

BLUE LINE NEWSWEEK

A CHRONICLE OF NEWS FOR THE CANADIAN LAW ENFORCEMENT COMMUNITY

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Executive Digest

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VANCOUVER - The RCMP is accused of violating the privacy of several of its members by handing over their personal medical records in a dispute with a British Columbia psychologist.

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Mountie not guilty of perjury



Jul 29 2013

VANCOUVER - It is impossible to say for certain that one of the four Mounties who confronted Robert Dziekanski at Vancouver's airport worked with his three colleagues to concoct a story about what happened that night, says a judge who found the officer not guilty of perjury Monday.

Even an explosive video shot by a traveller may not hold the full story about what happened when Dziekanski was zapped repeatedly with a Taser before dying on the airport

floor in October 2007, B.C. Supreme Court Justice Mark McEwan said in his verdict.

Cst. Bill Bentley had been facing a charge that he lied at a public inquiry into Dziekanski's death, but McEwan said there are "other explanations, inconsistent with the guilt of the accused, that remain open on the evidence."

When the verdict was pronounced, Bentley bent over and cried into a tissue.

Whether the verdict will change what happens with the perjury charges against Bentley's three colleagues is not clear.

GIVE US YOUR THOUGHTS . . . and we'll keep giving our best



Blue Line Magazine has been the information source for Canadian law enforcement for 25 years. Our first rookie readers have now reached retirement eligibility so we decided to give our readers an opportunity to tell us what they think of the magazine and how it may have helped them during their career. We will dedicate space in the December edition for these letters and stories.

Send your comments to
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Crown counsel spokesman Neil MacKenzie said the special prosecutor will take a close look at the ruling.

"Each of these cases is determined on its own specific facts," he said. "I don't want to speculate about what the effect of this decision may be other than to say that obviously the cases contain some interrelated facts."

He said the decision in one case won't necessarily determine what takes place in the other trials.

Bentley was the first to be tried for perjury for his testimony during the 2009 inquiry, which was called to find answers about what happened the night the officers responded to a call about a distraught man throwing furniture in an arrivals area.

Bentley said in his notes was Dziekanski came at the officers screaming and brandishing a stapler, prompting police to use the Taser several times and wrestle Dziekanski to the ground.

But the video, shot by traveller Paul Pritchard, appeared to contradict some of Bentley's notes and statements.

During Bentley's trial, the Crown called several witnesses from the airport and prosecutors relied on a comparison of the police officers' notes and statements. Prosecutors tried to prove the collusion by relying on similarities in the four officers' notes and statements.

The fatal confrontation fuelled a national debate about the safety of Tasers, prompting the Braidwood Inquiry that forced Bentley and the other three officers to account for why they used so much force so quickly on a man who, on the surface, appeared calm when police arrived.

The Crown argued at trial that Bentley and the other officers colluded on their stories to homicide investigators and then lied at the inquiry to cover up the deception.

"The peculiar nature of this case is that the alleged falsehood is that at the inquiry, Mr. Bentley lied about lying," McEwan wrote in his ruling.

"The Crown has not shown that in any particular (allegation), Mr. Bentley made a false statement knowing it to be false and with intent to mislead the inquiry. The Crown has advanced a suspicion based largely on circumstantial evidence."

Commissioner Thomas Braidwood's final report concluded the officers used too much force and had no justification for using the Taser.

But McEwan found that when Dziekanski picked up the stapler, he could be seen to be combative.

"It is quite possible that the Pritchard video did not capture the gestures several witnesses observed that would be consistent with Mr. Bentley's note that Mr. Dziekanski 'came at' the police because it was taken from behind Mr. Dziekanski."

During final submissions, McEwan interrupted the Crown several times, raising doubts about the Crown's theory, and noting civilian witnesses made the same sort of mistakes as the Mounties.

McEwan said in his ruling that while all the officers' statements say Dziekanski was combative and yelling at them, they aren't "uniform."

"It is almost impossible to prove a subjective assertion that there was an explanation other than that Mr. Bentley was wrong."

The Braidwood report prompted the province to appoint a special prosecutor to review the case. In May 2011, the prosecutor approved perjury charges against Bentley, Cst. Kwesi Millington, Cst. Gerry Rundell and former corporal Benjamin Robinson.

The other three officers are expected to face separate perjury trials later this year or early next year.

Bentley had been working as an RCMP officer for just over a year when Dziekanski died.

In the video, Bentley can be seen hopping over a railing and walking through a sliding security door as he and the other officers approached Dziekanski, who stood with his hands by his sides.

Within seconds, the officers surrounded Dziekanski and one of them fired his Taser multiple times, causing Dziekanski to scream and writhe on the floor.

The video was played countless times at the inquiry, with Bentley and the other officers narrating the clip with their versions of what happened.

Bentley testified that, based on the 911 call and Dziekanski's appearance, he approached Dziekanski prepared for a possible fight.

He said at first, Dziekanski was calm, but then he became "unco-operative" when he threw his hands up and walked away.

Bentley testified Dziekanski picked up a stapler, turned toward the officers and swung

it in their direction, with the stapler coming within a foot of him.

The video does not show Dziekanski swinging the stapler, but his back is to the camera - a limitation the officers' lawyers focused on during the inquiry.

Bentley was also confronted at the inquiry with his own notes from that night and his subsequent statement to homicide investigators.

He included the following account in his notes: "Subject grabbed stapler and came at members screaming."

At the inquiry, Bentley conceded the note was wrong, but said he was confused about a fast-moving situation.

The defence did not call any evidence and denied Bentley colluded with the other officers. Lawyer Peter Wilson argued his client's initial errors were honest mistakes and a product of a fast-paced incident and involvement in an in-custody death.

Bentley was the officer who called for an ambulance and alerted dispatchers about his worsening condition, the defence said.

"Here's the youngest officer there with the least involvement - what on Earth did he have to cover up?" asked Wilson.



Jul 25 2013

WASHINGTON - The FBI announced last week it would reexamine thousands of once-closed cases in which a person was convicted — and in some cases put to death — based on hair samples. Known as microscopic hair comparison analysis, this type of testing was often used to link a criminal defendant to a crime, but its reliability has now been called into question.

The FBI said that in more than 2,000 cases from 1985 to 2000, analysts may have exaggerated the significance of hair analyses or reported them inaccurately. All defendants affected by the inaccurate analyses will be notified and offered free DNA testing if errors in are found in the FBI's lab work or testimony.

According to a report from The Washington Post, more than 120 convictions have been flagged as suspicious in the FBI's review thus far. Of those cases, 27 defendants received the death penalty as their punishment.

In addition to reviewing individual cases, the FBI is also using the review process to improve lab training, testimony, audit systems and research.

"There is no reason to believe the FBI Laboratory employed 'flawed' forensic techniques," Special Agent Ann Todd, a spokeswoman for the FBI, said. "The purpose of the review is to determine if FBI Laboratory examiner testimony and reports properly reflect

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the bounds of the underlying science.”

The review includes every case between 1985 and 2000 in which the FBI found a positive association between hair taken from defendants and hair found at a crime scene.

Those who pushed for the review included the national nonprofit Innocence Project, the National Association for Criminal Defense Lawyers and its partners, which included pro bono attorneys.

Since DNA testing can cost several thousand dollars, hair analysis is often used to link a defendant to a crime scene. However, the practice was deemed “highly unreliable” in 2009 by a National Academy of Sciences report that concluded hair sample analyses cannot be linked to one person, but only categories of people.

Despite the poor reliability, Todd says microscopic hair analysis is “a valid forensic technique and one that is still conducted at the lab” along with DNA testing.

Until all of the cases can be analyzed and verified for accuracy, officials from the Justice Department have waived the deadlines and procedural hurdles for those inmates who are currently on death row.

(MPN)

Jul 25 2013

BERLIN - A car caught cruising the streets of a sleepy east German village on a sweltering summer's day sported a decidedly unorthodox feature: a pool filled to the brim with water.

German police say a motorcycle cop first became suspicious when he saw water sloshing out of a car as it rounded a corner Sunday afternoon near Blauenthal, about 250 kilometres south of Berlin.

Then it passed him, and he couldn't believe his eyes when he saw four men, including the driver, splashing about in swim trunks in the open-top BMW.

Realizing they'd been spotted and with the officer in hot pursuit, the men drove to a parking lot, fled the car and jumped into a nearby river, although one later returned to claim his clothes.

Police found that the car had been converted into a swimming pool on wheels, sealed with synthetic material and filled with 2,000 litres of water, according to Spiegel Online. It also had a wooden railing and cheap floral decorations, and attracted so many spectators that the officer had to call for reinforcements.

Spokesman Frank Fischer said Thursday that police were still investigating which of the men was driving the mobile pool and whether he was drunk. He said the vehicle itself “probably didn't have a road permit.”

Jul 25 2013

KELOWNA, B.C. - The former Mountie who murdered his common-law wife has been given a life sentence without

chance of parole for 13 years by a B.C. Supreme Court judge in Kelowna.

Keith Wiens, who 57 now, won't be eligible for parole until 2026 when he's 70.

Wiens maintained he shot Lynn Kalmring in self-defence in August 2011, saying the woman came at him with a knife but a jury rejected that claim after deliberating for just a few hours and declared him guilty of second-degree murder.

Justice Geoff Barrow called the shooting senseless, impulsive and fuelled by alcohol when he sentenced Wiens.

The Crown was seeking a 15 year minimum term and the defence wanted a term of 10 to 12 years while the jury had recommended at least 20 years before parole eligibility.

The jury heard the couple fought over money for at least eight months before Wiens murdered Kalmring.

(CKFR)

Jul 25 2013

EDMONTON - Federal Justice Minister Peter MacKay says the Conservative government is considering changes to impaired driving legislation in the Criminal Code.



But the minister says he won't discuss what changes he's pondering until he hears from victims.

MacKay is in Edmonton meeting with people who have been affected by crime for input on the government's promised victims' rights bill.

One person at the meeting was related to an Alberta man who was killed in a crash involving an accused drunk driver.

Last year, provincial justice ministers asked the federal government to consider increased penalties for impaired driving, particularly in cases involving repeat offenders, serious injury or death.

MacKay, who was once a Crown prosecutor in Nova Scotia, says he remembers a judge saying once that driving down the road while impaired is like pointing a loaded gun at someone.

Jul 25 2013

FLIN FLON, Man. - A Manitoba RCMP officer is facing assault charges following an alleged altercation with a prisoner last year.

Mounties say they became aware of allegations an officer had “manhandled” a prisoner last August in Flin Flon.

The detachment investigated and forwarded its findings to Manitoba Justice to be reviewed by a Crown attorney.

On Monday, Cst. Jamie O'Brien was charged with assault causing bodily harm and assault with a weapon.

He has been suspended with pay while the RCMP complete an internal investigation.

O'Brien is scheduled to appear in a court in Flin Flon on Oct. 3.

Jul 25 2013

LETHBRIDGE, Alta. - An investigation has concluded that the actions of two southern Alberta police officers who shot and killed an immigrant from Bhutan were justified.

A review by the Alberta Serious Incident Response Team (ASIRT) says the 26-year-old man posed a threat when he advanced on the officers with a knife.

Police had responded to a call in Lethbridge last July about a man who was drunk and threatening people in a home.

The review found that he was still holding the knife when two officers went inside the house and wouldn't drop the weapon when told to do so.

He then advanced on the officers and both shot him.

The man, who had recently immigrated to Canada, was pronounced dead in hospital.

Jul 25 2013

WASHINGTON - The United States prison population fell by 1.7 percent to 1,571,013 between the end of 2011 and the end of 2012, according to a

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new report from the Bureau of Justice Statistics, marking the third consecutive year of decline in the U.S. prison population.

There were 27,770 fewer people imprisoned at the end of last year compared to the previous year. Nine states saw their prison populations decline by more than 1,000 people in 2012: California, Texas, North Carolina, Colorado, Arkansas, New York, Florida, Virginia and Maryland.

The recent decline in prison population follows an explosion in incarceration since the late 1970s. The prison population grew every year between 1978 and 2009, according to the BJS, rising from 307,276 to a high of 1,615,487.

California led the way in prisoner reduction in 2012, with its prison population falling by more than 15,000 due in part to the decision to house “nonserious, nonsex, nonviolent offenders” in local jails, not state prisons.

Overall, the population of prisoners in state prisons declined by 2.1 percent in 2012. The population in federal prisons, however, rose by 1,453 prisoners, or 0.7 percent. Over the past decade, according to the BJS, the federal prison population has increased an average of 3.2 percent each year.

The national imprisonment rate for men was more than 14 times the rate for women.

Louisiana had the highest rate of imprisonment among the states, followed by Mississippi, Alabama, Oklahoma and Texas. Maine had the lowest rate, followed by Minnesota and Rhode Island.

The population count was based on data from 47 states and the Federal Bureau of Prisons, with counts for three states estimated because the states had not submitted data. An updated, final count is scheduled for release later this year.

(CBS News)

FRIDAY
JULY 26, 2013

Jul 26 2013

SHARBOT LAKE, Ont. - The Special investigations Unit has been called in after shots were fired Thursday evening in the Sharbot Lake area.

Provincial police officers responded to a call at a home near the community southwest of Ottawa and were confronted by an armed male.

Shots were fired and a 45-year-old man was taken to hospital with serious injuries.

The SIU was called in and has taken control of the investigation.

The agency investigates all reports involving police where there is death, serious injury or allegations of sexual assault.

(CKPT)

Jul 26 2013

OTTAWA - Border agents say they've seized 13,000 kilograms of khat, a drug banned in Canada.



The Canada Border Services Agency says it's seeing a huge spike in attempts to smuggle the drug, with more than 1,300 seizures as of the end of May.

Khat is a plant that's native to east Africa.

The green leaf of the plant contains cathine and cathinone, which when ingested produce effects similar to amphetamine.

Shipments of the drug were intercepted at Pearson International Airport and at an international mail processing centre in the Toronto area between January 2012 and May 31 this year.

Public Safety Minister Steven Blaney commended border service agents for diverting the drug from distribution in Canada.

Jul 26 2013

EDMONTON - Police in Edmonton say they have arrested a website owner who faces charges over a grisly video at the centre of the Luka Magnotta murder case.

A warrant was issued Thursday for Mark Marek on a charge of breaching conditions of his bail, which a judge granted last week.

Police say the 38-year-old was picked up at a gas station after they received a tip that led them to a nearby Edmonton-area storage facility.

Marek was originally charged with one count of corrupting morals for allegedly posting a video from Magnotta while knowing it depicted a real killing.

The video allegedly showed the killing and dismemberment of Chinese university student Jun Lin in Montreal.

Magnotta has pleaded not guilty to murder and is to stand trial in September 2014.

Jul 26 2013

MONTREAL - A 70-year-old man has been shot by police during an incident in Montreal.

Montreal police spokeswoman Anie Lemieux says officers were responding to a call near downtown about a man expressing suicidal thoughts.

She says there was an altercation - and police fired at least one shot.

She says the man was struck in the lower body.

The man has been taken to hospital and, she says, his life is not believed to be in danger.

The incident will now be investigated by the provincial police.

Jul 26 2013

SYDNEY - The headquarters of the Cape Breton Regional Police has undergone a name change in honour of a former chief.

The central division headquarters on Grand Lake Road now bears the name of Myles F. Burke who died of a heart attack on April 9, 2011. Burke was 49. He is survived by his wife Jane and two daughters.

Burke was a highly-respected police officer who also gave generously of his time and support to several community organizations.

Police Chief Peter MacIsaac said the naming is a fitting tribute to his former boss. He said a formal dedication ceremony is being planned, but not all of the details have been worked out.

Burke was attending a police conference in Halifax at the time of his death.

He was appointed chief in December 2008 having served through the ranks of the former Sydney police department and later the Cape Breton Regional Police Service, which came into being as an amalgamation of a number of municipal police forces.

He had previously worked with the New Glasgow and Calgary police departments.

Among his community involvements, Burke served with such groups as the Cape Breton YMCA, Talbot House, YMCA Canada, and the United Way of Cape Breton.

(Cape Breton Post)

Jul 26 2013

PENTICTON, B.C. - A B.C. Supreme Court judge in the Okanagan city of Penticton has found a Mountie who is currently under suspension without pay not guilty of perjury.

The charge stemmed from testimony that Cpl. Andre Turcotte gave Jan. 28, 2010, while on trial for assaulting Scott Campbell, a passenger who was in a car that the officer claimed had almost run him off the road.

Turcotte was found guilty of the assault, and the Crown alleged he knowingly made a false statement while recalling when Campbell came into the Penticton RCMP detachment to be fingerprinted on an unrelated charge.

But Judge Bruce Butler says Campbell had his fingerprints taken at the detachment on the date in question and admitted to having been at the detachment previously four or five times.

Butler also questioned Campbell's reliability as a witness, saying he “had little or no respect for police,” “had little ability to recall events” and exhibited “a smug demeanour” on the witness stand.

Even though Butler said he has some doubt about Turcotte's recollection of how events transpired, he says the evidence, as established, is a realistic possibility.

(Kelowna Courier)

KELOWNA - With soaring crime rates and a rise in serious offences, Kelowna has been named Canada's new crime capital.

A 2012 police-reported crime report released by Statistics Canada Thursday said Kelowna had the highest crime rate out of Canada's 33 major cities, increasing by six per cent from the previous year.

The surge was mostly blamed on a handful of prolific offenders but Kelowna RCMP spokesman Cst. Kris Clark said the new detachment chief's focus on aggressive policing against these groups might herald a decrease of offences in the crime-ridden area.

"He certainly has a vision ... and so far we've already seen a 15-per-cent decrease in crime for the last six months of this year," Clark said.

There were 8,875 crimes committed for every 100,000 people in Kelowna on 2012. Violent offences against people like assaults and murders have gone down by 2.5 per cent but property crime rose by a skyrocketing 13.5 per cent.

"There was one guy from Alberta who stole 45 vehicles in 21 days; that's two to three cars a day," Clark said.

Now incarcerated, the one criminal alone was responsible for at least half of Kelowna's vehicle thefts.

A crackdown on organized crime also skewed the area's crime rates, Clark added.

While Kelowna's crime rates soared, B.C.'s major cities, on the other hand, saw a significant decrease.

Crimes in Vancouver and Victoria both declined by seven per cent, and there was a drop of two per cent in Abbotsford-Mission.

The rate of severe crimes committed in the three cities also plummeted, unlike Kelowna's, which rose by six per cent, according to Statistics Canada's Crime Severity Index report.

Insp. Nick Romanchuk, who is expected to take over the helm of Kelowna RCMP commander before September, plans to decrease Kelowna's crime by implementing tougher policing against targeted groups of repeat offenders.

"It is my goal that Kelowna is never again mentioned in a Stats Canada report on crime unless it is recognized for significant reductions in crime," Romanchuk said.

Currently the second largest RCMP detachment in Canada with 234 officers, Kelowna plans to add 12 new officers to their force by 2015.

"You see your stats go up before they ever go down," Clark said. "Where there's opportunity there's going to be crime but we've allocated resources to change that."

(The Province)

**SATURDAY
JULY 27, 2013**

Jul 27 2013

EDMONTON - A sting involving a police officer posing as a homeless man netted 22 distracted-driving tickets Thursday.



Edmonton police used the ploy as part a distracted-driving awareness strategy in southeast Edmonton, said police spokesman Scott Pattison.

Dressed in a blue hoodie and beige cap, the officer hoists a sign that reads, "Hello, I am a police officer, if you are on your cellphone right now, you are about to get a ticket."

Last year, police in Burlington, Ont., Ottawa, Salmon Arm, B.C., and Chilliwack, B.C., used the same "hobo cop" tactic.

Edmonton's specialized traffic apprehension teams handed out 22 distracted-driving tickets and one yellow-light infraction ticket during the two-hour sting, Pattison said.

(Edmonton Journal)

**SUNDAY
JULY 28, 2013**

Jul 28 2013

TORONTO - Nearly half of Ontario's jails are overcrowded, a six-year high that sees cells meant for two people at times hold three or more as the province struggles with a rising tide of inmates who have yet to have their day in court.

Statistics by the Ministry of Community Safety and Corrections reveal that on an average day last year 14 of the province's 29 jails held more prisoners than they were designed for.

Last year the province-wide capacity rate hit 98.5 per cent, matching a peak set in 2008/09 and coming in slightly above the average rate in the intervening four years, earlier figures obtained through freedom of information show.

The London jail was at 105 per cent capacity and has had more inmates than beds in five of the past six years.

The overcrowding high comes as the province's correctional system is going through a

rare transition, with the ongoing closure of several jails, including facilities in Toronto and Sarnia, and the construction of a major correctional complex in southwestern Ontario as well as a 1,650-bed "superjail" in Toronto's west end.

The new facilities will bring in 280 net new beds to what is currently a 9,020-bed system that last year housed an average 8,806 people each day.

The province says most of those inmates were held on remand - awaiting a bail hearing or trial. It's a cohort which has surged to nearly two-thirds of the provincial penal population today from one-third back in 1996.

Though the number of total annual inmate admissions has dropped by more than 10,000 in the last three years, so too has the number of beds, of which there were nearly 500 more back in 2010.

The notorious 504-bed Toronto Don Jail was the most busy facility in the province at 117 per cent capacity - or nearly five inmates for every four beds - narrowly beating the Niagara Detention Centre, while the Windsor Jail rounded out the top three at 111 per cent capacity.

The Toronto and Windsor jails have been overcrowded for all of the last six years, while the Niagara facility was over capacity for the last five, statistics show.

And at the 382-bed maximum-security jail in London, there were last year on average 45 more inmates each day than free beds, leaving many with hastily arranged accommodations.

**MONDAY
JULY 29, 2013**

Jul 29 2013

PARIS - A staggering 40 million euro (US\$53 million) worth of diamonds and other jewels were stolen Sunday from the Carlton Intercontinental Hotel in Cannes, in one of Europe's biggest jewelry heists in recent years, police said. One expert noted the crime follows recent jail escapes by members of the notorious "Pink Panther" jewel thief gang.

The hotel in the sweltering French Riviera was hosting a temporary jewelry exhibit over the summer from the prestigious Leviev diamond house, which is owned by Israeli billionaire Lev Leviev.

A police spokesman said the theft took place around noon, but he could not confirm local media reports that the robber was a single gunman who stuffed a suitcase with the gems before making a swift exit. The spokesman spoke on condition of anonymity because he was not authorized to discuss the matter on the record.

The luxury Carlton hotel featured

prominently in Alfred Hitchcock's "To Catch a Thief," which starred Cary Grant as a reformed burglar chasing a jewel thief. It is situated on the exclusive Promenade de la Croisette that stretches 2.5 kilometres along the French Riviera, and is thronged by the rich and famous throughout the year. The hotel's position provides not only a beautiful view of the sea but also an easy getaway for potential jewel thieves along the long stretch of road.

Police say the Pink Panther network's members are prime suspects in a series of daring thefts. According to Interpol, the group has targeted luxury watch and jewelry stores in Europe, the Middle East, Asia and the United States, netting more than \$438 million since 1999.

Jul 29 2013

SASKATOON - A Saskatoon police officer has discovered that a farm background comes in handy on the job, especially when capturing four-legged vagabonds.

Police got word early Sunday morning that a horse was running loose and posing a potential danger to traffic.

Cst. Derek Chesney, a former rancher, was among the officers called to the scene and quickly realized that a little ingenuity would get the aging gelding - called Archie - out of harm's way.

Chesney lured the animal by filling a bucket with stones and rattling it to mimic the sound of oats before fashioning a bridle out of police tow rope to secure him prior to loading the horse on a trailer.

Chesney jokes that perhaps his colleagues should take lariat training in case they need it in the future.

It turns out Archie had plodded all the way from Clavet, about 30 kilometres southeast of Saskatoon, but he was safely back in his owner's care by the afternoon.

(CKOM, CTV Saskatoon)

Jul 29 2013

PORT HAWKESBURY, N.S. - A head sheriff in Nova Scotia accused of sexual assault has elected to be tried by judge and jury in the province's Supreme Court.

James William Snow of Cape Jack faces charges of sexual assault and breach of trust.

The 58-year-old, who made his first court appearance today in Port Hawkesbury provincial court, has a preliminary inquiry scheduled for Jan. 16.

The RCMP arrested the Antigonish County man following an alleged incident in Troy in November 2008.

Snow, who has been released from custody, has been a sheriff for more than 30 years working in various parts of the province.

He has been placed on leave from his job. (CIGO)

Jul 29 2013

CENTRAL FRONTENAC, Ont. - Ontario's police watchdog says a man shot during an incident with police northwest of Kingston, Ont., has died in hospital.

The Special Investigations Unit says the 45-year-old man was shot multiple times during an "interaction" with provincial police officers at a home in a rural area of Central Frontenac last Thursday night.

The SIU says the man was rushed to Kingston General Hospital for surgery but died Sunday evening.

His name has not been released.

The agency says an autopsy is scheduled for Tuesday.

(The Canadian Press, CJOJ)

Jul 29 2013

TORONTO - Toronto police will do everything they can to answer all the questions surrounding the "tragic" death of a young man shot by officers over the weekend, Chief Bill Blair said Monday.



Sammy Yatim, 18, was killed while he was on a city streetcar early Saturday morning following an altercation with police, an incident that was captured on video and has triggered a flood of public outrage online.

Blair said he understood the public had many questions about police conduct.

"I recognize that there is a need for answers and that the public quite rightfully expects that the matter will be thoroughly investigated. I want to assure you all that this will be done," Blair told reporters.

"The public also has a right to demand that the Toronto Police Service examine the conduct of its officers to ensure that its training and procedures are both appropriate and followed. This will be done."

Blair added that police will co-operate fully with Ontario's Special Investigations Unit, which is investigating the 18-year-old's death.

The SIU said an "interaction" between Yatim and police- which also included the use of a Taser - left the young man with multiple gunshot wounds.

Yatim was taken to hospital where he died of his injuries. A post mortem was conducted over the weekend.

The police watchdog said it is investigating the actions of one police officer in relation to Yatim's death. In the course of its investigation,

the SIU said it will be interviewing 22 witness officers who may have information on the incident.

The SIU has assigned six investigators and two forensic investigators to analyse the incident. Witnesses are being interviewed and video footage is being scrutinized.

Blair said in addition to the SIU investigation, he would be conducting a separate probe to see if police procedures and training were followed.

"A full report of my review, actions and recommendations will be submitted to the Toronto police services board within 30 days of being notified that the SIU has reported the results of their investigation to the Attorney General," he said.

The incident has sparked outrage on social media. (CP, CBC)

Jul 29 2013

LLOYDMINSTER, Sask. - Saskatchewan RCMP believe it will take at least three months before an investigation is complete into the deaths of six teens in a car crash.

Cpl. Rob King says investigators are talking with witnesses and friends who saw the teens before they packed into a two-door car and headed out on a rural road early Saturday.

The car collided with a semi truck south of Lloydminster and sunk to the bottom of a road-side slough.

The victims - three girls and three boys - were between 13 and 17.

King says it's not known which teen was driving or if that teen had a driver's licence.

He says autopsies, toxicology tests and a traffic reconstructionist's report may eventually provide some answers.

Jul 29 2013

OTTAWA - The Harper government has quietly given Canada's electronic eavesdropping agency approval to exchange information with foreign partners even when it may put someone at risk of torture.

Ryan Foreman, a spokesman for Communications Security Establishment Canada, says the spy service is following a federal policy on the risks of ill-treatment when sharing information.

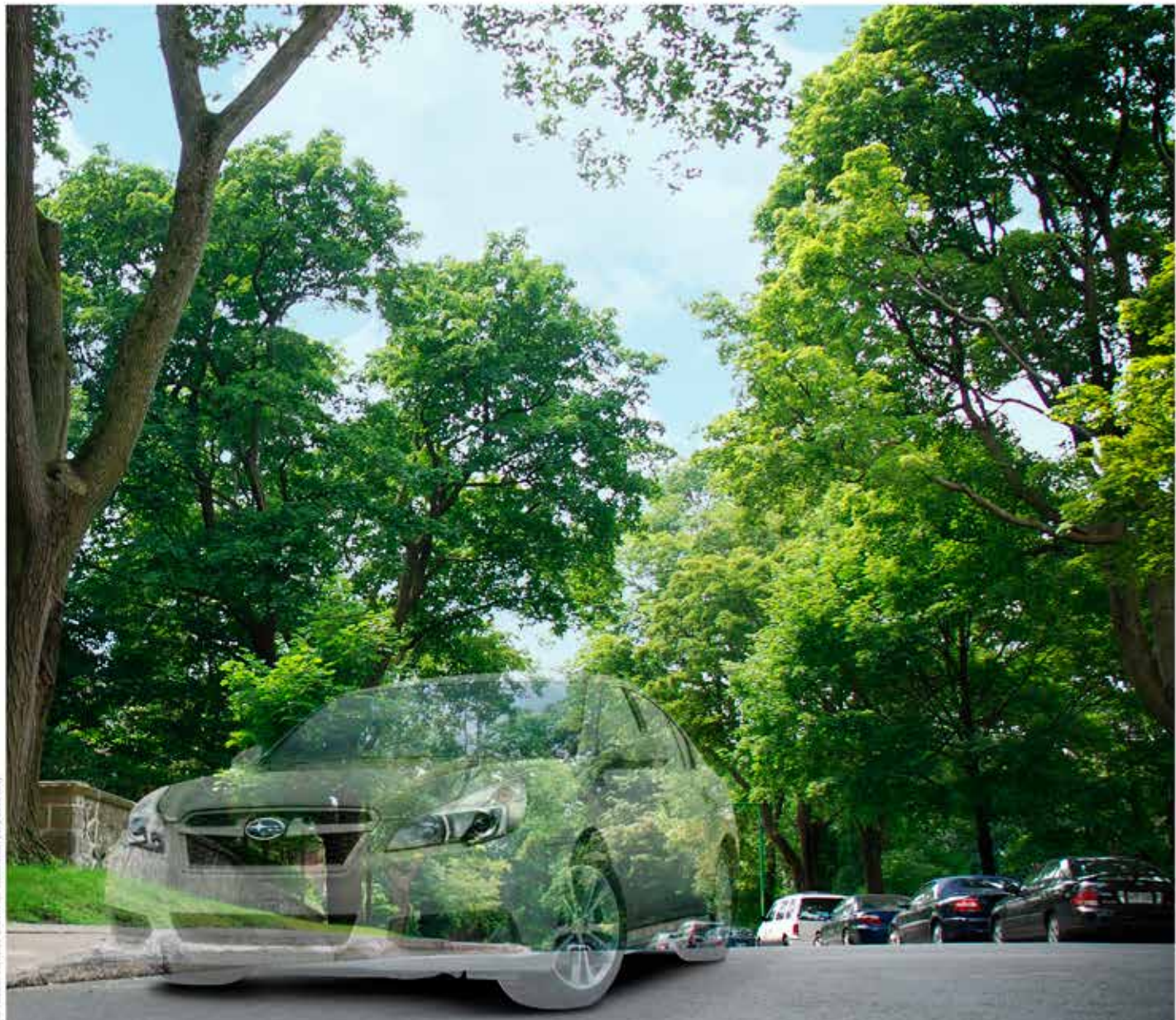
The policy is intended to guide security agencies when seeking or sharing information puts someone in foreign custody at serious risk of being tortured.

Records released through the access-to-information law have shown that several agencies - including the Canadian Security Intelligence Service, RCMP and federal border organization - were directed to follow the policy.

However, until now there was no explicit confirmation that the policy applied to the Ottawa-based eavesdropping agency, known as CSEC.

The revelation comes amid mounting

2.5L boxer engine with available automatic transmission and a 7th, 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 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concern about widespread surveillance by the U.S. National Security Agency, CSEC's American counterpart in the Five Eyes intelligence alliance.

Jul 29 2013

CALGARY - Charges have been laid after a chase on a busy Calgary road that led to police gunfire and dents to several cruisers after they were rammed.

Police say officers confronted a man and a woman in a minivan early Sunday after getting word of a stolen vehicle.

The driver fled into oncoming traffic on Deerfoot Trail and attempts were made to block the vehicle.

Some cruisers were rammed before an officer fired at the minivan, but no one was hit.

The woman, who was a passenger, had to be cut out of the van before she was taken for treatment of minor injuries.

Raymond Germaine Troy Jacobson, who is 31, faces several charges, including dangerous driving and failing to stop for police.

(Global Calgary)

**TUESDAY
JULY 30, 2013**

Jul 30 2013

CALGARY - A man has been charged in the crash of a pickup truck into the doors of the Calgary courthouse.

Police say someone deliberately drove the truck around a concrete barrier and through the south entrance of the downtown building early Monday.

No one was hurt, but there was significant damage to the doors.

Jaren Wayne Feser of Calgary has been charged with dangerous operation of a motor vehicle and causing damage to property.

Feser, who is 29, has been remanded in custody and is to appear in court Aug. 7.

Jul 30 2013

VANCOUVER - The RCMP is accused of violating the privacy of several of its members by handing over their personal medical records in a dispute with a British Columbia psychologist.

The Mounted Police Professional Association of Canada filed a complaint today asking the federal privacy commissioner to investigate.

The association claims the information was disclosed to B.C.'s College of Psychologists without consent in order to bolster the force's complaint against psychologist Michael Webster, an outspoken critic of the organization.

Association president Rae Banwarie says the disclosure shows a "crass and cynical disregard" for RCMP member's privacy and most sensitive personal health information.

The RCMP filed the complaint against Webster last August, saying his advocacy for change within the organization was detrimental to the

treatment of his police officer patients.

The college found that the complaint against Webster was unfounded.

Jul 30 2013

EDMONTON - Nearly 7,000 drivers' licences were suspended and more than 5,400 vehicles were seized in the first six months under Alberta's tougher new impaired driving law, which took effect a year ago, recently released statistics show.

Fatal crashes in which alcohol was a factor also declined between July and December 2012, compared to the five-year average for those same months. There were 33 alcohol-related traffic deaths last year, down 46 per cent from the 2007-11 average of 62, according to the government numbers.

It's too soon to declare victory, but preliminary figures since the legislation changed seem promising, Alberta Justice Minister Jonathan Denis said Tuesday.

Since July 1, 2012, drivers with a blood-alcohol level of .08 or more have their vehicles seized for three days and their driver's licence suspended until their case is resolved in court. Previously, those drivers faced a 24-hour licence suspension with a 21-day grace period, then a 90-day licence suspension. Their vehicles were not seized.

A total of 4,434 suspensions were issued in that category in July through December last year, up from 4,082 in 2011. A total of 3,385 vehicles were seized last year.

Since Sept. 1, motorists who blow between .05 and .08 on a breathalyzer — which is not a criminal offence — can have their licence suspended for three days and their vehicle seized for three days for a first offence. Previously, the penalty was a 24-hour licence suspension.

From Sept. 1 through December 2012, 910 suspensions and 770 vehicle seizures were issued for blowing over .05.

New drivers, who are not allowed any alcohol in their systems, received 719 licence suspensions and 662 vehicle seizures.

(Edmonton Journal)

**WEDNESDAY
AUGUST 31, 2013**

Jul 31 2013

MONTREAL - A 20-hour standoff between a senior citizen and Montreal police has ended with the man being shot with a rubber bullet.

Police say he surrendered after an officer shot him this morning.

The 72-year-old man has been taken to hospital.

Police were able to get into the west-end residence after Quebec provincial police used

an armoured vehicle with a battering ram to knock down the front door.

Montreal police said Tuesday an officer may have been shot in the foot while the man was barricaded in the house.

They said the SWAT team member was either struck by a bullet or slammed into an object.

Jul 31 2013

MISSISSAUGA, Ont. - Ontario's police watchdog has charged a York Region officer in connection with an alleged assault that took place in April.

The Special Investigations Unit says on April 21, officers were called to a Richmond Hill, Ont., home where "an interaction ensued" between police and those living in the home.

During that interaction, the SIU says 63-year-old Zdenek Horsak was allegedly assaulted by an officer.

Cst. Ernest Carmichael is facing one charge of assault and is set to appear in court in September.

Jul 31 2013

EDMONTON - An investigation has concluded that two Edmonton police officers were justified when they shot and killed a suspected bank robber.

The Alberta Serious Incident Response Team, known as ASIRT, says there was no criminal offence when the officers used lethal force against a man armed with a handgun.

Last December, the police service received a 911 call from an employee at a Canadian Western Bank about an armed robbery.

ASIRT says two officers who entered the bank became - quote - "engaged" with a man who had a gun.

He was told to put down the weapon but refused.

Both officers fired their guns and struck the 24-year-old man several times.

Jul 31 2013

VAUGHAN, Ont. - An 85-year-old woman is facing stunt driving charges after a pedestrian and her dog were struck and killed by a vehicle in Vaughan, Ont., last month.

York Regional Police say that on June 10, at about 8:15 p.m., a vehicle left the road and hit a pedestrian and her dog on a sidewalk.

Police say the vehicle then ran across the lawns of several residences and struck several trees and a hydro transformer before coming to rest on its roof.

The pedestrian - a 28-year-old Vaughan resident - and her dog died at the scene.

Police say Betty Kestenberg, of Vaughan, has been charged with stunt driving for going more than 50 kilometres per hour over the speed limit and careless driving.

Kestenberg and her husband, 88-year-old Louis Kestenberg, who was the lone

passenger in the car - also face a charge each of failing to properly wear a seat belt.

The couple were taken to hospital for non-life threatening injuries and are both scheduled to appear in court in Newmarket, Ont., on Aug. 19.

Jul 31 2013

GUELPH, Ont. - Speed and icy road conditions caused the crash that claimed the life of a Guelph, Ont., constable, police said Wednesday after a months-long investigation.



Cst. Jennifer Kovach, 26, died in March when her cruiser crashed into a city bus as she responded to a colleague's call for assistance.

Police released the findings of their investigation into her death Wednesday, saying they had ruled out driver distraction and mechanical failure.

And though Kovach wasn't wearing her seatbelt as required, it likely wouldn't have saved her life if she had, given the "extreme and severe" nature of the crash, Guelph Police Chief Bryan Larkin said.

Larkin described how Kovach initially managed to slow down the vehicle and straighten it after it spun out.

That's when the cruiser hit a patch of ice and spun again before sliding into the bus's path, he said.

"Speed is the primary factor in this collision. The police cruiser exceeded the critical curve speed, causing the initial rotation," Larkin said in a news conference.

"Cst. Kovach possessed the abilities and skills to recover from the initial rotation, however, the roadway condition - wet, combined with the ice - created a significant counter-clockwise rotation followed by a slide that was not recoverable in time prior to impact with the transit bus."

The bus Kovach's cruiser collided with had no passengers at the time and the bus driver had only minor injuries.

Kovach had joined the force four years earlier, fulfilling what relatives have said was her lifelong dream.

Jul 31 2013

CALGARY - Calgary police say the biggest gang investigation in the force's history is worth every penny — they just won't say how many pennies they're spending.

Chief Rick Hanson gave an update to the

Calgary Police Commission on Operation Desino on Tuesday night.

"Cops count. You take resources and apply them to a problem, and you get results," said Hanson at a 2009 meeting.

Last night, the chief credited a cash infusion with the spate of recent gang busts.

Fifteen investigators were brought in to help crack a string of deadly shootings, said Hanson.

That includes the now infamous News Years' Day triple-murder at the Bolsa Restaurant in 2009.

"I want you to know that this is a reflection of the support we got from you," said Hanson.

But investigators refused to reveal exactly how much Desino cost.

"It's an ongoing investigation still, we haven't tabulated the numbers right now but we keep a running tally and those numbers will come out when we're all done," said Hansen.

Mike Shaikh, Calgary Police Commission chair, says regardless of the bill, it's money well spent.

"Our goal is to make sure that our streets are safer. And that's what we concentrate on," said Shaikh.

The chair says he trusts the chief when he says he needs more resources, and said the commission monitors results carefully.

Local gang expert Insp. Mike O'Brien also stressed that it takes a lot of time and resources to solve these types of cases.

"This was a large investigation," said O'Brien.

"People need to know that this isn't like a one-hour television show where everything is wrapped up in a nice neat bow and you have guilty pleas in an hour."

(CBC News)

Jul 31 2013

TORONTO - The province's police watchdog says no charges will be laid after investigators concluded a 23-year-old man who died during an arrest at a Toronto fast-food restaurant accidentally shot himself in the head.

The Special Investigations Unit says the Toronto police force's guns-and-gangs unit forcibly removed Zoltan Hyacinth from his car and wrestled him to the ground at the drive-through of a north-end Burger King on March 17.

It says that while Hyacinth was pinned to the ground he pulled a pistol in an apparent attempt to fire on the officers, but ended up shooting himself in the head.

The SIU says three shots were fired, with one bullet fragment later matched to Hyacinth's Ruger pistol, and not to the Glock handguns used by the arresting officers.

Director Ian Scott says in a statement that "Hyacinth was the inadvertent author of his own misfortune."

Jul 31 2013

OTTAWA - An armed RCMP officer will be present at all times during a Canada-U.S. pilot project for pre-inspecting truck cargo, says a newly released bilateral agreement.

The federal government says the measure is a reminder that Canadian law applies even though armed American inspectors have set up shop north of the border.

In the first phase of the cargo pilot project, which got underway in June, U.S. Customs and Border Protection officers are working in Surrey, B.C., to conduct preliminary inspection of truck shipments crossing into Blaine, Wash.

The pilot project is part of a Canada-U.S. perimeter security pact aimed at ensuring the swift flow of goods and people across the 49th parallel while bolstering overall North American defences.

The American officers, though permitted to carry guns, are limited to pre-inspection duties - initial questioning of truck drivers to determine the admissibility of goods to the U.S. - and do not have power to enforce Canadian or U.S. criminal laws.

During the six-month pilot, an armed Canadian police officer is to be stationed "in the line of sight of the pre-inspection booth" at all times it is operating, says a memorandum of understanding on the project, released to The Canadian Press by Public Safety Canada.

"The Participants also understand that cargo pre-inspection processing may be suspended at a pilot location at such times that the Canadian law enforcement officer is not present," says the agreement, signed in March but not made public at the time.

The police presence "demonstrates that Canada and the U.S. are working collaboratively while ensuring Canadian laws continue to apply while in a U.S. pre-inspection zone," said Public Safety spokeswoman Josee Picard.

An RCMP officer is assigned to the British Columbia pilot project at the Pacific Highway crossing and a member of the Niagara Regional Police Service is to take part in a second phase of the initiative at the Peace Bridge connecting Fort Erie, Ont., and Buffalo, N.Y., Picard said.

A U.S. customs officer accused of using excessive force or otherwise breaking the law would answer to Canada's legal system during the pilot projects, expected to last up to 18 months.

However, the memorandum says in the meantime "options are to be developed" to address issues of officer accountability, including civil and criminal liability. It adds that failure to develop mutually agreeable options could spell the end of the pre-inspection initiative.

"Discussions are ongoing on a pre-clearance agreement that will respect both

countries' jurisdictional concerns and both countries' sovereignty," said a U.S. Embassy official in Ottawa.

The same issues of officer accountability have held up other perimeter security pilot projects that would see the two countries create integrated teams in areas such as intelligence and criminal investigations.

The Canadian Press reported this week that, according to an RCMP briefing note, the U.S. has asked that its police officers be exempt from Canadian law if they agree to participate in the projects.

The October 2012 note said the U.S. request came despite the fact that, traditionally, co-operative initiatives in cross-border law enforcement have been based on the notion that the laws of the host country apply to illegal acts on its territory.

THURSDAY AUGUST 02, 2013

Aug 01 2013

TORONTO - The use of police force in the shooting death of a young man in Toronto has prompted Ontario's ombudsman to question whether it is time for the provincial government to review police de-escalation guidelines.

Andre Marin said Wednesday he has ordered a "case assessment" to determine if a full-fledged investigation into those guidelines is necessary in the wake of Sammy Yatim's death.

The 18-year-old, who died Saturday morning after receiving multiple gunshot wounds during an "interaction" with police, will be laid to rest Thursday.

The incident, which was captured on surveillance and cellphone video, has sparked public outrage over police use of force.

Marin said his office will examine the direction and guidelines provided by the Ministry of Community Safety and Correctional Services to Ontario's police for de-escalating situations that could potentially result in the use of force.

"The latest shooting by a Toronto police officer raises the question of whether it is time for the Ministry to direct Ontario police services on how to de-escalate situations of conflict before they lead to the use of fatal force," he said in a statement.

Marin added that the ombudsman's case assessment will not affect the ongoing investigation by the province's Special Investigations Unit, but his office will monitor any issues relating to police co-operation with the SIU.

Police chief Bill Blair, however, suggested Marin's monitoring is unnecessary.

"All 22 witness officers have given their statements - there's full co-operation with the SIU investigation," Blair told television

station CP24 Wednesday evening.

"Unfortunately, Mr. Marin's uninformed comments aren't very helpful to the situation."

Blair has said his office would conduct its own review of the shooting.

The SIU has said Yatim died after receiving multiple gunshot wounds and that a Taser was also used.

In one video that has circulated online, Yatim can be seen pacing an empty street-car as shouts of "drop the knife" are heard. Then nine shots can be heard - first three shots in succession then six more after a pause of about six seconds.

An officer involved in the shooting - identified as Cst. James Forcillo - has been suspended. His lawyer, Peter Brauti, said he is reviewing the case, but has not yet decided whether to recommend Forcillo submit to an SIU interview.

Mike McCormack, the president of the Toronto Police Association, has urged the public to wait for the full facts of the interaction to be determined before making conclusions about the police.

"I can see why people would have questions, and that's a natural thing, and we're going to get the answers," McCormack said during an interview on CBC Radio's Metro Morning.

McCormack called both the suspension and the statement "extraordinary."

He said he plans to speak with Blair about why he chose to suspend the officer to make sure the proper processes are happening. "Our officer has not been accused or charged with anything at this point, and there's been no finding of misconduct in any way," McCormack said.

The union head said he's been in a similar situation and that lethal force is sometimes the appropriate response to someone armed with a knife. He said the public's questions about the incident are valid, but there are a number of variables that the video might not make plain, and people will have to wait for the SIU investigation.

Aug 01 2013

CALGARY - A Calgary police helicopter pilot was momentarily blinded when a beam from a powerful laser was flashed at the aircraft during a routine patrol.

Police say a light from what's known as a type-three laser was allegedly flashed three times at the chopper as it flew over a north-west neighbourhood overnight.

Duty Insp. Guy Baker says officers cordoned off an area and eventually arrested a 19-year-old man.

Baker says the suspect is facing one criminal count of mischief and a charge under Canadian Aircraft Regulations.

Police also say the laser that was used

can cause permanent blindness and can even burn skin.

(CHQR)

Aug 01 2013

WINNIPEG - Drivers in Manitoba who get caught texting or talking on their cellphones will now face a stiffer penalty for the infraction.

Starting today, they will receive two demerits on their licence on top of the existing fine.

That means they'll end up paying more for a licence and vehicle insurance.

Police and the province have both said they will consider using even more demerits if the message doesn't sink in.

Figures from Manitoba Public Insurance indicate about 20 deaths a year have been linked to distracted driving in the province since 2005.

Statistics also suggest drivers who are texting are 23 times more likely to be in an accident and one-quarter of fatal crashes in Manitoba are caused by some form of distracted driving.

(CJOB)

Aug 01 2013

After a court appearance this morning, a 35-year-old male driver is now charged with manslaughter after allegedly hitting a conservation officer.



Blaine Thomas Taypotat was originally charged with impaired driving causing death after a collision on Highway 11, south of Saskatoon, that killed Justin Knackstedt, 23, on May 31.

RCMP said that Taypotat hit Knackstedt while the man was helping to control traffic around an accident scene. The conservation officer had been driving to Blackstrap when he and a colleague stopped to help.

He was at the north edge of the scene when he was fatally struck. Taypotat then kept driving, until he rolled his SUV.

(CBC News)

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