

# BLUE LINE NEWSWEEK *Celebrating 20 Years*

A Chronicle of News for the Law Enforcement Community

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## PRIVATE POLICE NEED MORE OVERSIGHT



Nov 06 2016

**OTTAWA** - Private police have exploded in numbers in recent years, but Canada is lagging behind other countries in tracking their often-covert activities - something that experts warn could compromise privacy and public safety if growth continues unchecked.

"There is little or no governance or oversight of private security firms in Canada, no mechanisms that require standardized reporting by private security firms, and only minimal standards in place for licensing, training and discipline of the various positions within the private security industry," reads a research report prepared for Public Safety Canada.

Provincial and federal statutes, including privacy rules, govern surveillance and the collection and use of information. But the report

finds lax licensing requirements and a lack of oversight are failing to keep the activities of private investigators, analysts and guards in check.

"This has a number of consequences, including an inability to ensure that private security companies are not vulnerable to organized crime, unethical and/or illegal behaviour," the report said.

The report, released to CBC News, comes amid news reports about questionable surveillance and data collection activities of Canadian police and spy agencies. Two Quebec police forces have come under fire for tracking the cellphones of journalists, while a federal court condemned the Canadian Security Intelligence Service for illegally retaining the metadata of people not under investigation.

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The report finds a “potential” for private security to play an important role in community safety. But it warns of the dangers of an expanding role in the national security apparatus that falls largely under the radar. Huge disparity

Curt Griffiths, a criminologist at B.C.’s Simon Fraser University who co-authored the report, called the growing business of private security an “unregulated field.”



The lack of oversight and a huge disparity among provinces and territories on training and background checks, complaint mechanisms, auditing and reporting raise the risk of private investigators intruding on privacy by “sleuthing around,” or “mall cops” who might abuse authority.

A robust oversight and accountability regime is long overdue, Griffiths said.

“The role of the federal government, ideally, would be to develop some national standards for private security so you get rid of the variability across jurisdictions and bring everyone up to the same level,” he told CBC News.

His 104-page report found the number of licensed security companies and individuals is far outpacing the growth of public police officers.

In 2012, according to the report, there were about 140,000 individuals and 3,000 businesses licensed in Canada’s private security industry. That marks a 40-per-cent increase in just five years.

Meanwhile, over roughly the same period - between 1999 and 2014, the number of police officers increased by 18.7 per cent, topping out at 68,896 officers, according to the

report.

Michael Kempa, a criminologist at the University of Ottawa, said the areas where private agents operate - including shopping malls, university campuses and condominium lobbies and parking lots - is ever expanding.

That means citizens are forgoing rights to those who are enforcing “arbitrary rules of the proprietors,” Kempa said.

Without regulation, the uncontrolled growth of the industry could become a “massive problem,” including an inequality of protection and safety services between the rich and the poor.

“As these agencies claw into ever more functions, one day you’ll turn around and realize that public police has taken a back seat to private actors who are not monitored in the same way,” Kempa said.

But Christopher Murphy, a sociologist at Nova Scotia’s Dalhousie University, believes public and private police have distinct roles.

“We don’t want highly paid, highly trained, legally empowered police officers doing some of the important but low-level, low-skilled, not-necessarily-legally-connected activities, such as providing presence in a neighbourhood,” he said.

Police officers enforce the law, while private security personnel have a broader mandate. Instead of competing, he said, they should find ways to better co-ordinate and integrate services.

As for keeping private actors in check, he said employees can be fired if they are acting inappropriately, abusing authority or bringing ill repute to the company.

(CBC News)

family, have requested an autopsy by the chief coroner.

There is video of most of what happened, but street and car lights in the video are making it difficult to see. It has been sent to Edmonton police to try to clarify the images, the police chief said.

(CJWW)

Nov 03 2016

## EDMONTON - An Edmonton judge has tossed out a sexual assault charge against an Alberta man as a result of the “unexplained” loss by the RCMP of an audio-recorded statement from the alleged victim.

In a ruling released this week, Court of Queen’s Bench Justice Denny Thomas issued a judicial stay of the 2015 sexual assault charge against the 21-year-old accused man.

“Balancing the societal interest of having a full trial on the merits of this charge before a jury and the right of the accused to make full answer and defence, I conclude that this is one of those ‘clearest of cases’ where a stay should be granted to respect the rights of the accused,” said Thomas in his written decision.

The man had sought a stay of the charge, arguing the “unexplained” loss of key evidence by the Mounties was so prejudicial to his right to make full answer and defence that he would not get a fair trial.

The Crown had conceded that the loss of the complainant’s audio statement meant the prosecution had not met their disclosure obligation and it was therefore a breach of the accused’s Charter rights, but had argued there was other evidence available to the defence which would have mitigated the prejudice to him.

However, Thomas disagreed, ruling the accused had been denied the ability to conduct a “crucial” cross examination of the alleged victim on the contents of her missing statement and finding that there was neither a “practical nor fair way” to mitigate the prejudice.

“I conclude that there are no other measures which could be used here to overcome the prejudice caused by the unexplained loss of the second statement,” said Thomas.

Court heard the woman had a sexual assault examination done by a doctor that morning and the police went to her mother’s home that afternoon to obtain a detailed statement from her.

This longer interview was recorded on a handheld digital recorder and the officer also made “very sparse” handwritten notes. The officer later reviewed those notes and listened to the recording as she prepared her typed report for disclosure purposes.

Court heard the second statement audio file was lost by the RCMP sometime between March and October 2015 and the Crown later conceded the loss is “unexplained.”

In his ruling, Thomas found he was “particularly concerned” over the “inconsistencies” between the officer’s notes and her report.

(Edmonton Sun)

**THURSDAY**  
**NOVEMBER 3, 2016**

Nov 03 2016

## SASKATOON - Police in Saskatoon are investigating whether an officer’s use of force contributed to a 21-year-old suspect’s death.

Chief Clive Weighill says the officer, who has been with the force for 10 years, is on administrative duties for now.

Jordan Lafond was a passenger in a stolen truck involved in a police chase on Oct. 23.

Weighill says Lafond appeared to have been ejected from the truck when it crashed into a fence at a Saskatoon high school.

He says police believed he was trying to resist arrest and one officer used his knee to take the suspect into custody.

Lafond died in hospital the next morning.

Police found four firearms and ammunition inside the truck, Weighill said.

A 20-year-old man faces more than 20 charges, including dangerous driving causing death.

Weighill said police, as well as Lafond’s

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Nov 04 2016

**CALGARY - A police officer and a suspect were both taken to hospital Thursday night with non-life-threatening injuries sustained during a confrontation in the Calgary neighbourhood of Dover.**

The Calgary police department said the incident took place in an alley around 7 p.m. Thursday evening after a stolen vehicle was spotted by patrol members.

A news release from the department said one officer, a three-year veteran of the force, sustained minor injuries after approaching the stolen car and being dragged by it.

A second officer, also a three-year-member of police service, discharged a firearm, striking the 21-year-old driver of the stolen vehicle.

Police described the driver of the vehicle as being in serious but stable condition.

At a news conference late Thursday, Chief Constable Roger Chaffin said the incident is another example of how officers are put in harm's way doing their jobs on a nightly basis.

"These things happen so fast, and unfortunately, we've become all too accustomed to the fact that these things are happening more often than we'd like to see," he said, noting that officers have investigated 4,000 stolen vehicles so far this year.

Nov 04 2016

**OTTAWA - A federal review of national security will consider whether Canada's spy service should be able to sift through the kind of personal data it kept illegally for years, says Public Safety Minister Ralph Goodale.**

Goodale said Friday the notion that the Canadian Security Intelligence Service should avoid stashing away information about innocent people is a "fundamental principle of Canadian privacy."

But the minister appeared to leave the door open to one day giving CSIS the legal authority to keep and analyze electronic data about individuals who do not pose a security threat.

"I want to hear the professional advice on both sides," Goodale told a news conference in the foyer of the House of Commons. "I'm not pre-empting the consultation."

A Federal Court judge says CSIS violated the law by keeping potentially revealing electronic data about people who were not targets of investigation over a 10-year period.

In a pointed ruling made public Thursday, Justice Simon Noel said CSIS breached its duty to inform the court of its data-collection program, since the information was gathered using judicial warrants.

CSIS crunched the data beginning in 2006 using a powerful program known as the Operational Data Analysis Centre to produce in-

telligence that can reveal specific, intimate details about people, the judge said.

The improperly retained material was metadata - information associated with a communication, such as a telephone number or email address, but not the message itself. It is believed to have included data trails related to people such as friends or family members who knew the targets of surveillance but were not themselves under investigation.

The ruling means metadata can now be kept and used by CSIS only if it relates to a specific threat to Canadian security or if it is of use to an investigation, prosecution, national defence or foreign affairs.

In a hastily assembled news conference Thursday after the decision became public, CSIS director Michel Coulombe said the spy service had halted all access to, and analysis of, the data in question while it thoroughly reviews the court decision.

Nov 04 2016

**CALGARY - A Calgary man who was accused of running over two seniors as he fled police will not be tried because of a lengthy delay.**

Jason Harron, who is 40, faced several charges that included criminal negligence causing bodily harm.

Agnes Dyck broke her elbow and hip and her husband Peter suffered minor injuries when they were hit outside Calgary's Crowfoot Shopping Centre in May 2013.

Harron was shot by police while attempt-

ing to escape arrest and lost his sight as a result.

He was to face trial on Nov. 14 in Queen's Bench Court, but a Supreme Court ruling last summer said 30 months was too long to wait.

Harron's trial was delayed by 42 months, so the Crown stayed all the charges. (CTV Calgary, CP)

Nov 04 2016

**THUNDER BAY - The independent civilian oversight body that is investigating the conduct of the Thunder Bay Police Service and its policing of First Nations people has outlined the specifics of its ongoing review.**

In a release issued on Thursday, the Office of the Independent Police Review Director (OIPRD) detailed the nine key areas it will be examining during its systemic review of the Thunder Bay Police Service.

"Alarming questions have been raised about the way the Thunder Bay Police Service investigates the disappearances and deaths of Indigenous people," Gerry McNeilly, independent police review director said in the release.

"Indigenous leaders and community members say that these investigations, and other interactions with police, devalue Indigenous lives, reflect differential treatment and are based on racist attitudes and/or stereotypical preconceptions about the Indigenous community."

The review of the Thunder Bay Police

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Service follows several incidents in the last year that have called into question police conduct relating to the Indigenous community and investigations.

While the review looks specifically at relations between Thunder Bay Police and the Indigenous community, McNeilly is calling it a systemic review.

"I don't want to target it as a racism review because I'm looking at the existing policies and practice how the police investigate matters in general with regard to Indigenous people and the adequacy of training and if officers are being held accountable for the way they interact with members of the Indigenous community."

(Sudbury.com)

Nov 04 2016

### **TORONTO - The province's Special Investigations Unit is investigating after a man died in an "interaction" with Toronto police.**

Police say officers were called to a report of a person seen walking with a large knife on Friday afternoon.

They say police found the man and "an interaction" took place between him and officers.

The province's Special Investigations Unit says it has been called in to investigate the man's death.

Nov 04 2016

### **HALIFAX - A judge has dismissed a charge against a Halifax magazine writer accused of breaching a publication ban in a story that painted an unflattering portrait of an off-duty Nova Scotia police officer whose body was found dumped near an overpass leading to a harbour bridge.**

The case against Andrew Douglas, the managing editor of the satire and gossip publication Frank Magazine, was dropped after the Crown appeared in provincial court on Friday to say no evidence would be provided.

Outside of court, Paul Carver, the chief Crown attorney for Halifax, said he had reviewed court rulings in similar cases provided by the defence, and done his own review, and concluded a prosecution of the journalist wasn't viable.

Douglas said outside court the police had been attempting to send a message that a negative story about Truro police officer Catherine Campbell based on leaked documents wouldn't be tolerated.

"Law enforcement and the Crown just couldn't believe we would publish this. In my opinion they set out to find a way to make Frank pay for it," he said outside court.

"They wanted to see somebody bleed."

A Halifax police spokeswoman said the force investigated in the same way they would approach any such case.

Douglas was charged with breaching a ban shortly after the launch of a preliminary inquiry into the alleged homicide of Campbell last year.

Police alleged the magazine published a story online the same day the hearing began last July 11 and contained information that was subject to the ban.

The same story appeared in the print edition of the magazine, which appeared on newsstands on July 13. Douglas has said his story was researched, written and published ahead of the publication ban, after he received an envelope containing information about the officer's off-duty activities.

Christopher Calvin Garnier is charged with second-degree murder in the death of Campbell, who served as a Truro police constable for six years before her death.

Her death drew national headlines, and police officers and firefighters lined the streets as her casket was brought to the church for her funeral in her hometown of Stellarton, N.S.

Nov 04 2016

### **WINNIPEG - Manitoba RCMP say last week was a deadly one on the province's roads. Nine people died in collisions - a number RCMP say they don't want to ever see repeated.**

Mounties say half of those who have died this year in fatal collisions weren't wearing seatbelts.

In almost 50 per cent of deadly crashes, speed was involved.

RCMP say impaired driving was a factor in almost 40 per cent.

Nov 04 2016

### **TORONTO - A Toronto police chaplain under fire for comments made about women's "obedience" to their husbands will continue to serve with the force for the time being, CBC News has learned.**

Musleh Khan met recently with Toronto police Chief Mark Saunders, and "would like an opportunity to be heard by members of the Toronto Police Service," spokeswoman Meaghan Gray told CBC News on Friday.

"We will be facilitating that opportunity. In the meantime, he continues as a volunteer chaplain," Grey said.

The force would not comment further.

Khan drew ire on Tuesday from critics including the Toronto police union and the Canadian Council of Muslim Women over comments he made in a 2013 webinar for Muslim couples.

In the almost hour-long seminar - called The Heart of the Home: The Rights and Responsibilities of a Wife - Khan appears to imply a wife must make herself sexually available and "not withhold this right from her husband without a valid excuse," such as sickness or obligatory fasting.

He adds refusal is, according to some Islamic scholars, considered "a major sin."

Khan also describes a wife's other duties and rights in the video.

It had police union president Mike McCormack asking how the Toronto Police Service vets its chaplains, and how the comments reflected on the force as a whole.

"It's difficult enough having these comments out there in 2016 in a country and in a city that doesn't support this type of position," he said Tuesday.

Khan has said his comments were taken out of context, and that the Arabic term he translated as "obedience" denotes loyalty and devotion.

"I realize how someone unfamiliar with this nuance can misunderstand my imprecise translation to mean something different to my intended meaning, and the meaning that I know my audience at the time understood clearly," Khan told CBC News in a statement Tuesday.

Nevertheless, he said he appreciated the criticism and would "be more mindful in clarifying my steadfast support of women's equality," adding he remained ready to serve with the force.

(CBC News)

Nov 04 2016

### **The association representing RCMP officers in Quebec is seeking permission from a Superior Court judge to bring a class-action lawsuit against the RCMP for abuse of authority, discrimination and harassment.**

If granted, the lawsuit will seek damages for officers who allege that they were discriminated against due to their union activism, or simply because they happened to be francophone.

Quebec Mounted Police Members' Association (QMPMA) spokesman Frederic Serre says that this is the first time a members' association has filed this kind of legal action against the RCMP. Previous high-profile cases were filed by private individuals and groups.

"The appeal we filed with the judge lists three specific individuals, and we are hopeful that it will be approved and will pave the way for other officers to step forward and deposit complaints," Serre told Global News. "It's a daring move considering the fact that a lot of members are afraid to speak out due to fear of reprisal."

So fearful are active RCMP members of speaking out, Serre says, that the association's charge is being led by retired 35-year RCMP veteran Paul Dupuis.

Dupuis told Global News that his work as an advocate for union rights while employed by the RCMP made him the victim of various abuses of authority, such as being made to wait seven years for a decision on a disciplinary allegation.

"That means that you're in the penalty box for seven years," he said. "You can't get promoted and you can't request transfers, so your career is put on hold for that period."

The appeal also aims to highlight discrimination against francophone officers.

"Unilingual, French-speaking officers have been sent to work out west when they



ASSOCIATION  
DES MEMBRES DE LA  
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didn't have the ability to speak English well," Dupuis said.

"They were put in a position where they couldn't do their jobs properly and were dismissed, rather than simply being assigned to an area where they could police francophone citizens."

LaPresse reports that in addition to Dupuis, the appeal's representatives include Cnst. Marc Lachance, who received disability payments after arguing that his depression was brought about by persistent harassment, and Charles Mancier, a former association vice-president who claims his activism on behalf of his colleagues led to unfair disciplinary action.

Serre says that the ultimate goal of the appeal is to embolden more RCMP officers to speak out about their experiences, so that abuses of authority can cease.

"We saw with the sexual harassment complaints that all it took was one, two and three complaints and before you know it, it's a big number," he says. "There are a lot of people who suffer in silence. This will be an opportunity for them to step forward."

RCMP officials in Quebec declined to comment as "the case is before the courts."

(Global News)

Nov 04 2016

### WINNIPEG - Fewer Winnipeg police officers are retiring, driving up the service's salary budget.

The Winnipeg Police Board approved a request to move \$2 million from a non-salary account to pay officers wages.

Newly appointed Police Chief Danny Smyth said the service budgeted for 50 retirements this year, but only 39 actually left their jobs.

To cover the shortfall, the service is delaying some capital projects, including a case management software program.

Smyth said he doesn't believe this will have an impact on how officers manage cases.

(CTV News)

Nov 04 2016

### HAMILTON - A provincial police oversight agency has directed Hamilton police to lay a disciplinary charge against one of its officers accused of "carding" a black city councillor.



The Police Services Act charge will be officially laid when the officer makes his first appearance on Dec. 15, says Clint Twolan, president of the Hamilton Police Association. The officer has continued to perform his regular duties throughout the complaint process.

"The officer is looking forward to present-

ing a more accurate account of what happened that day," says Twolan, who would not say what exact charge will be laid.

The charge stems from an April 26 incident involving Ward 3 councillor Matthew Green and a uniformed patrol constable.

Green filed a complaint with the Office of the Independent Police Review Director, a body responsible for all public complaints about police conduct in the province. On Friday, Green issued a news release saying the OIPRD informed him Monday that it has completed its investigation and a Police Services Act hearing will take place.

Green's executive assistant said the councillor would not comment further.

The OIPRD confirmed it has finished its investigation, but would not provide more details.

It seems likely the officer will be charged with "discreditable conduct."

Police spokesperson Catherine Martin would not confirm anything, not even the Dec. 15 first appearance date.

"I was not detained. I had no intention of leaving the area, as I was waiting for a bus," Green said in April. He has said he felt "targeted" and "harassed."

(Hamilton Spectator)

## SATURDAY NOVEMBER 5, 2016

Nov 05 2016

### OTTAWA - Municipal politicians in Ottawa are applauding the closure of a string of marijuana dispensaries operating illegally across the city in response to mounting complaints.



Jody Mitic, the councillor for Innes ward, said politicians had been "tightening the screws" on Ottawa police chief Charles Bordeleau to crack down on "bandits" selling unregulated products.

"You can't just open up a shop and start selling grandpa's moonshine," Mitic said.

"They're bandits setting up shop in this manner. We needed to show the people that, despite some of the confusion and the grey zones in the law right now, we're still going to enforce what's right and wrong."

The federal government has promised to introduce legislation to legalize marijuana by the spring of 2017 but possession, production and trafficking of marijuana remains illegal.

"Once it's legal and there are rules in place ... we'll collect the taxes off it [and]

we'll know a gram of marijuana is actual marijuana," Mitic said.

Ottawa Police Chief Charles Bordeleau said Friday that the raids were the result of long investigations - and emphasized that dispensaries that weren't raided should be "on notice." He added he hoped the remaining dispensaries "close down on their own accord."

(CBC News)

## SUNDAY NOVEMBER 6, 2016

Nov 06 2016

### MONTREAL - Montreal police say they only tapped the phones of their own officers under investigation.

La Presse reported yesterday that police obtained a 60 day warrant to listen to two of its journalists' phone calls.

But police chief Philippe Pichet issued a statement saying the force only wiretapped the phones of police officers who were being investigated for alleged crimes.

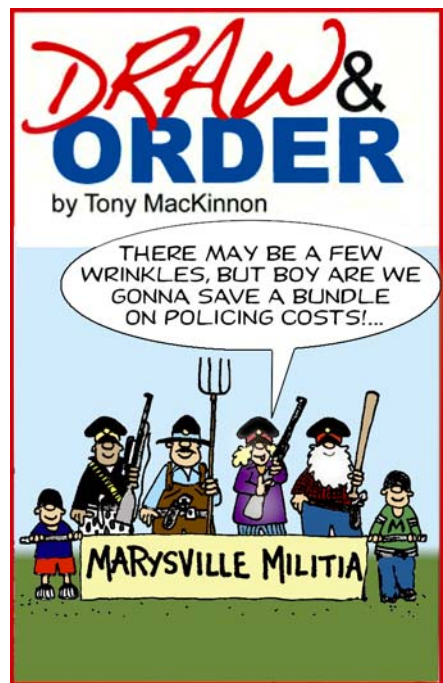
Pichet says any person having communicated with the officers in question could be heard in the conversations.

Last week, La Presse reported it had learned that at least 24 surveillance warrants were issued for one of its journalist's phone as part of an investigation into suspected crimes within the force.

Montreal and Quebec provincial police admitted that several other journalists were placed under surveillance and had their cellphone logs tapped.

The province is launching an inquiry into the matter.

Montreal's mayor is standing by the city's police chief. Denis Coderre says asking Chief Philippe Pichet to resign without a full inquiry would amount to a "public lynching."



Nov 07 2016

**OTTAWA - The Ottawa Police Service is setting aside money in its 2017 draft budget to hire 25 new officers, reinforcements it says it needs to provide security at events celebrating Canada's 150th birthday**

The hires were planned, and are among 75 officers being added to the force over three years, including another 25 in 2018. The new hires are on top of recruits brought in to replace retiring officers.



"We developed this budget to meet the policing needs of our community and to address the needs of our members," said Chief Charles Bordeleau in a statement.

"As a police service we continue to focus on our organizational priorities of guns and gangs, violence against women and traffic safety while planning for the major events expected in 2017."

The police have had a challenging time in 2016, with a record number of shootings.

The new hires are part of the 2017 draft budget tabled Monday afternoon, two days earlier than originally planned. The 2017 operating budget is \$320.2 million, resulting in a tax rate increase of two per cent, or about \$11 per household. That's an increase of \$8.9 million over 2016 police spending.

In order to keep the budget increase under the two per cent threshold, the force is introducing a number of efficiencies, including:

- A new staffing strategy to recoup \$2 million in overtime costs.
- Re-allocation of \$1.5 million in existing capital funds.
- Absorbing \$500,000 in inflationary costs.
- A \$500,000 infusion from the general reserve to fund various projects.

(CBC News)

Nov 07 2016

**REGINA - The chief of Saskatchewan's Federation of Sovereign Indigenous Nations says he supports First Nations that exile criminals.**

Bobby Cameron, who represents 74 of the province's First Nations, says he backs banishment if it means getting rid of drug dealers or protecting young people from drugs and alcohol.

An outraged Cameron says drug dealers in some communities are selling to 10-year-old kids and something has to be done to stop it.

The chief says he supports a recent move by the Makwa Sahgaiehcan First Nation to banish six non-band members and give warnings to more than a dozen band members be-

cause of a crystal meth problem.

Cameron says the RCMP has a big role to play too, helping band councils identify and stop drug dealers.

Muskoday First Nation, Mistawasis First Nation and the Lac La Ronge Indian Band have also banished people to help control crime.

Nov 07 2016

**CALGARY - The Alberta Serious Incident Response Team has launched a second investigation related to an officer-involved shooting in a back alley last week.**

A police officer sustained minor injuries when he was dragged by a suspected stolen

vehicle on Thursday.

A second officer shot the 20-year-old driver, who was taken to hospital with serious injuries.

While ASIRT investigations are standard protocol in officer-involved shootings, the agency said Monday it has launched a second probe into allegations of use of force on the driver after he was removed from the vehicle and taken into custody.

The agency said in a news release the officer who fired his gun is not part of the second investigation.

ASIRT said additional officers arrived on scene before the suspect was taken into custody. (CHQR)

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[Leadership@BlueLine.ca](mailto:Leadership@BlueLine.ca)

Nov 08 2016

**New police chiefs have taken the oath of office in two of the largest cities on the Prairies.**



Evan Bray takes over the job in Regina, having beaten out several candidates looking for the position back in October.

In Winnipeg, Danny Smyth takes on the top job after 30 years with the police force, most recently as deputy chief of investigative services.

Bray, a 21-member of the Regina police department, says it's going to take a while for his new job to sink in, noting he has gotten used to saying "chief" yet.

Bray says Regina is a growing citizen and needs more police officers, adding communication with the public is key.

Smyth says community engagement is also one of his priorities, saying he would like the police service to get more involved with grassroots organizations in the north end and downtown areas.

(CJOB, CJME)

Nov 08 2016

**The case of an Ontario woman who argued to be recognized as a victim of crime because she developed post-traumatic stress disorder after serving as a juror in a horrific murder trial has been settled.**

A lawyer for the woman says the case, which was to go before Ontario's top court on Tuesday, has been resolved.

The woman, who cannot be identified, was a juror in the trial of Michael Rafferty, who was convicted in 2012 of kidnapping, sexually assaulting and murdering eight-year-old Victoria Stafford, of Woodstock, Ont.

The 57-year-old had argued she suffered psychological injury as a result of coming "face to face" with Rafferty's horrific crimes and was seeking compensation as a victim of crime.

Her lawyer, Barbara Legate, says there has been a "satisfactory resolution" of the issues in the appeal.

She says Ontario's Ministry of the Attorney General has agreed to provide the juror with "some financial assistance" towards the

expenses she incurred in obtaining treatment after Rafferty's trial.

Nov 08 2016

**ST. JOHN'S, N.L. - A commission of inquiry looking into the death of a Newfoundland man who was shot in his home by police has postponed the release of a series of reports, saying the delay is necessary because it has received new information that has been forwarded to the RCMP.**

Don Dunphy was shot in April 2015 by a member of the Royal Newfoundland Constabulary who served on then-premier Paul Davis's security detail.

Const. Joe Smyth went alone in plain clothes in an unmarked SUV to Dunphy's home in Mitchell's Brook after staff in the former premier's office alerted police about allegedly threatening comments made by Dunphy on social media.

A retired judge who reviewed the RCMP's subsequent investigation concluded the officer fired four shots, including one to Dunphy's head from about one metre away.

The latest inquiry, led by Court of Appeal Justice Leo Barry, confirmed today that the new information requires further investigation.

The commission issued a statement saying more details would be provided next week.

Nov 08 2016

**After two men died while attempting to evade police officers in Saskatchewan, the RCMP has requested two independent investigations into incidents involving detachments in Onion Lake and Unity.**

The first incident occurred near the Onion Lake Cree Nation - approximately 190 kilometres northwest of North Battleford, Sask., by the Alberta border - when RCMP attempted to conduct a check stop.

At approximately 9 p.m. CST on Nov. 5 a vehicle sped away from the check stop. Police followed for a short time but the pursuit was called off due to safety concerns.

The vehicle then rolled when it lost control. The lone occupant was declared dead at the scene. Regina police are investigating.

The second incident occurred on the afternoon of Nov. 7 when Unity RCMP received a complaint near the Alberta border. When police arrived, a man related to the investigation fled into a body of water. The man then disappeared beneath the surface of the water.

An RCMP officer went into the water but was unable to assist him. His body was later recovered.

Moose Jaw police are investigating this incident.

An independent observer from the Ministry of Justice was requested in both cases.

(CBC News)

Nov 08 2016

**Municipalities in Ontario could soon deploy photo radar in school zones if new legislation announced by Premier**

**Kathleen Wynne in Ottawa today is adopted.**

The proposed law would allow municipalities to use automated speed technology to take photos of speeders' licence plates in school zones, and in areas around places like daycares, parks, seniors' homes and hospitals.

The announcement got a round of applause from Ottawa Police Chief Charles Bordeleau.

He said the technology will deter speeders and allow him to deploy his officers to more pressing crime scenes.

Wynne said any revenue generated from photo radar would stay with the municipalities.

If passed, the law would also allow municipalities to lower default speed limits from 50 km/h to 40 or 30. The law would give municipalities the power and choice to lower limits in individual neighbourhoods, or wider areas.

The proposed legislation would also streamline the province's red-light camera program so cities and towns could bypass the lengthy regulatory approval process.

(CBC News)

Nov 08 2016

**EDMONTON - Mike Ellis, a Calgary MLA and a former police officer, took Alberta Justice Minister Kathleen Ganley to task over the issue of police carding on Tuesday.**

"Randomly asking citizens for their ID, recording their personal information, violates their fundamental right against arbitrary detention," he said during the legislature question period.

"It's also a form of psychological detention because they do not feel that they can just walk away, even though that is their right," said Ellis.

Carding, or recording of personal information including race, during random street stops unfairly singles out minorities, he said.

Ellis said he never saw any carding while he was with the Calgary Police Service.

But citing an Edmonton CBC News report, he said he felt it was necessary to speak out "given that from 2011 to 2014 the Edmonton Police Service randomly stopped and documented 26,000 citizens" on average each year.

Ellis said it was also an important issue to raise "given that African Canadians and Indigenous people call this practice a form of racial profiling.

"When I saw that police services were arbitrarily detaining people, and demanding identification from them for no reasonable suspicion or no offence that had been committed, that concerned me."

Ganley told the legislature carding is an issue she's been working on.

"We've been working very closely with the Alberta Association of Chiefs of Police to deal with this issue and ensure all people feel respected in Alberta," she said.

"Not only do police have a need to ensure

that they are able to talk to members of the community, but people have rights to ensure that they know that that is not going to be based on irrelevant factors.”

Ellis says he is open to discussing the issue with fellow police officers.

“Engaging with the public, having general conversations with people, is building the relationships up in a positive way with the community,” he said.

“That is community policing. Community policing is not arbitrarily detaining people and demanding identification from them.”

(CBC News)

## WEDNESDAY NOVEMBER 9, 2016

Nov 09 2016

**CALGARY - It's likely the most devastating news a person will ever hear. And the way a police officer goes about telling someone their loved one isn't coming home matters, said Sgt. Andy Woodward.**

“They'll always remember that death notification. They'll say they can remember the day that officer turned up on their doorstep,” he said.

For the past couple of years, the Calgary police officer has been taking his colleagues through a two-day course on how to deliver that news, and this month he brings that training to Caribbean police officers.

As part of the Improved Access to Justice in the Caribbean (IMPACT Justice) project, which is funded by the Canadian federal government, officers from the Caribbean will be brought up to speed on how to do what Woodward said is a difficult but very important part of the job.

“It is really to treat people how you would want to be treated,” he said.

“The better approach is to knock on the door, go in, sit down with them and explain to them what's happened, then ask them if there's anything you can do for them, because there will be a million and one questions that they want answered.

“We can't answer them all, but there will be questions that we can answer.”

About 40 Caribbean police officers will take part in the training.

(Calgary Herald)

Nov 09 2016

**SASKATOON - Saskatchewan's minister of government relations is warning revenue sharing could be reduced to rural communities.**

Minister Donna Harpauer spoke to delegates at the Saskatchewan Association of Rural Municipalities's mid-term convention in Saskatoon on Wednesday.

She said that decreased revenues in sales tax are leading to drops in revenue sharing for the next fiscal year.

This year, RMs received more than \$77 million in revenue sharing.

Harpauer says RMs have a lot of infrastructure commitments ahead.

She says the province hopes to keep similar funding despite what she calls “extreme” fiscal pressures.

(CJWW)

Nov 09 2016

**TORONTO - A majority of city councillors appear to take a dim view of the Toronto Police Service's new grey “stealth” cruisers.**

Councillors voted Wednesday 26-13 to ask the service to keep the current red, white and blue cruisers until a review of the “military-style” vehicles.

Councillor Michael Thompson's motion asks the police board to justify the change and if it's required to conduct an “independent, professional study, including consultations with community stakeholders, to determine the most appropriate colours and graphics for future police vehicles.”

The police service recently announced that it will phase in the grey scout car cruisers over the next several years.

“The decision to choose a stylish, ‘cool-looking’ design over one that encourages public respect and engagement is not in keeping with the transformational change and modernization that council has called for,” Thompson's motion says.

(Toronto Sun)

## THURSDAY NOVEMBER 10, 2016

Nov 10 2016

**OTTAWA - Canada's effort to craft a legalized marijuana regime could be boosted by the move of four more U.S. states to approve recreational use of the drug, says a Halifax law professor.**

As it designs a new system, the Liberal government must address the fact Canada is a signatory to three international conventions that require criminalization of the production and possession of cannabis.

The nod this week to recreational pot use from voters in California, Maine, Massachusetts and Nevada should give Canada more ammunition in the court of global legal opinion, said Archie Kaiser, a professor in the schools of law and medicine at Dalhousie University.

“It seems that Canada may be part of an emerging consensus,” Kaiser said in an interview.

The strength in numbers could make it easier for Canada argue that legalization is the best way to reduce harm, despite the international treaties that dictate prohibition of pot, he said.

The four latest U.S. states to take the first step toward legalization of pot join Alaska, Colorado, the District of Columbia, Oregon and Washington, which have already done so.



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The C.D. Howe Institute, a prominent think-tank, has recommended the government consider pardoning people convicted of pot possession - and drop any outstanding charges - to free up much-needed resources for legalization.

Currently someone convicted of simple possession of up to 30 grams of marijuana is eligible to apply for a pardon, now known as a record suspension, five years after their sentence is completed.

An internal Public Safety Canada briefing note, released under the Access to Information Act, says the issue of record suspensions will be "important to consider during the marijuana legalization discussions."

The federal task force's report "may include recommendations on past convictions," said Scott Bardsley, a spokesman for Public Safety Minister Ralph Goodale.

Nov 10 2016

### **The suicide of a First Nations woman in the back of a police truck is causing Canada's largest Indigenous police service to do some soul searching.**

The Nishnawbe Aski Police Service, which covers 34 First Nations in northern Ontario, told an inquest into Lena Anderson's death that it has neither the resources nor the legal foundation to do its job properly.

So it took the drastic step on Wednesday of asking the jury at the inquest to recommend the police force be disbanded if Ontario does not bring it under the province's Police Services Act by March 31, 2017.

"Enough is enough," said Nishnawbe Aski Police Service (NAPS) board chair Mike Metatawabin. "We can't do this all the time where you promise something and then turn around and say you can't do it."

On the evening of Feb. 1, 2013, Anderson's daughter was apprehended by a child welfare worker after reports of a drinking party in Kasabonika Lake First Nation, where alcohol is prohibited.

Witnesses say the young mother became frantic. That's when Const. Jeremy Swanson said he took the 23-year-old into custody for her own safety.

At that time, the remote First Nation had no holding cells and the police practice was to confine prisoners in the passenger compartment of the police pickup, a four-door Ford F150.

Swanson left Anderson alone for 16 minutes, according to his notes, while he went to wake up the only other police officer in the isolated community to assist him.

Nishnawbe Aski police are not required to meet the adequacy standards set for other police services in Ontario because they do not fall under the Police Services Act.

Metatawabin believes that having that legislated backing would help the police service pressure its funders - the federal and provincial governments - to provide the money it needs to meet those standards.

Currently, he says, the police force receives less than half of what the provincial police have said it would cost it to provide service to the same communities.

The coroner's counsel asked jurors to be cautious about how far they should take their recommendations.

"Advocacy is not evidence," David Allan told them.

There is no timeline for when jurors must deliver recommendations, but it could be as soon as Thursday.

Ontario's Ministry of Community Safety and Correctional Services says it plans to introduce legislation in the spring that will "modernize" the Police Services Act and that it is consulting with First Nations on "exploring a legislative framework for First Nations policing."

(CBC News)

Nov 10 2016

### **OTTAWA - Two class-action lawsuits arising out of the chaotic Toronto G20 summit more than six years ago appear destined for trial after the country's highest court refused on Thursday to get involved.**

Toronto's police authorities had wanted the Supreme Court of Canada to stop the legal actions in their tracks. The court, however, declined. It also ordered the police services to pay costs of the appeal.

That argument has been rejected by two courts, including the Ontario Court of Appeal.

During the violence-marred summit in June 2010, more than 1,000 people were arrested or detained in what was later described as one of the worst violations of civil liberties in Canadian history.

Many were held in appalling conditions at a makeshift detention centre, and almost all were released without charge within 24 hours, leading to the class-action suits.

Nov 10 2016

### **CAMPBELLTON, N.B. - The lawyer for a man acquitted last night of criminal negligence in the deaths of two boys killed by his escaped python says the RCMP broke a deal not to lay a charge in the first place.**

Leslie Matchim says an investigation by the RCMP and two subsequent reviews concluded that charges were not appropriate against Jean-Claude Savoie, owner of a pet store in northern New Brunswick.

Matchim says he got a written guarantee from the lead investigator that there would be no charges, in exchange for some answers from Savoie to help police tie up loose ends in the case.

However, a new lead investigator was later appointed and a charge was laid. Matchim sought a stay of proceedings earlier this year, but was denied.

According to a newly released court document, the new investigator said the previous officer did not have the consent of his superiors or the authority to grant immunity.

The trial was allowed to proceed, but without the use of Savoie's answers to the RCMP questions. Matchim said his client is relieved with the verdict delivered by the jury Wednesday night.



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