

# BLUE LINE NEWSWEEK

A CHRONICLE OF NEWS FOR THE CANADIAN LAW ENFORCEMENT COMMUNITY

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## Executive Digest

Dec 27 2012

**HALIFAX** - A new interactive map showing where various crimes are occurring in the Halifax region should be available online by mid-January.

Page 2

Dec 30 2012

**OTTAWA** - The Harper government is reminding the public that a long-promised program to support families of murdered and missing teenagers will take effect New Years Day.

Page 4

Dec 31 2012

**EDMONTON** - Edmonton transit officials say they sealed the doors and allowed the savage beating of a passenger to continue while a train rumbled down the tracks because it offered the best hope to save the victim's life.

Page 4

Jan 02 2013

**Public confidence in the RCMP's leadership dropped "significantly" across the country over the past five years, according to a new Ipsos Reid poll. And British Columbians have the most negative view of the force in Canada.**

Page 5

Jan 02 2013

**PORT HOPE** - Port Hope deputy police chief Garry Hull is calling it a career after 28 years.

Page 5

Jan 02 2013

**REGINA** - RCMP in Saskatchewan say distracted driving is on the rise and contributed to a record number of road deaths in 2012.

Page 5

BLUE LINE NEWSWEEK

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## Toronto police & SIU embroiled in public tiff



globaltoronto.com

Jan 02 2013

**TORONTO** - Several Ontario police agencies and watchdogs kicked off the new year on an icy note as a spat over a document became a public airing of tensions.

Ontario's police watchdog issued a news release Wednesday accusing the Toronto police of impeding an investigation into a beating allegation against one of its officers, saying the situation is "almost comical."

Ian Scott, the director of the Special Investigations Unit, decried what he called the Toronto Police Service's refusal to hand over the man's original complaint and suggested the force is in breach of its legal duty to co-operate with the SIU.

Toronto police issued its own tersely worded statement minutes later, saying, "He is wrong."

Tyrone Phillips, 27, filed a complaint on Aug. 8 with the Office of the Independent Police Review Director, alleging he was beaten unconscious when he was arrested outside a Toronto nightclub on July 28.

The OIPRD forwarded his complaint to Toronto police on Sept. 19, and on Oct. 12 the police referred the complaint to the SIU, which investigates reports of death, serious injury or sexual assault.

Phillips does not have his own copy of the complaint because it was submitted through an online form, Scott said, so the SIU asked



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Toronto police for a copy. The original complaint is needed because it is Phillips' freshest account of the incident, Scott said.

Because Phillips filed his complaint with the OIPRD the Toronto Police Service considers the document to be that agency's, said Mark Pugash, director of Toronto police corporate communications.

"The only way we can release it is if we get the OIPRD's permission," he said in an interview.

"We have not been given the OIPRD's permission so we have no authority to release something that belongs to someone else unless they give us their permission. That hasn't happened. So, it's quite simple."

The SIU did ask the OIPRD for the complaint, Scott said, but was told that agency doesn't give any material to any agency other than the affected police service.

The Toronto police also asked the OIPRD for its permission to release the document to the SIU, but given the current situation, Pugash said it's clear what their answer was.

Rosemary Parker, a spokeswoman for the OIPRD, said she couldn't comment on a specific case, but what she did say suggests a simple solution to the fracas.

The Police Services Act requires the office to preserve the confidentiality of the information they receive and therefore the OIPRD doesn't share information with the SIU, she said.

However, if an individual wanted a copy of a complaint they made to the OIPRD, the office would certainly give it to them, Parker said in an interview.

The SIU got Phillips to sign a form giving the Toronto police permission to release his complaint, but since Toronto police considers the document to belong to the OIPRD, that did not prompt them to give it to the SIU.

In response to the solution seemingly offered by Parker, Scott said that "knocking on doors again and again is not necessarily the

best use of (the SIU's) time and resources."

"Other police services have provided to us, with no issue, the original complaint filed by the complainant to the OIPRD," Scott said in an email.

"Claims by TPS that the service can't release documents without permission from the OIPRD is without foundation."

The case is at a standstill and is now closed, Scott said in his news release.

"If the TPS chooses to provide that statement to the SIU at a later date, the unit will reopen and complete its investigation into this matter."

There is one other route Scott said he could take, but he also questioned its effectiveness while bringing another police oversight agency into the mix.

"I could complain to the Office of the Independent Police Review Director, but if I complain about the chief the complaint goes to the police services board," he said.

"I've had other dealings with the Toronto Police Services Board and I'm not frankly convinced that they would take the complaint with the degree of solemnity that they should."

Alok Mukherjee, head of the Toronto Police Services Board, said he was "livid" about Scott's comment.

"The law requires the board to deal with complaints against the chief in a very particular way and my expectation is that if there was a complaint against the chief the board will follow the letter of the law," he said.

"There is obviously a serious legal issue. Why would Scott not ask OIPRD to refer the issue jointly with SIU to the Attorney General for a legal interpretation? After all, (the Ministry of the Attorney General) has ministerial jurisdiction over both agencies and the public complaints system...I am frankly perplexed."

## THURSDAY DECEMBER 27, 2012

Dec 27 2012

**HALIFAX - A new interactive map showing where various crimes are occurring in the Halifax region should be available online by mid-January.**

The map will show incidences of five crimes: robbery, assaults, thefts of motor vehicles, and break and enters.

Markers will appear in the general block area where a crime is reported and list the street, but won't give a specific address to protect victims' privacy.

The assaults will not include incidents of domestic violence.

Police spokesman Const. Pierre Bourdages says it's part of an awareness campaign by the police force.

He says if people are made aware of crimes taking place nearby, they may become more cautious about locking cars, and doors and windows.

(Halifax Chronicle-Herald)

## FRIDAY DECEMBER 28, 2012

Dec 28 2012

**OSHAWA, Ont. - A 24-year-old Oshawa man is facing multiple charges including three counts of attempted murder in connection to an altercation with police on Boxing Day.**

Police say they arrived at a business in the city east of Toronto just before 2 a.m. on Wednesday to investigate a man inside.

Shortly after, the man allegedly drove a vehicle out of the business and was shot. He was taken to hospital with non-life-threatening injuries.

None of the officers were hurt and the province's Special Investigations Unit is now probing the incident.

Shawn Jonathan Alves faces a total of 23 charges including break and enter and assault with a weapon.

He has been held in custody until a bail hearing.

Dec 28 2012

**EAST GWILLIMBURY, Ont. - The Special Investigations Unit is no longer probing a collision in East Gwillimbury north of Toronto that sent three people, including two police officers, to hospital.**

The unit says the injuries sustained in Thursday's crash were not serious enough to meet its criteria.

The crash occurred when the cruiser York Regional Police Sgt. Kelly Bachoo and Const. Andy Pattenden were in a head-on collision with a pickup truck driven by a 26-year-old woman.

Bachoo, who was driving the police car, sustained serious but non-life-threatening injuries. Pattenden was taken to hospital but has since been released.

The pickup truck driver suffered minor injuries.

Hours earlier on Thursday, a man was airlifted to hospital after sustaining life-threatening injuries in a collision in East Gwillimbury near the same intersection where this collision had taken place.

(The Canadian Press, 680News)

Dec 28 2012

**SURREY, B.C. - To a young teenager's eyes, the invitation from an online male suitor seems relatively harmless at first: perhaps you'd like to cuddle, talk, play games?**

Five minutes into the chat, the 27-year-old from the Metro Vancouver area asks if she has a "BF." He then casually mentions porn.

I'm 13 years old, she reminds the man. She posts a blushing smiley-face emoticon.

Ten more minutes in, she clicks open a digital image he's just sent her way. The photo is not his face, but another body part, standing at attention. It scores the man a rendezvous, but not with the teenybopper he imagined.

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"It's probably the most meaningful work I can do in the force," says the blonde RCMP constable and mother of two, who was the man's actual chat partner.

She sends officers knocking at the man's door, and he is later convicted of luring and invitation to sexual touching in a B.C. court.

"When you get a guilty plea ... there is a sense of justice."

Posing as a youngster to catch predators is a relatively new strategy being used by British Columbia RCMP to proactively keep children safe. It's one of many tasks performed by officers in the Surrey-based Integrated Child Exploitation Unit, or ICE, rating somewhat less repugnant than other duties that have sent cops running to the bathroom to vomit.

Cases involving hard drives crammed with toddler rape photographs and attackers live streaming sexual assaults on five-year-olds jostle for resources that might also go towards pursuing Canadian child sex tourists in South-east Asia and Africa.

Domestic crimes compete for the finite time, energies and mental health of the 12 members who staff B.C.'s ICE Unit - a reality advocates for the more complex overseas files don't begrudge. Visiting several restricted areas of the otherwise plain-looking office buildings provides a lens into the dedication and grit of the close-knit team members who subject themselves daily to children's suffering because they're compelled to make that pain go away.

"A lot of people ask that question, how

can you do this job?" the female constable told The Canadian Press during an interview watched over by two of her superior officers.

"When I'm chatting online I'm able to separate myself somewhat. But when you interview a victim, it tugs at your heart."

The officer, whose name is withheld at the request of the RCMP, works in an enclosed office on as many as five computer monitors as her 11-year-old daughter and five-year-old son smile down at her from photos on a nearby corkboard.

She has more than a decade's experience in policing and has also presided as a coroner. She said she copes with the disturbing work by maintaining a healthy and balanced lifestyle - eating right, appreciating her good co-workers and having a "twisted" sense of humour.

"If someone is masturbating before me on a web cam, I think it's disgusting," she said. "But you have a job to do and you do it."

Officers hired into the unit are pre-screened and exposed to lower-end images of child sexual abuse to see if they have a stomach for the distress. They undergo an intense psychological exam beforehand, and then see a professional every six months.

They needn't have particular expertise, instead what counts is an interest in protecting children and perhaps work on similar files in the past.

It takes about a year and a half to fully train an investigator, and includes courses on digital technology and child Internet exploitation. Later on, they may take advanced undercover training.

Seasoned investigators tend to have more stamina for the role, although eager rookies have been known to spend hours holed up in the child pornography filtering room believing their tolerance is high.

"You want to make sure you're screening the right people for their sake," said Insp. Gary Shinkaruk, officer in charge of the B.C. RCMP major crime, special projects unit. "Once that damage is done, you can't undo it - you can't erase the images."

Staff Sgt. Bev Csikos leads a team of two corporals, nine constables, two analysts and two technical crime unit support members on a \$2 million annual budget. The unit provides its unique expertise on Internet-based child exploitation to support 131 detachments across the province.

The 23-year police veteran was a strong plain-clothes investigator who worked on the serial killer Robert Pickton case long before joining ICE in 2008. She took over in 2011.

The team rescued one child in her first year, while last year they saved upwards of 40.

But with the triumphs come chilling cases almost too horrific to comprehend.

Csikos cited the discovery of a five-year-old girl who was conceived to be abused.

"To meet her in person, she doesn't know how to play, she knows how to be sexually promiscuous," Csikos said. "I wonder what she'll be like when she grows up."

Keeping the spirit intact, for Csikos, involves devoting herself to projects educating youth about safely using the Internet. She



The *Police Leadership Award* recognizes and encourages a standard of excellence that exemplifies leadership as "an activity not a position," and pride in service to the public. Its goal is to increase effectiveness, influence, and quality of police situational leadership from both an organization and community perspective.

This award is open to active Canadian police officers below the rank of senior officer who have demonstrated exemplary leadership and commitment to service through deeds resulting in a measurable benefit to their peers, service and community.

The 2012 award recipient will be recognized in the May 2013 issue of *Blue Line Magazine* and will receive the award at a presentation held in conjunction with the *Blue Line Expo*, April 23, 2013.

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likens it to a giant tool, as dangerous as a car, which she believes has been handed to youngsters without any commensurate driver's ed.

"When I played spin-the-bottle in a dark room at age seven, there was no camera," she said.

Now, if a child exposes themselves, it can get transmitted online with a click of a button.

"If there's one message," she said, directing her comment at parents, "get that computer out of the bedroom."

Down the hall in a back corner of the partitioned office is where another constable can often be found, viewing and categorizing child pornography.

The images come to the unit on hard drives, after trained technicians extract the data from CDs, thumbdrives and computers seized with a warrant.

There can be tens to hundreds of thousands of images to be sorted, including vacation pictures, nude baby photos and adult pornography that doesn't meet the criteria. It's a consuming task that Csikos has limited to a couple hours a day for each investigator.

"This job definitely isn't for anybody," says the female constable inside the room with closed blinds. "People say, 'Are you crazy? Sick?' I think it does take a very unique individual to do this."

"When I look at the pictures, it's a quick (glance). I know it's for a greater cause," she says. "For me, I find it less difficult to do this than to look at dead people."

## SATURDAY DECEMBER 29, 2012

Dec 29 2012

**EPIPHANIE, Que. - Quebec provincial police are investigating an unusual crime today: the theft of one of their own patrol cars.**

Police say the cruiser was stolen at around 5 a.m. this morning while officers were responding to a domestic dispute in the town of L'Epiphanie, about 50 kilometres north of Montreal.

Investigators say they are looking for a 39-year-old man who took off in the car while the officers were inside.

Police located the vehicle about three hours later.

They are still looking for the suspect, who is known to police and could face charges including theft of a vehicle.

## SUNDAY DECEMBER 30, 2012

Dec 30 2012

**OTTAWA - The Harper government is reminding the public that a long-promised program to support families of murdered and missing teenagers will take effect New Years Day.**

Kellie Leitch, Parliamentary Secretary to

Human Resources Minister Diane Finley, announced Sunday that the grant will be available, as promised in the last federal budget, on Tuesday.

She says the income support program will ease the financial pressure on parents struggling to cope with the death or disappearance of a child.

It will be available for eligible parents who suffer a loss of income when they take time away from work to cope with the tragedy that is the result of a probable Criminal Code offence.

This new grant is expected to support an estimated 1 000 families annually.

It will provide \$350 per week in income support for up to 35 weeks.

Dec 30 2012

**CANMORE, Alta. - Photo radar is mostly used to punish bad drivers, but in one southern Alberta town it will soon be used to reward good drivers, too.**

Officials in Canmore, just to the east of Banff National Park, say they want to offer financial incentives to those who follow the rules of the road.

Beginning New Year's Day, drivers captured on camera obeying the speed limit will be entered in a draw and four lucky winners will be chosen to receive a \$250 dollar certificate to a local business.

The licence plate numbers will be posted in the local paper or on Facebook and it will be up to the winners to claim their prize.

Coun. Sean Krausert says even if it's not effective in reducing speeding, it will help promote safety and help promote local business.

Krausert and another councillor introduced the idea after hearing about a similar project in Europe.

They're hoping it might make a dent in the 5,500 tickets the town mailed out last year.

The pilot project is expected to last about a year.

(Global Calgary)

## MONDAY DECEMBER 31, 2012

Dec 31 2012

**ROCKLAND, Ont. - Ontario's police watchdog agency has cleared an officer of any wrongdoing after a female prisoner's finger was crushed by a cell-block door last month.**

The Special Investigations Unit launched its investigation after the 30-year-old woman fractured her baby finger on her right hand on Nov. 15 at a provincial police detachment in Rockland, near Ottawa.

The woman had been arrested at her home that day for breaching a probation order related to consuming alcohol and was being held in a cell at the detachment.

The SIU says an officer went inside the cell to speak with her after she repeatedly used toilet paper to cover a surveillance camera and that when the officer left, he closed and locked the cell door.

The officer heard the woman yelling and

when he went back to the cell and opened the door, he saw her hand bleeding and realized her finger had been crushed between the door and the frame.

SIU director Ian Scott says the officer "did nothing wrong" when he closed and locked the cellblock door because there was nothing to suggest he knew where the woman had placed her hand.

"The only reasonable inference to draw is that the woman either advertently or inadvertently put her hand between the closing cell door and the frame causing this ... fracture when the subject officer unsuspectingly closed the cell door," Scott said in a statement.

The SIU is an arm's-length agency that investigates reports involving police where there has been death, serious injury or allegations of sexual assault.

Dec 31 2012

**EDMONTON - Edmonton transit officials say they sealed the doors and allowed the savage beating of a passenger to continue while a train rumbled down the tracks because it offered the best hope to save the victim's life.**



news.nationalpost.com

"(Transit officials) had to make a tough decision under significant pressure, and the decision was made to carry on to the next station," Ron Gabruck, the security chief for Edmonton Transit, told reporters Monday.

"Sometimes we have to make these decisions. That's the nature of our reality."

Gabruck said the broad-daylight attack by one man on passenger John Hollar in front of about 15 fellow transit riders had already begun when the train pulled into the north-end Belvedere station last Friday afternoon.

At the station, the doors opened and the other passengers fled, but the attack raged on.

"Most people when they're involved in a crime will commit the crime and then flee. This person had that opportunity. He chose to stay on the train," said Gabruck.

Gabruck said transit officials were aware by then what was happening.

They had to make a tough call: keep the train at the station with the doors open and hope the attacker gives up the fight, flees and can eventually be caught; or seal the doors and continue on three minutes to the next station at Clareview, where police and first aid were close by.

Gabruck said the train driver was ordered to drive on to Clareview. For the next three minutes, the beating continued in the otherwise empty car, visible on the driver's monitor.

"It's all about safety and quick response. And when I mean safety, I mean the safety of the victim as well," said Gabruck.

"We knew the ambulance stations are very close to Clareview as is the police station. We knew we had resources that could



step in and help at that location, and so the decision was made.”

When the train arrived at Clareview, the accused was arrested by police and transit officials while trying to escape.

Inside the car, the 29-year-old Hollar was found unconscious on the floor with severe brain injuries.

Hollar was dispatched to hospital and put on life support, but died Sunday night. An autopsy was slated for later Monday.

It's the first homicide on Edmonton's light-rapid transit train in its 34-year-history, said Gabruck.

Homicide Det. Colin Derksen said the entire episode was caught on the train's video cameras, and he said it appeared to have been unprovoked.

Jeremy Newborn, 29, faces a charge of second-degree murder.

## TUESDAY JANUARY 1, 2013

Jan 01 2012

**SURREY - A Surrey RCMP officer was undergoing surgery for a broken leg suffered during a collision with a utility pole early Tuesday.**

Staff Sgt. Blair McColl said the officer was on route to a large fight at a residence when he had to take evasive action at 72nd Ave. and 144 St. at 12:30 a.m. to avoid colliding with another vehicle in the intersection.

McColl said the other vehicle was not involved in the accident and that he wasn't aware of any charges ensuing from the collision.

McColl had no other information about the accident.  
(Vancouver Sun)

## WEDNESDAY JANUARY 2, 2013

Jan 02 2013

**Public confidence in the RCMP's leadership dropped "significantly" across the country over the past five years, according to a new Ipsos Reid poll. And British Columbians have the most negative view of the force in Canada.**

A solid majority (74 per cent) of Canadians believe RCMP officers treat the public fairly and equitably, but they hold a dimmer view of how the force treats its own employees. Only 63 per cent of Canadians said they believe staff are treated fairly and equitably, according to the poll conducted for Postmedia News and Global Television.

The poll comes less than two weeks after an Angus Reid survey showed more than half of Metro Vancouver residents support a single police force to oversee the entire Lower Mainland.

Missing Women Inquiry Commissioner Wally Oppal made that recommendation, along with 62 others, last month after stating the investigation into the women's disappearances was riddled with "blatant police failures and public indifference." The missing

women's investigation was conducted by both RCMP and the Vancouver police department.

As in a similar poll conducted in March 2012, British Columbians thought less of the Mounties than Canadians in any other province. Excluding Ontario and Quebec, which have their own provincial police forces, residents of Manitoba and Saskatchewan had the most favourable views of the RCMP, followed by Albertans and Atlantic Canadians.

According to the poll results, only 46 per cent of Canadians said they believe senior leadership of the force is doing either a "good" or "great" job. That's down from 61 per cent when a similar poll was done in 2007.

A spokeswoman for Public Safety Minister Vic Toews said Monday that the government's proposed Enhanced RCMP Accountability Act, introduced in 2012, will help to restore pride in the force.

"This bill will strengthen the review and complaints body for the RCMP, establish a process for handling serious criminal issues involving RCMP officers, and streamline the management of RCMP human resources," Julie Carmichael said in an email.

Carmichael said the minister's office was reviewing a plan turned in by RCMP Commissioner Bob Paulson on Dec. 11 to address gender equity issues within the force.

The survey of 1,021 Canadians was conducted between Dec. 7 and 12. The poll is considered accurate to within 3.5 percentage points.  
(Postmedia.com)

Jan 02 2013

**PORT HOPE - Port Hope deputy police chief Garry Hull is calling it a career after 28 years.**



northumberlandnews.com

In a crisp, new uniform, a 23-year-old Hull walked to work on April 28, 1985 - his first day as a police officer in Port Hope.

"I never dreamed then of retiring as the deputy chief of police," he said.

During his 28 years, Hull worked his way through the ranks, where he was promoted to sergeant, became an inspector in 2003, and was appointed deputy chief in 2007.

"I am still happy to come to work every day and I wanted to retire at a time when I still enjoyed my job," he said. "I wake up every morning at 6 a.m., still enthused about coming to work. But it's time to move on and let someone else here step into the job. There are a lot of competent, well-deserving officers here who deserve that chance."

Hull said he left a well-paying job with the Toronto Harbour Commission to join the Port Hope Police Service.

"I wanted a job where no two days were the same," he said. "Working with these guys

is like being part of a family. I never felt like I was coming to work. I always felt like I was leaving one family at home to come see my other family at work. It's been a very rewarding experience."

Hull's last day on the job is Feb. 28 and although the 51-year-old cop gets up every day at 6 a.m., the days after retirement will be no different.

"My alarm clock is biological now. I haven't set my alarm clock in nine years," he said.  
(Northumberland News)

Jan 02 2013

**REGINA - RCMP in Saskatchewan say distracted driving is on the rise and contributed to a record number of road deaths in 2012.**

Sgt. Paul Dawson says 162 people were killed in crashes in the RCMP's jurisdiction alone, which doesn't include all cities.

Dawson says after impaired driving, distracted driving was a big problem.

Distracted driving includes people using a cellphone or eating while behind the wheel.

Dawson says drivers have even been spotted shaving.

The Saskatchewan Government Insurance, which tracks all automobile deaths in the province, says there were 173 fatalities as of mid-December.

According to SGI, August was the deadliest month with 30 fatalities.

Jan 02 2013

**SARNIA, Ont. - A nearly two-week long First Nation blockade of a railway line in Sarnia, Ont., was being dismantled Wednesday night just hours after an Ontario judge ruled that it must come down.**

Lawyers for CN Rail launched court action against Ron Plain, a member of the Aamjiwnaang First Nation, alleging that he was in contempt of an injunction to disband the protests on the railway tracks.

The court injunctions were issued on Dec. 21 and 27 and granted police the power to end the blockade to their discretion.

CN also filed a motion for Sarnia Police Chief Phil Nelson to appear Wednesday before a judge to explain what the force was doing about the protest.

Protesters with the Aamjiwnaang First Nation set up the blockade last month to denounce the federal government's omnibus Bill C-45, which they claim eliminates treaty and aboriginal rights set out in the Constitution.

CN spokesman Jim Feeny said Wednesday night that the blockade was being removed and once that was complete, railway crews would go in to inspect the track and signals.

Following his court appearance, Plain had said that there were no plans to disband the blockade, but Wednesday night he said the group was leaving after holding a ceremony.

The group alleges the railway tracks were not laid down legitimately.

The Sarnia blockade is one of several actions being taken across the country as part of an aboriginal movement known as Idle No More.

The Sarnia police had said its officers would not disband the blockade unless it posed a safety risk.