

# BLUE LINE NEWSWEEK

A CHRONICLE OF NEWS FOR THE CANADIAN LAW ENFORCEMENT COMMUNITY

January 11, 2013 – Vol. 18 No. 2

## Executive Digest

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**OTTAWA -** Statistics Canada says police reported more than 90,000 impaired driving cases in 2011, about 3,000 more than in 2010.

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BLUE LINE NEWSWEEK

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## New Surrey RCMP HQ ready for use



Jan 08 2013

**SURREY -** The B.C. RCMP is getting ready to move into its new \$1 billion headquarters in Surrey, federal Public Safety Minister Vic Toews announced on Tuesday.

"We are excited to be at this stage in the development of a new headquarters building for the RCMP's E Division," said Toews. "This new facility will create operational efficiencies for E Division and will better support the RCMP in serving the public safety and security needs of British Columbians."

About 2,700 RCMP employees from 25 different E Division units will start moving into the new facility this month according to B.C.'s Commanding Officer, Craig Callens.

"A move of this magnitude requires significant planning and coordination," said Callens. "We need to remain fully operational while in the process of moving. Our staff has been preparing for our move for a long time and we are excited to take occupancy of this purpose-built space that will serve us well for many years to come."

The new headquarters is located at 14200 Green Timbers Way in Surrey, in an area commonly referred to as Green Timbers.

Set adjacent to the Green Timbers forest, the new 76,162 square-metre facility has been designed and built to meet LEED (Leadership in Energy and Environmental Design) Gold certification and incorporates a number



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of green building elements.

It was built as a public-private partnership by the federal government and a consortium led by Bouygues Building Canada, which will maintain and operate the facility for 25 years, as part of the fixed-price contract worth \$966 million.

Additionally, the government will pay \$8.9 million in insurance costs over the 25-year period, for a total cost of \$975 million. (CBC News)

## THURSDAY JANUARY 03, 2012

Jan 03 2013

### **VANCOUVER - The Mounties in B.C. say fewer drunk drivers were caught in roadblocks across the province this holiday season compared to previous years.**

They say preliminary numbers from areas policed by the RCMP show 961 people were charged with impaired driving and other offences during the CounterAttack program from Dec. 2 to Jan. 2nd, compared to 1,434 in the same period last year.

Almost 350 drivers were given 90-day driving suspensions, another 272 got three-day driving bans and 135 were given drug-related 24-hour suspensions.

Corp. Robert McDonald of RCMP Traffic Services says good media coverage of the new impaired driving laws and penalties has helped people make better choices about drinking and driving.

Although they found fewer impaired drivers, RCMP officers handed out about 3,000 other tickets during the CounterAttack program, including 1,419 drivers who were using an electronic device.

Another 213 were caught speeding and 1,364 tickets were written for seatbelt violations.

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Jan 03 2013

### **HALIFAX - The RCMP in Nova Scotia say they have used so-called organized crime legislation for the first time to lay charges against a motorcycle gang.**

The charges against three members of the Bacchus biker gang stem from an investigation that started in September 2012.

The accused are 45-year-old Patrick James of Dartmouth, N.S., 43-year-old Duane Howe of Grand Desert, N.S., and 38-year-old David Pearce from Dartmouth.

All of them were charged with commission of an offence for a criminal organization as well as extortion.

Under the legislation, a "criminal organization" refers to a group that comes together to commit one or more serious offences that will result in a material benefit to the group.

On Sept. 21, 2012, the three men were charged with uttering threats and intimidation following an investigation that involved search warrants at four locations, including the Bacchus clubhouse in Nine Mile River, N.S., and residences in Dartmouth and Grand Desert.

Jan 03 2013

### **OTTAWA - The Mountie who was in charge of the force's surveillance and covert-tech unit is suing the RCMP, and its top officers, for allegedly destroying his career and reputation by wrongly targeting him in a politically charged investigation over his role in a real estate deal to secure a front for a top-secret operation in Ottawa's east end.**

In the \$1.2-million statement of claim, Supt. Mike Gaudreau says RCMP Deputy Commissioner Doug Lang and other top officers, including ex-commissioner William Elliott, deliberately abused their office and authority by investigating false claims that he concealed his relationship with the real estate agent who collected a commission on the \$3-million RCMP lease deal.

According to Gaudreau's statement of claim, filed in Ontario Superior Court on Dec. 20, the senior Mountie not only disclosed his personal relationship with the real estate agent — then his girlfriend — but made it clear he would not be playing "any direct role in the selection of the covert facility, remaining at arm's length."

The Ottawa RCMP superintendent is still facing internal charges of disgraceful conduct because of the allegation, and will be fighting to clear his name at his disciplinary hearing, which has not yet been scheduled.

Gaudreau spent 30 years with the Mounties, including officer in charge of the Ottawa drug section, then assistant crime-ops officer in charge of the national organized crime and border security unit.

Gaudreau's last post before being removed from office was director of the Technical Investigation Services Branch, a plain name for the force's covert operations unit which includes the special entry section and the surveillance and covert technology section.

It was one of the force's top-secret projects

that landed Gaudreau in trouble even though he says in court filings that he did everything by the book. It all started in 2009 when someone in his special entry section proposed an undercover operation called Project RAVE. The covert operation, approved by headquarters in March 2009, included plans to secure a commercial property to be used as a business front for the top-secret operation in Ottawa's east end. The operational plan, which was a priority for funding, also included fake bank accounts.

Months after the plan was approved, the Mounties were still having trouble finding a suitable commercial property with a residential real estate agent. That's when, according to Gaudreau's statement of claim, he mentioned that he knew a commercial real estate agent. He says that he disclosed she was his girlfriend at the time, and stayed at arm's length from the deal, and more, says in court documents that the RCMP did a background check on her.

Gaudreau also says in court filings that the RCMP pursued an investigation against him even though they learned from the outset that he did not conceal his relationship with the agent.

Since the allegation surfaced, Gaudreau says his world has collapsed around him. His physical health deteriorated to the point that he was forced on medical leave and has sought counselling for his emotional stress that made him the object of contempt and ridicule, according to court filings.

"His children have been embarrassed and humiliated and his relationships with family members, friends and colleagues have suffered greatly," the statement of claim says.

The lawsuit also alleges that top Mounties, including the ex-commissioner, failed to safeguard his reputation and failed to apprise him about any information about his disciplinary case that was "leaked" to the Citizen in 2011. Gaudreau also says senior officers "furnished" statements to the Citizen with "reckless disregard for the truth," according to his statement of claim.

The statement of claim also says that his Notice of Disciplinary Hearing, dated Jan. 11, 2011, had a security classification of "Secret," but still ended up on the front page of the Citizen. In turn, Gaudreau, according to his court filing, requested an investigation into the Citizen leak. "These statements could only have been leaked to the (Citizen), by an internal (RCMP) source, and with the intention of discrediting and injuring the plaintiff," says the statement of claim, filed by his lawyer Louise Morel.

Two days after a Feb. 5, 2011, Citizen story about Gaudreau, Lang, the RCMP deputy commissioner, oversaw a Question Period note for Public Safety Minister Vic Toews about the "leak," according to court filings.

In his statement of claim, Gaudreau says the briefing addressed the internal discipline process but failed to address "the serious issue of secret RCMP information being leaked to the media and what, if any, steps the RCMP was taking to investigate this breach of security."

The statement of claim by the RCMP's covert-ops expert then cites another Citizen story

saying "another front page article revealing secret and sensitive information on the matter."

Gaudreau says he is now "tainted" and considered "untrustworthy" because of the allegation and says the Mounties have compromised his future employment opportunities. The superintendent is still on the force and will be defending his unblemished career at the upcoming disciplinary hearing.

None of these claims have been proven in court, and the RCMP has not yet filed a statement of defence.

(Ottawa Citizen)

## FRIDAY JANUARY 04, 2012

Jan 04 2013

**VANCOUVER - The federal government's mandatory-minimum sentence of three years imprisonment for the possession of a loaded and prohibited firearm is unconstitutional, says a provincial court judge in Surrey, B.C.**

The ruling was handed down by Judge James Bahen Thursday and focuses on the sentencing of Glenn Harley Tetsuji Shek.

The apprentice electrician whom the judge says has no criminal record was 29 years old when he was arrested by police and found with a loaded Glock 9-millimetre semi-automatic handgun outside a Surrey restaurant.

Bahen said the federal law breaches Section 7 of the Charter of Rights and Freedoms, one of

the sections that establish the fundamental legal rights of Canadians.

"This breach is caused by the arbitrary gap between the maximum sentence of one year in summary proceedings and the minimum three years sentence when proceeding by indictment," said Bahen in his written ruling.

Bahen also ruled the general application of the mandatory-minimum sentence in "reasonable hypothetical circumstances" could potentially violate Section 12 of the charter by imposing cruel and unusual punishment.

That means, according to the charter, that "governments cannot treat individuals or punish them in an excessively harsh manner."

However, the judge decided not to rule the law to be of no force and effect in Shek's sentencing, and has given the Crown an opportunity to make further presentations to the court on the matter.

"Crown will be carefully reviewing the decision in the coming days to assess the appropriate next step," said Neil MacKenzie, a spokesman for B.C.'s Criminal Justice Branch.

MacKenzie said the Crown can still have the sentencing provisions upheld under Section 1 of the charter.

Jan 04 2013

**EDMONTON - A man charged in a fatal hit-and-run in Ontario is being sought by Edmonton police for allegedly pulling a gun on a transit peace officer.**

Abdullahi Mohamoud, who is from Mississauga, Ont., was last seen on New Year's

Day when he allegedly threatened the officer at a downtown light-rail transit station.

Police say the officer had arrested another male for trespassing when the 23-year-old suspect allegedly produced a gun and demanded that his friend be released before the pair fled.

Mohamoud is already wanted on a Canada-wide arrest warrant, charged with criminal negligence causing death after a gas station attendant was dragged and killed in Ontario's Peel Region in 2011.

He is also charged with aggravated sexual assault on an alleged attack in Edmonton in 2008.

Mohamoud is facing charges from the LRT station incident that include uttering death threats, and police say he is considered armed and dangerous.

(Global Edmonton)

Jan 04 2013

**PICTOU, N.S. - A Nova Scotia police sergeant has been found guilty of assaulting another man, but has been given an absolute discharge.**

Paul Matthew Cameron was charged with assault and willful damage of property in relation to an incident in February last year at the home of Robert Kenny.

The 35-year-old former police officer went to Kenny's apartment while on duty Feb. 15, after hearing that his 13-year-old niece might be there.

Cameron shoved Kenny, knocking him over onto a laptop computer.

Chief Judge Patrick Curran ruled Cameron was not guilty of willfully damaging the computer, but



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.

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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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was guilty of assault.

Cameron has resigned his position.  
(ECFM)

Jan 04 2013

### **TORONTO - A Superior Court judge has sentenced five former Toronto police drug squad officers to 45 days of house arrest in a landmark police corruption case.**

The investigation and prosecution of members of the Toronto Police Service's Central Field Command "Team 3" drug squad has cost more than \$12 million and spanned more than a decade with numerous appeals and retrials.

In June, a jury convicted the five of attempting to obstruct justice for covering up a warrantless search of a heroin dealer's apartment in the late 1990s.

Three of the officers were also convicted of perjury.

However, the jury also acquitted the former drug officers of more serious charges, including extortion, theft, assault and conspiracy, after a six-month trial that heard from 30 witnesses, including numerous drug dealers.

The officers sentenced Friday are:

John Schertzer, 54. Nebojsa (Ned) Maodus, 49. Joseph Miched, 53 Raymond Pollard, 48 Cst. Steven Correia, 45, who is the only one of the five to remain on the police force, suspended with pay.

In passing sentence, Justice Gladys Pardu called the officers' actions an "extremely serious" breach of trust, but he also emphasized the impact that the long proceedings have had on the men and their families, calling it catastrophic.

(CBC News)

## **SATURDAY JANUARY 05, 2012**

Jan 05 2013

### **OTTAWA - An Ontario man says he has been cleared of charges stemming from an attack on his home and is proud of the precedent the case sets with regard to Canadians' right to armed self defence.**

Ian Thomson said a judge in Welland acquitted him on Thursday of firearms-related charges in connection with a 2010 incident in which he fired three warning shots at a group of men who set his Ontario home ablaze with firebombs.

Some experts say the ruling by Justice Tory Colvin could have wide-ranging implications for self defence law in Canada.

Thomson described the two-and-a-half year legal battle as a "horrible ordeal."

"I firmly believe they wanted to make an example of me, and to put the fear into every Canadian firearm owner that you are not allowed to defend yourself with a firearm," he said.

In August 2010, 54-year-old Thomson was sleeping in his Port Colborne, Ont., home when he awoke to the sound of Molotov cocktails exploding. Looking outside he saw part of his house and his porch ablaze, and four masked men outside. A former firearms instructor, he

quickly unlocked his gun safe, loaded a .38-calibre revolver and stepped outside.

Thomson fired three warning shots, which caused the men to flee, before he doused the flames with a garden hose and called 911.

When police arrived he was taken into custody, and his collection of firearms—asorted handguns worth over \$10,000 – and ammunition were seized and impounded.

Soon after, Crown attorneys charged Thomson with careless use of a firearm. These charges were later dropped, and he was charged with two counts of unsafe storage of a firearm.

Canada's leading firearms lawyer Ed Burlew represented Thomson, and said the decision is a significant victory for Canadian gun owners.

"We all have a fundamental right to protect our property and our families," he said. "You've got to be able to defend yourself without fear of prosecution, and I think that's well established now."

Crown prosecutors argued Thomson had fallen afoul of safe storage regulations because, on the night of the incident, Thomson had a box of .38 Special ammunition in his bedside table. The judge ruled this was irrelevant, Burlew said, since Thomson's guns were all securely locked away in a gun safe.

The four men who attacked Thomson were all sentenced to between two and four years incarceration.

Unless the Crown decides to appeal the case, Thomson's collection of guns must be returned to him within 30 days.

Thomson said he came under intense pressure from police to enter a plea and accept a weapons prohibition, but refused due to his belief he was innocent.

"I would not cut a deal because I did not break the law," he said. "And – to use a pun – I stuck to my guns."

Thomson said he racked up about \$60,000 in legal costs during the trial, but said much of that was paid by donations from members of the National Firearms Association, the Canadian Sports Shooting Association (CSSA) and readers of the popular pro-firearms online message board CanadianGunNutz.com.

## **MONDAY JANUARY 07, 2012**

Jan 07 2013

### **WINNIPEG - Sleep may be fleeting for RCMP investigators in Manitoba who are dealing with six homicides in the province since near the end of last month.**

Sgt. Line Karpish, an RCMP spokeswoman, says homicide and forensic units are quite tired after dealing with four deaths since the start of the year and six overall since Dec. 30.

Karpish says the investigations are taxing their resources.

She also says she can't recall in past years having four homicides in the first four days of any given year.

The latest homicide happened on the Keeseekoowenin First Nation, where

Mounties found the body Friday night of a 34-year-old man.

Terris Ronald Mintuck, 50, is charged with second-degree murder in the death of Terrel Stewart Shorting.  
(CJOB, The Canadian Press)

Jan 07 2013

### **TORONTO - An Ontario judge who has issued two injunctions to end blockades of critical rail arteries is slamming police for not ending the aboriginal protests, saying their inaction leads to "dangerous waters."**



globalmontreal.com

A small group of protesters blocked the railway Saturday afternoon near Kingston, Ont., affecting freight and passenger train service between Toronto and Montreal, and CN Rail went to court Saturday night for an injunction.

Ontario Superior Court Justice David Brown ordered them to leave by 12:01 a.m. Sunday and they left the site about then anyway, but as Brown noted in his reasons for the injunction, released Monday, it wasn't because police enforced the order.

"No person in Canada stands above or outside of the law," Brown said.

"Although that principle of the rule of law is simple, at the same time it is fragile. Without Canadians sharing a public expectation of obeying the law, the rule of law will shatter."

According to evidence before Brown from CN lawyers, the local sheriff got a copy of the injunction around 10:30 p.m. Saturday, within an hour of Brown making the order.

The sheriff contacted the Ontario Provincial Police officer on the scene of the blockade, who told her it was "too dangerous" to serve the injunction that night on the 15 protesters, but that the police would accompany the sheriff the next morning to do so, Brown said.

"I made a time-sensitive order because the evidence showed that significant irreparable harm resulted from each hour the blockade remained in place, yet the OPP would not assist the local sheriff to ensure the order was served by the time stipulated," Brown said.

"Such an approach by the OPP was most disappointing because it undercut the practical effect of the injunction order. That kind of passivity by the police leads me to doubt that a future exists in this province for the use of court injunctions in cases of public demonstrations."

About 1,000 passengers were affected and blockades can cause significant economic impacts as materials such as daily shipments of fuel

for Air Canada and other airlines are transported through that artery, CN told the court.

Brown said he does not understand why the rail line had to be shut for several hours in Marysville, Ont., while CN rushed off to court and the police “simply stood by, inactive.”

“We seem to be drifting into dangerous waters in the life of the public affairs of this province when courts cannot predict, with any practical degree of certainty, whether police agencies will assist in enforcing court injunctions,” he said.

The fact that CN had to turn to the courts at all is puzzling, Brown said.

“In light of those powers of arrest enjoyed by police officers, why does the operator of a critical railway have to run off to court to secure an injunction when a small group of protesters park themselves on the rail line, bringing operations to a grinding halt?” he wrote.

Brown also noted he issued an injunction to end a First Nations blockade of a rail line in Sarnia, Ont., on Dec. 21 and it wasn’t enforced until Jan. 2 “under pressure from another judge of this court.”

The fact that the protesters were First Nations people has no bearing on this case, Brown said.

A previous court decision about a land claim dispute in Caledonia, Ont., said that when injunction motions involve aboriginal people, treaty rights must be considered and negotiation, not litigation, is the way to go.

But this protest had nothing to do with the land-claim process, rather it was a “straight-forward political protest,” Brown said.

“Just as 15 persons from some other group would have no right to stand in the middle of the main line tracks blocking rail traffic in order to espouse a political cause close to their hearts, neither do 15 persons from a First Nation,” Brown said.

A spokesman for the Ontario Provincial Police was not immediately available for comment.

Jan 07 2013

### **SUDBURY, Ont. - Ontario’s civilian police watchdog has cleared a Sudbury officer who shot a man while he was allegedly driving a pickup truck at him.**

The SIU says the officer left his cruiser on the night of Oct. 15 and was walking toward the truck, which had stopped on a dead-end street after the officer had followed the vehicle.

It’s alleged the 35-year-old man did a 180-degree turn and drove toward the officer, who fired two shots at the truck and hit the man once in the shoulder.

The SIU says the man continued to drive away, abandoned the truck and hid behind some bushes.

He was arrested and taken to hospital for treatment.

SIU director Ian Scott says the officer was justified in firing his gun, adding there was a civilian witness to the incident.

Jan 07 2013

### **TORONTO - Ontario’s police watchdog has reopened an investigation into an**

### **allegation a man was beaten up by Toronto police after the case led to a public spat.**

The Special Investigations Unit announced last week that it was closing the investigation because the Toronto Police Service refused to hand over the man’s original complaint and the document was needed for a full investigation.

A Toronto police spokesman said the complaint was forwarded to them by the Office of the Independent Police Review Director and the document is not theirs to release.

The OIPRD said it couldn’t give the document to the SIU either, but suggested the man making the complaint could request his original form back from them.

Tyrone Phillips, who alleges Toronto police beat him unconscious when he was arrested outside a nightclub on July 28, got his complaint back from the OIPRD and handed it over to the SIU.

SIU director Ian Scott said in a statement Monday that now that the SIU has the original complaint it is reopening the investigation.

Jan 07 2013

### **EDMONTON - The former head of recruitment for the Edmonton police department’s cadet program is headed to jail.**

John Alvin Jerke, 36, has been sentenced to one year behind bars after admitting to stealing from the program.

Court was told Jerke stole nearly \$85,000 between 2009 and 2011 to pay off his personal gambling debts.

Jerke was fired from the job in the spring of 2011 after the allegations first surfaced. (CHED)



Jan 08 2013

### **TORONTO - Toronto Police found something at the bottom of Lake Ontario on Tuesday — but it definitely wasn’t treasure.**



thestar.com

After testing out new equipment received just before Christmas, the Toronto Police marine unit found two unnatural additions to the lake’s bottom: a Mercedes SUV and a reportedly stolen Ford Taurus.

The marine unit first made the discovery last week while testing new side-scan sonar — a metre-long tube-like device that trails behind

the patrol boat and sends detailed images to a laptop onboard, explained dive leader Const. Patrick McLeod.

“While doing this training, it came to light there were a couple vehicles down there,” he said.

They returned Tuesday morning to the harbour wall to remove the cars with the help of a tow line.

McLeod said there are plenty of treasures left in the lake.

He pointed out to the spot where a sailboat was lost in the middle of the Eastern Gap, between Polson Pier and Ward’s Island — possibly scuttled or capsized. A third car is known to be lying just off Polson Pier.

“There’s tons of cars in there,” McLeod said.

But over the years, their numbers have dwindled as the waterfront has been increasingly built up, cutting off access points to the shore, he said.

McLeod said his unit typically does a lot of diving off the harbour wall in the Jarvis St. area, but visibility can range from 9 metres to zero, depending on conditions.

The new sonar will allow police to collect a clearer picture of what lies beneath before sweeping an area — a task that previously could take several days to accomplish. (Toronto Star)

Jan 08 2013

### **TORONTO - A senior police officer responsible for two notorious “kettling” incidents at the infamous G20 summit in 2010 had his case put over for two months Tuesday to allow time for disclosure.**

Supt. Mark Fenton faces five separate charges related to the incidents in which police boxed in and arrested numerous people in the downtown core.

Fenton, who was the major incident commander at the time, is accused of making an illegal arrest, unlawful detention and harming the reputation of the police force.

He has pleaded not guilty and none of the allegations has been proven.

Jan 08 2013

### **SURREY, B.C. - A 57-year-old Vancouver man has spent almost one month in jail partly because he failed to identify himself to police who were investigating a seatbelt infraction during a recent traffic stop.**

The man’s legal problems began Dec. 13 when police say they stopped a vehicle for traffic offences on Highway 99 in Delta, B.C.

Police say officers asked the rear passenger to identify himself for an alleged seatbelt infraction, but the man gave a false name and continued to maintain a false identify.

The man was arrested for obstruction of a peace officer and was taken into custody where he continued to maintain a false identity, even though police say they were able to confirm who he was.

In court Dec. 19, the man refused to acknowledge his identity or co-operate with officials, and police say he allegedly made threats

against personnel.

Police say Douglas Nikkel of Vancouver has been charged with failing to wear a seatbelt, obstructing a peace officer, obstructing justice, uttering threats and is scheduled to appear in court again Thursday.

Jan 08 2013

### REGINA - Regina's finance committee has approved a \$100,000 grant to help drive down the RCMP Heritage Centre's deficit.

Committee members on Tuesday unanimously voted on the measure, which is contingent on council's approval of the 2013 budget as well as a minimum \$100,000 contribution from the province.

Heritage Centre executives have requested \$200,000 from the provincial government which, if approved and coupled with the city grant, would offset the Heritage Centre's deficit by \$300,000.

But the Heritage Centre would still carry a three-year projected deficit of \$139,000.

Al Nicholson, CEO of the RCMP Heritage Centre, said that figure is manageable.

"What we're going through now is the end of what we hope will be a solution to when the Heritage Centre was having some problems before," Nicholson said in an interview Tuesday. "... \$300,000 would provide us with stability, and then once you've got some stability, then you're able to plan and move forward."

Moving forward with a new financial plan is necessary to save the Centre from running deficits, the Centre's board of directors was urged in a 2011 report from the Toronto-based firm TCI Management Consultants.

The grant proposals are part of an overhaul that also includes the potential sale of the \$29-million Heritage Centre. Nicholson said negotiations are currently taking place with the federal government to buy the building, which would be operated by the RCMP. The Heritage Centre would then rent out the building, Nicholson said.

If the municipal and provincial funding is released, the Heritage Centre would move to dissolve its board of directors and establish a new one with representation from the RCMP, Friends of the Mounted Police Heritage Centre, provincial government and city council.

(Regina Leader Post)

## WEDNESDAY JANUARY 09, 2013

Jan 09 2013

### TORONTO - Toronto's police chief says he wants to bring back photo radar and install more red-light cameras to help keep policing costs down in the city.

Bill Blair says technology is the most efficient way to enforce the speed laws.

And he says it would help free up money that can be used for other police duties that keep communities safe.

The city's police budget still has an \$8.7-million funding gap for 2013.

And the police board has frozen hiring this year to help keep costs down.

Blair says that means Toronto's police have fewer resources and he doesn't want any money going to waste.

(CFRB)

Jan 09 2013

### MONTREAL - A preliminary hearing for alleged killer Luka Rocco Magnotta will begin on March 11 and could last a total of about four weeks.

Magnotta is charged with first-degree murder in the slaying and dismemberment of Chinese engineering student Jun Lin.

The 30-year-old appeared in a Montreal courtroom today as lawyers hammered out the technical details of what promises to be an extremely high-profile case.

Most of the contents of today's court proceedings are subject to a publication ban.

Magnotta faces other charges related to Lin's death last May: committing an indignity to a body; publishing obscene material; criminally harassing Prime Minister Stephen Harper and other members of Parliament; and mailing obscene and indecent material.

The preliminary hearing will go for two weeks in March and resume in June if need be.

The Ontario native has previously pleaded not guilty and chosen trial by judge and jury.

Magnotta became the subject of an international manhunt after parts of Lin's body began turning up across the country.

Jan 09 2013

### VANCOUVER - Ignoring a sea of taunts and threats of violence, Victoria Pearson waded into the 2011 Stanley Cup riot and appealed to the conscience of one wild-eyed young man stuffing a handkerchief into the gas tank of a parked car.



huffingtonpost.ca

"Do you think your grandmother would be proud of you right now?" she asked the stranger.

He paused, then sheepishly moved away, becoming one among a horde of nameless rioters Pearson, 29, prevented from torching a block of cars for at least half-an-hour the night Vancouver descended into lawlessness after the hometown hockey team lost the big game.

The Vancouver woman was among 17 civilians and eight medical professionals awarded Wednesday for acts of bravery on June 15, 2011 when a melee broke out among thousands of people gathered for Game 7 of the Stanley Cup.

Vancouver's police chief and mayor handed out certificates of merit on behalf of the

Vancouver Police Board to members of the group, as an announcer described heroic tales of individuals standing up to the mob in the midst of mayhem. Two police constables who demonstrated their devotion to duty were also honoured with a Chief Constable Commendation.

An indelible sense of right and wrong and a refusal to be swept up in a crowd gone mad were qualities that set the honoured civilians apart, Paul Patterson, senior director of the force's public affairs office, told hundreds of guests gathered for the ceremony.

"They showed the world that when things look their worst, all is not lost," he said. "Their individual stories of compassion and courage are inspiration for anyone facing overwhelming odds."

Pearson, who stands five-foot-two, believes her height and sex actually shielded her from being victimized for a period of time during the riot, where she defended property while watching police officers and large men get roughed up in the fray.

She only became more resolute as people jeered at her to let them set the cars alight, reasoning insurance would pay for the damage.

"It wasn't my car and it's not about the insurance, it's about Canadian values and what we stand for," she said in an interview at the ceremony.

"In that moment I just thought it was really important to step up and let people know that what they were doing wasn't right. It was the job of everyone there to stand up and be more than a bystander and represent what it is they want to see in our society."

Pearson didn't let up until she was rammed in the back of the head with a table and then punched in the mouth by a woman dressed all in black.

Malcolm Chrystal became a human shield when one of a trio of men covering their mouths with bandannas charged a photojournalist.

Chrystal, 46, was thrown backwards over a bicycle rack and glass bit into his arms and face.

"Your heart's racing too fast, you don't feel any hurt," he said in reflection.

Perhaps he became part of the problem by staying to guard his streets, he said, but he doesn't regret his actions.

"I felt compelled to stay. They were breaking my city," he said, adding he believes the police did everything they could.

"The mentality of the crowd was just so stupid. I'm actually disheartened by the number of people who chose to walk by when I was trying to help."

Chris Ivany was rammed through a telecommunications store window after he grabbed a two-by-six piece of lumber and stood on the wood to prevent the men from further smashing in the building.

He accepted the certificate in front of dozens of police officers but doesn't think as highly of their efforts.

"I feel ashamed of the police not doing their job that night. I think I shouldn't have had to do their job," he said, noting no one has been prosecuted for his assault, although parts of it was captured on video.

But Cst. Mike Laurin, the officer who was most badly injured during the riot, said he doesn't even think about the person who heaved a brick into his head.

"It's a riot. People lose their minds and in

the mob, do things they may not otherwise have done. I think it's just a cowardly act," he said.

Laurin was diagnosed with a severe concussion and spent three months in treatment to recover.

"There's hundreds of people who could receive an award. These are just specific examples that were selected and picked out," he said. "There are hundreds of stories of officers who did an extraordinary job that night, likewise with citizens."

Others who were cited included a pair of men who gave backup to an officer helping a stabbing victim and a man attempting to stop aggressors from damaging a large department store. He was eventually swarmed, thrown to the ground and assaulted by up to 15 people.

An off-duty nurse who was commended may have saved a woman's life by treating her head injury and driving her to a nearby hospital, while another man honoured suffered a collapsed lung as he was kicked and stomped in the head as people tried to break into a rental car operation.

Another woman single-handedly fended off the mob as people tried to loot a luxury clothing store.

Certificates of merit recipients were selected on the criteria of using their own initiative to assist police, apprehend an offender or make a lifesaving attempt in the face of danger.

Some 173 people face Crown-approved charges in connection with the events after the Vancouver Canucks lost the playoff final against the Boston Bruins. Police have recommended charges against a total of 315 suspected rioters.

There have been 110 guilty pleas so far, while 33 people have been sentenced.

Jan 10 2013

### OTTAWA - Statistics Canada says police reported more than 90,000 impaired driving cases in 2011, about 3,000 more than in 2010.

The agency says the rate of impaired driving was 262 cases for every 100,000 people, up two per cent from 2010.

It was the fourth increase in five years, although before 2007, the impaired driving rate had been on a steady decline since the mid-1980s.

The report says there were 121 incidents of impaired driving causing death in 2011 and a further 839 incidents of impaired driving causing bodily harm.

However, the rates of impaired driving causing death and causing bodily harm per 100,000 population were the lowest in 25 years.

Young adults aged 20 to 24 recorded the highest impaired driving rates in 2011, based on the number of licensed drivers and rates then declined steadily with age.

Jan 10 2013

### HALIFAX - Nova Scotia's Serious Incident Response Team has ended an investigation into an arrest by Halifax police after finding a man detained by officers was not seriously injured.

In a statement today, the team said police stopped a car in Halifax on Dec. 15 and arrested a 47-year-old man on an outstanding warrant.

There was a physical struggle between the man and police officers, and the man said he had rib fractures a short time after his arrest.

An investigation began after he contacted the review team to ask for an inquiry.

But the team says an X-ray later showed his ribs were not fractured.

Jan 10 2013

### VANCOUVER - The RCMP has filed a defence in a sexual assault lawsuit that was launched by a female officer who was disciplined last year for making the allegations.

Const. Susan Gastaldo filed a lawsuit in August 2011 alleging one of her superiors, Staff Sgt. Travis Pearson, sexually assaulted her and forced her to maintain a sexual relationship for several months.

The case was investigated by the Vancouver police, which concluded the allegations were unfounded, and prompted an RCMP code of conduct review that eventually disciplined both Gastaldo and Pearson for what was characterized as a consensual affair.

The B.C. and federal governments have now filed a statement of defence in Gastaldo's lawsuit, pointing to the police investigation and code-of-conduct review to reject Gastaldo's claims that she was sexually assaulted.

The statement of defence, filed more than a year after Gastaldo launched her suit, insists Gastaldo consented to the affair and says any psychological harm was the result of her failing to seek treatment for a pre-existing anxiety condition.

Gastaldo and Pearson were both disciplined for misconduct for exchanging explicit text messages and having sex in a police vehicle, though Gastaldo was singled out by the review board, which accused her of lying about the sexual assault.

## THURSDAY JANUARY 10, 2013

Jan 10 2013

### TORONTO - Jury selection is set to start today in the trial of a man accused of driving a stolen snowplow that killed Toronto police Sgt. Ryan Russell.



theglobeandmail.com

Richard Kachkar is charged with one count of first-degree murder and one count of dangerous driving.

He has pleaded not guilty.

Once the jury is selected the trial will not begin right away.

Kachkar's lawyer Bob Richardson says because of some scheduling issues the trial proper will begin with opening statements on Feb. 4.

Russell, 35, died after being struck while trying to stop a snow plow during a chase through snowy city streets on Jan. 12 last year.

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