehaf-Bibeau's rampage to an end, Bob Paulson told the National Post on Wednesday he understands why some officers feel frustrated with the apparent "bureaucratic slowness" and agreed the recognition to date has not been sufficient.

But he said it didn't make sense for the force to contemplate handing out awards until after multiple reviews of the incident were completed in June.

"It's understandable some of our officers are wondering what's going on," Paulson said

CTV News reported Tuesday night that while former sergeant-at-arms Kevin Vickers received a standing ovation in the House of Commons for his role in killing Zehaf-Bibeau, four Mounties who helped corner the gunman in the Centre Block had not received formal recognition and were told days after the incident that the narrative focusing on Vickers had "left the station, but you guys will get internal recognition."

Paulson said Assistant Commissioner Gilles Michaud, commander of the RCMP's National Division, was not trying to diminish the actions of the officers in his private meetings with them.

"They were understandably scratching their heads as the huge media response focused on the sergeant-at-arms. We take no issue with that," Paulson said. "All Gilles was trying to do in saying that to those people was to say, 'Look, that's not how we roll. We need to assemble facts, we need to be transparent, we need to have external bodies come in and examine these things.

"It's just not how the police works to start handing out medals before the thing is thoroughly understood. That's what he was trying to convey to them."

Zehaf-Bibeau stormed the Centre Block on Oct. 22 after fatally shooting a soldier, Cpl. Nathan Cirillo, in the back at the National War Memorial.

An un-redacted copy of the Ontario Provincial Police's independent investigation of the incident obtained by the Post's John Ivison in June concluded that Const. Curtis Barrett and sergeant-at-arms Kevin Vickers "fired their weapons and neutralized the threat."

Barrett had advanced toward the gunman in the Hall of Honour with three colleagues - Sgt. Richard Rozon, Const. Martin Fraser and Cpl. Dany Daigle - in diamond formation.

The gunman came out from behind an alcove and fired a shot at the officers. At that point, Vickers, who emerged from a nearby office, dove to the floor and began firing at the gunman. Barrett also returned fire.

Paulson said he has received submissions to formally recognize 14 RCMP officers, five House of Commons security personnel and the former sergeant-at-arms with Governor General's Awards or RCMP commendations for bravery or performance.

The submissions are being processed, he

said. There are "certain thresholds and certain criteria that have to be objectively met to be able to qualify individuals to each level."

Paulson said he expects a private ceremony for family members will be held later this year and a news release will identify each award recipient and achievement.

"They acted incredibly bravely, (they were) incredibly responsive to a difficult and rapidly emerging threat. I'm very proud of everyone one of them," he said.

"It's just unfortunate that this is becoming the story now."

Oct 14 2015

SAINT JOHN - The Saint John Police Force's new chief has ordered an investigation into allegations that Deputy Chief Glen McCloskey suggested another officer lie under oath about the Richard Oland murder case.



Chief John Bates has directed the force's professional standards unit to look into the issue, raised Tuesday by retired staff sergeant Mike King during his testimony at Dennis Oland's murder trial and denied Wednesday by McCloskey.

The Saint John Board of Police Commissioners and the New Brunswick Police Commission have both been advised, Bates said in an emailed statement to CBC News.

Bates will "be in consultation with the NBPC with regard to conducting a thorough investigation into the allegation," the statement said.

McCloskey, who served as the force's acting chief between Bill Reid's retirement in April and a few weeks ago when Bates took over the role, remains on active duty.

On Wednesday, McCloskey denied King's allegations that he suggested he alter his testimony about McCloskey's presence in the bloody murder scene.

He suggested during his testimony at Dennis Oland's trial that it was King who lied on the stand because he was angry about being passed over for a promotion to inspector.

Bates said it would be improper for him to comment on any of the testimony.

King testified that some time last year, either before or during Dennis Oland's preliminary inquiry, McCloskey, who was an inspector at the time and his supervisor, referred to another officer as being an "idiot" for having said that McCloskey had entered the scene.

King said his reaction was, "You were in the room." McCloskey's reply, according to King, was, "Well, you don't have to tell them that."

When asked about King's allegation that

McCloskey also had a box of evidence related to the Oland case in his office, against normal procedure, McCloskey said he couldn't recall.

McCloskey was also asked about a clandestine meeting King alleged he had set up for him one night at midnight at the Boston Pizza parking lot on the city's east side.

King said a man, whom he believed to be an RCMP officer, got into his vehicle, told him to drive to the yacht club in the city's north end and instructed him that if any calls came into dispatch regarding suspicious activity in the area, King should redirect his officers from responding.

Defence lawyer Alan Gold revealed that a boat search related to the Oland case had been conducted at the Royal Kennebecasis Yacht Club.

McCloskey said the meeting had nothing to do with the Oland case, but rather was related to a "high level RCMP investigation" he was not at liberty to discuss.

Richard Oland's body was discovered in his investment firm office at 52 Canterbury St., on July 7, 2011. He had suffered 45 sharp and blunt force injuries to his head, neck and hands.

Dennis Oland, 47, who was the last known person to see his father alive during a meeting at his office the night before, has pleaded not guilty to second-degree murder.

Oct 14 2015

TORONTO - Blue Jays fever almost turned criminal in a way you probably wouldn't expect this morning and even Toronto police were taken aback.



On Wednesday, just after 8 a.m., police received a call from a man asking to go to jail so that he could watch the do-or-die baseball game this afternoon against the Texas Rangers.

Officers responded to the call, worried about what the man might do to get arrested but couldn't locate the caller.

If this seems like a good way for fans to catch the game, Const. Jennifer Sidhu is about to burst your bubble.

"No, there are no TVs in the holding cells at police stations or at court," she told CBC News. "But I don't know whether detention centres have them."

Sidhu said that if the man had been on scene and got arrested, he would have been taken to a police station for processing before going directly to court. So, by the time he would have arrived at a detention centre, he would have already missed the series finale.

York Regional Police seemed to have anticipated this kind of move last week. They

tweeted about their television-less cells before Game 1 of the American League Division Series last Thursday.

THURSDAY OCTOBER 15, 2015

Oct 15 2015

LILLOOET, B.C. - Five patients remained in hospital overnight after an attack at a First Nation band office in British Columbia's Interior that left the suspect dead.

RCMP were called yesterday morning to a report of a man with a weapon at the Bridge River Band Office near Lillooet.

They say officers arrived, found the suspect restrained, unconscious and unresponsive, and despite performing CPR, the man died at the scene.

Michaela Swan of the Interior Health authority says 10 people were initially taken to hospital.

She says five were released but five remained in hospital overnight.

Swan says two remain in critical condition, two in serious condition and one is dealing with non-life-threatening injuries.

Investigators with the BC Coroners Service and the Independent Investigations Office have launched investigations.

Oct 15 2015

PLACENTIA BAY, N.L. - A man who raised a stink at a town office in Newfoundland over sewage on his property says his tactic may have been extreme, but it worked.

RCMP were called after Jim Murphy brought a bucket full of waste he collected from his property and spilled it on the front desk of the town office in Placentia.

Murphy says raw sewage has been backing up into his house from a nearby municipal lift station since the early 1990s.

He says hours after the incident, a municipal crew showed up to make repairs.

Placentia Mayor Wayne Power says council had not been made aware of the problem prior to Tuesday's incident.

The RCMP say Murphy has been charged with mischief under \$5,000 and will appear in court in December.

Oct 15 2015

KITCHENER, Ont. - Police say a man charged in a pellet gun shooting in Kitchener, Ont., is also a person of interest in the death of a 60-year-old man who was found with an arrow in his chest earlier this month.

Eric Amaral, 29, faces several weapons-related charges after police allege he shot an officer in the face and hand during a traffic stop on Tuesday.

He appeared in court Wednesday and was remanded until his next hearing next Tuesday.

Police say they had been seeking to speak with Amaral in connection with the death of Michael Gibbon, who was found lying outside a home in Kitchener on Oct. 5.

The investigation in Gibbon's death continues and police are treating his death as a homicide.

The killing has rattled the community and police are urging people to stay vigilant as it's not known whether the public is at risk. (CKGL. CTV News)

Oct 15 2015

HALIFAX - Concerns raised in a report about the Rehtaeh Parsons case have prompted a review of how school boards deal with police investigations, according to Nova Scotia's education minister.

Parsons was 17 when she taken off lifesupport in April 2013 after attempting suicide.

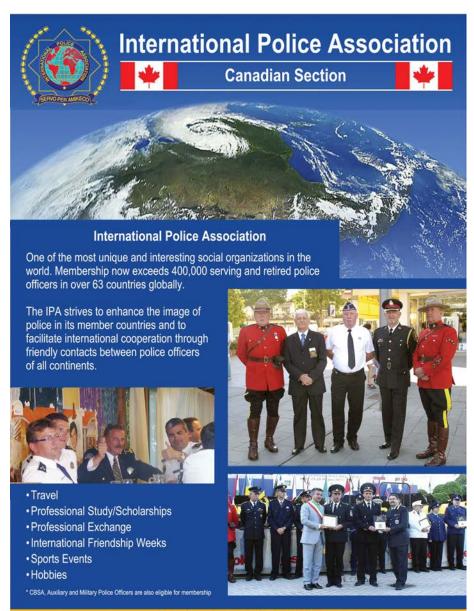
Her case attracted national attention when her family alleged she had been sexu-

ally assaulted in November 2011 at the age of 15 and then bullied after a digital photo of the alleged assault was passed around her school.

Last week, a review into how Nova Scotia police and prosecutors handled the case found school board officials apparently thwarted a bid by a police investigator to talk to students at Parsons' school.

Education Minister Karen Casey says school board officials properly followed a protocol that had been established earlier between the board and police.

However, Casey says the concerns raised in the report have prompted a review of each school board's protocol with police services to determine if any need improvement or if a provincewide policy is needed.



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