

# BLUE LINE NEWSWEEK *Celebrating 20 Years*

A Chronicle of News for the Law Enforcement Community | January 30, 2015 – Vol. 20 No. 5

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## BLUE LINE NEWSWEEK

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## Government aims to tighten terror laws



Jan 23 2015

OTTAWA - The Conservative government wants to retool Canada's terrorism laws. Among the proposed changes are no-fly list procedures to make it easier to prevent a suspected terrorist from boarding an airplane.

The Canadian Press has learned the government is also looking to give police greater ability to generally restrict the movements of purported extremists by lowering the threshold for obtaining a peace bond.

The legislation to be tabled Friday is also expected to create a new Criminal Code provision against advocating an act of terrorism.

A government source says an internal



Nathan Cirillo Patrice Vincent

federal review of the fatal assaults on Canadian soldiers last October uncovered a need for such a measure to prosecute extremists who encourage others to wage terrorism.

## THE LEADERSHIP AWARD

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 organizational and community perspective.

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The provision would stop short of criminalizing the glorification of terrorism - for instance, simply posting an Internet video of a bomb going off.

But if the video also called for a similar attack on Canadians, that would fall under the new provision.

The government intends to address those areas as it prepares to deliver legislation that was promised following the deaths of Warrant Officer Patrice Vincent and Cpl. Nathan Cirillo.

## THURSDAY JANUARY 22, 2015

Jan 22 2015

**MISSISSAUGA, Ont. - The province's police watchdog is investigating after a man was injured when he jumped from a moving police cruiser in Mississauga, Ont.**

The Special Investigations Unit says Peel region police officers arrested a man on Thursday afternoon and were transporting him to a police station.

The SIU says the man broke a window in the cruiser and jumped from the moving vehicle striking his head on the roadway.

The 25-year-old was transported to hospital for treatment.

The SIU investigates reports involving police where there has been death, serious injury or allegations of sexual assault.

## FRIDAY JANUARY 23, 2015

Jan 23 2015

**NORTH BATTLEFORD, Sask. - A standoff between a distraught man and North Battleford RCMP has come to a peaceful end.**

The seven-hour ordeal on Thursday had

more than a dozen emergency vehicles, including an armoured car, on hand.

Some RCMP members could be seen on the street near the home wearing tactical gear and carrying guns as other officers blocked off roads surrounding the house.

Residents inside their homes were told to lock their doors while others couldn't return home until the standoff ended.

Nearby, St. Mary's school was placed on lockdown, then evacuated in the early afternoon.

There's still no details about who the suspect is, however police say he was arrested without incident.

Jan 23 2015

**MISSISSAUGA, Ont. - Canadian border officials say 17 kilograms of suspected heroin was seized at Toronto's Pearson International Airport after a flight came in from Pakistan.**



The Canada Border Services Agency describes last week's seizure as "significant."

The agency says that during a routine inspection at the airport on Jan. 16, CBSA officers monitoring baggage being unloaded from a flight from Pakistan noticed one backpack that was heavy.

Upon further examination, the officers discovered six wrapped bricks inside the backpack.

The agency says the bricks contained a substance that tested positive for suspected heroin during field testing.

The packages were turned over to Peel Regional Police and the investigation is still ongoing but there's no immediate word of any arrests.

The agency says it made more than 62 heroin seizures in the Greater Toronto Area last year, with a total of almost 150 kilograms seized.

"Our officers are always on the lookout for illegal goods," said CBSA spokesman Goran Vragovic.

"CBSA officers will not tolerate the use of our international borders for smuggling illegal narcotics that are harmful to our communities."

Jan 23 2015

**NORTH BATTLEFORD, Sask. - Police have nabbed a suspect in a high-speed chase during which the driver pointed a firearm at three Saskatchewan Mounties.**

RCMP say they arrested Gabriel Poundmaker without incident on Thursday after a standoff that lasted several hours at a home in North Battleford.

Police issued a warrant last week for

Poundmaker's arrest.

They said at the time they had tried to chase a man driving a black car in North Battleford on Jan. 14, but gave up over concerns about pedestrians.

Poundmaker faces almost a dozen counts that include flight from a peace officer, pointing a firearm and other weapons-related charges.

He is to appear in court in North Battleford later today.

Jan 23 2015

**HALIFAX - Investigators in Halifax have found "unstable" chemicals in a variety of containers stacked floor to ceiling inside a cottage, the RCMP said Friday.**



Chief Supt. Roland Wells of the Halifax RCMP provided an update on their investigation into the discovery of chemicals at a cottage and shed in the community of Grand Desert that have led to the arrest of a 42-year-old man.

"Within the cottage is a variety of containers filled with chemicals stacked from floor to ceiling. Many of these chemicals are unstable, so we must use extreme caution and care," Wells told a news conference.

"It's extremely complex - unlabelled chemicals piled from floor to ceiling, some inside fridges, some inside other appliances."

Wells said it appears there are dozens of different chemicals in various states of degradation and chemists from the RCMP and Health Canada are trying to determine what they are.

"Common sense would tell you that if these chemicals were degrading, it's probably been some time that it's been there," he said.

"I don't know that I've seen a more complex investigation in terms of public safety and things we're not used to dealing with."

His comments came before Christopher Burton Phillips appeared briefly in Dartmouth provincial court on charges of uttering threats and possessing a weapon for a dangerous purpose.

Crown attorney Perry Borden said he wants to ask for a psychiatric assessment to determine fitness to stand trial. Legal aid defence lawyer Jill Lacey asked for time to prepare a response to the application.

Judge Flora Buchan adjourned the case until Thursday and Phillips was remanded into custody.

The RCMP brought Phillips back to Nova Scotia from Ottawa on Thursday after he was arrested a day earlier at a hotel that had to be evacuated.

## BLUE LINE NEWSWEEK Celebrating 20 Years

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Police allege in a sworn information at provincial court that Phillips, a former U.S. resident, threatened a police officer and possessed osmium tetroxide, a highly toxic chemical.

The document alleges the offences took place between Boxing Day and Wednesday in Cole Harbour, a suburb of Halifax.

Evacuations were ordered Tuesday in the Cole Harbour and Grand Desert communities of Halifax as a result of the investigation. The evacuation at the Grand Desert site remains in effect.

Jan 23 2015

### **EDMONTON - The family of an Alberta RCMP officer who survived a shooting that killed another Mountie says his recovery is progressing.**

But auxiliary Const. Derek Bond's family says in a statement that it "remains a very difficult time for us."

Bond, who is 49, was wounded last Saturday in a shooting at an Edmonton-area casino that killed Const. David Wynn.

The two were investigating a stolen truck when they entered the casino and were shot by Shawn Rehn, who was later found dead of an apparent suicide.

Wynn was struck in the head and died on Wednesday.

A regimental funeral for the 42-year-old married father of three will be held on Monday.

Bond's family has expressed its deepest sympathy to Wynn's loved ones.

"We are also extremely grateful for the messages and gestures of support we have received from the community," Bond's family says in the statement released Friday.

Alberta Premier Jim Prentice has said he will be at the service on Monday.

"Many of us are engaged in public service, but very few people put their lives on the line every day," Prentice said Thursday. "The RCMP ... do and our hearts go out to the family of officer Wynn."

Jan 23 2015

### **Vancouver's police chief, whose tenure included a public inquiry into the Robert Pickton case, the Stanley Cup riot and a bloody gang war, is retiring.**



Chief Jim Chu, who has been with the force for 36 years and became the city's top police officer in 2007, told a news conference Friday that it was time for a change in leadership.

"We have a great city with wonderful people and we have great people in the organization that I'm responsible for leading,"

said Chu. "But it is time to retire."

Chu, who's in his mid-50s, will remain in the position until the police board picks a successor, likely by the spring. He said he doesn't have another job waiting for him and he hasn't decided what to do next.

Chu acknowledged that he has previously been approached by political parties encouraging him to run for office. He's declined every time, but he didn't say whether that might change once he's no longer chief.

"I didn't want to be actively looking for the next step while I was serving as police chief," he said. "Now that I'm leaving, I guess I'll have to look around a bit more."

Chu joined the force in 1979. He was appointed deputy chief in 2003 and took over from former chief Jamie Graham four years later.

Vancouver Mayor Gregor Robertson pointed to decreasing crime statistics as he thanked Chu, who he described as a friend, for making the city safer.

"We will miss you so much, Jim," said Robertson.

Much of Chu's time as chief was overshadowed by the Pickton case and the force's failure to stop the serial killer from preying on sex workers in the city's troubled Downtown Eastside.

One of his deputy chiefs, Doug LePard, authored a scathing internal review that found numerous faults with how the force handled the case and the department participated in a public inquiry that reached similar conclusions.

Chu and LePard both issued public apologies for not catching Pickton sooner.

The force implemented a policy in January 2013 that placed safety ahead of enforcing anti-prostitution laws. The policy, which was lauded by advocates, says "sex work involving consenting adults is not an enforcement priority."

Chu said at the Friday news conference that the force was moving in the right direction in the Downtown Eastside, but he said there is more work to do.

"We're going to continue to work with all of our partners, including those in the Downtown Eastside, to assure them that we care about safety for every person in Vancouver," he said.

He was also the public face of the force in the aftermath of the 2011 Stanley Cup riot, which saw jersey-clad fans smash windows, loot stores and set cars on fire after the Vancouver Canucks lost Game 7 of the final.

The department was criticized for allowing the crowds to deteriorate into a riot and for the slow pace of the subsequent investigation.

On Friday, Chu pointed out that more than 300 people have been charged - proof, he said, that the department was right to take its time and ensure the investigation was done properly.

He made headlines in 2009 when he admitted his city was in the midst of a gang war and he also oversaw the department as it relaxed its approach to marijuana, which has helped fuel the proliferation of storefront medical pot dispensaries in the city.

Robert Gordon, a criminology professor at Simon Fraser University, said Chu is one of the top police chiefs in the country.

In particular, Gordon pointed to Chu's decision to apologize for the force's mistakes in the Pickton investigation.

"I thought there that it was his very clear preference for transparency that shone through, in stark contrast to what the Mounties did," said Gordon.

"His whole approach was quite different and refreshing."

Doug King of Pivot Legal Society, a non-profit group that focuses on legal issues facing marginalized and poor people, said the relationship between the police and residents of the Downtown Eastside has improved under Chu.

"There was a bit of a sea change when Jim Chu took over in terms of how the department handled the Downtown Eastside," said King.

"That being said, we still have some big issues with the relationship between marginalized people in the Downtown Eastside and the VPD."

Jan 23 2015

### **MONTREAL - A Montreal man facing a terrorism-related charge will undergo an additional six weeks of psychiatric evaluation.**

Jeffrey Labelle's lawyer says the psychiatrist asked for additional time to continue the evaluation to determine his level of criminal responsibility.

Labelle faces one charge under the terrorism hoax section of the Criminal Code, having allegedly given police reason to believe a terrorist activity could occur.

Montreal police said that after searching the home Labelle shared with his mother and grandmother, they found a city map that showed the co-ordinates of four different police stations.

A judge earlier declared Labelle a danger to himself and to his family in denying him bail.

During a December hearing, the court heard testimony that hinted at a deeply troubled, paranoid young man who had recently tried to kill himself and allegedly converted to a violent form of Islam.

Jan 23 2015

### **KAMLOOPS, B.C. - B.C. Corrections is launching a review of the death of an inmate at a Kamloops, B.C., prison.**

The organization confirms a man was found dead at Kamloops Regional Correctional Centre on Monday, but isn't revealing his identity or the circumstances around his death.

B.C. Corrections says police were immediately notified and the B.C. Coroners Service is investigating.

It is the second inmate death at the same facility in the past few months, after 20-year-old Dylan Judd was found unresponsive in

his cell during morning checks on Nov. 10.

Cindy Rose of B.C. Corrections says every in-custody death is a tragedy that is taken very seriously.

Jan 23 2015

**NORTH DELTA, B.C. - A pregnant mother, a toddler and a police officer were all taken to hospital as a precaution after a collision in a Metro Vancouver intersection.**

The accident on Friday afternoon took place on the border between Surrey, B.C., and North Delta.

Sgt. Sarah Swallow of the Delta Police Department says the officer was responding with lights and sirens to an assault call and travelling north on Scott Road when a car turned left in front of him in the intersection.

She says nobody appeared to suffer visible or serious injuries but the officer, mother and child were taken to hospital to be checked out.

Swallow says the province's police watchdog was called but at this point the accident didn't meet the threshold for the Independent Investigations Office of B.C. to get involved.

**SATURDAY  
JANUARY 24, 2015**

Jan 24 2015

**SURREY, B.C. - Surrey RCMP say they have made an arrest in a historic homicide dating back to 2006.**

Mahdi Halane was shot in the neck following a confrontation at a gas station in October 2006.

His spinal cord was severed and he was left a quadriplegic until his death in 2012, which was attributed to the shooting.

Thirty-year-old Fushpinder Singh Brar of Surrey was arrested in Vancouver Friday without incident and remains in custody.

Brar has been charged with manslaughter.

Investigators are still appealing to the public as they believe there are other individuals involved in the incident who have yet to be identified.

**SUNDAY  
JANUARY 25, 2015**

Jan 25 2015

**MONCTON, N.B. - RCMP officers searched a neighbourhood in Moncton, N.B. on Sunday after receiving a report of a suspicious male walking down a street with what appeared to be a firearm.**

Police searched a large area of northwest Moncton after receiving the complaint at about 11:15 a.m.

Police issued a statement Sunday evening saying they didn't find anyone and were lifting blockades that officers put up in one neighbourhood.

Police say they're still investigating but there were no further sightings of the man

they were seeking.

Police asked people to remain in their homes while they were searching and some of the officers patrolling the streets wore camouflage clothing and were armed with rifles.

For some residents it no doubt brought back memories of last June when three RCMP officers were killed and two others were wounded by a gunman who was later captured by police.

**MONDAY  
JANUARY 26, 2015**

Jan 26 2015

**SAUGEEN SHORES, Ont. - Ontario's Special Investigations Unit has a new case.**

The SIU was called in yesterday after an OPP officer was injured during an altercation on the Saugeen First Nation.

Police say officers with both the Bruce Peninsula and Grey County OPP were involved in a vehicle stop on Highway 21 Sunday afternoon.

During the stop there was an altercation that police say left one officer and the male driver with non-life threatening injuries.

The driver was treated in hospital and later released into police custody.

Jan 26 2015

**STONY RAPIDS, Sask. - RCMP in northern Saskatchewan say they are searching for a prisoner who escaped during a court appearance last week.**

Officers from the Stony Rapids detachment are looking for Soloman Toutsaint, who was in provincial court with three other prisoners last Wednesday in Black Lake when he ran away.

Toutsaint, who is 21, is considered to be non-violent and is facing two charges of break and enter.

Investigators initially believed he would be in the community and conducted several searches in the area.

But they have been unable to locate him and are asking for help from the public.

There is some concern as snow and

colder temperatures are expected in the coming days.

Jan 26 2015

**ST. ALBERT, Alta. - A procession of 2,000 police officers snaked its way through the streets of a city just outside Edmonton in honour of a colleague killed in the line of duty.**

RCMP Const. David Wynn died after he and auxiliary Const. Derek Bond were shot during a struggle with a suspected car thief at a casino in St. Albert earlier this month.

The procession included 860 Mounties in their traditional red serge and 450 officers from the municipal police force in nearby Edmonton.

The Mounties came from as far away as Newfoundland, Iqaluit and British Columbia.

A handful made the trip from Bridgewater, N.S., where Wynn served as a paramedic and was inspired to join the national police force.

Hundreds of spectators, who were encouraged to wear red, are lining the procession route in unseasonably warm temperatures and holding Canadian flags.

Wynn is survived by his wife, Shelly and his three sons, Matt, Nathan and Alex.

Several dignitaries are expected at the funeral, which is to follow the procession, including Prime Minister Stephen Harper and Alberta Premier Jim Prentice.

Bond, who was shot in the arm and torso, survived the attack, but faces a long recovery.

Jan 26 2015

**TORONTO - Transgender inmates in Ontario will now be dealt with based on their own gender identity, not their physical sexual traits, a policy Ontario's corrections minister is calling the most progressive of its kind in North America.**

Previously, inmates were put in institutions based on a person's "primary sexual characteristics." Now, they will be housed according to their self-identified gender and referred to by their chosen name rather than their legal name and their preferred pronoun.

"This is the most progressive policy on



the treatment of trans inmates in North America,” Correctional Services Minister Yasir Naqvi said Monday. “No other jurisdiction in Canada has such policy. In fact one of the things that I’ll be doing is sending a copy of our policy to all other my colleagues across the country.”

The policy builds on interim guidelines that were put in place last April, Naqvi said.

The case of a trans woman from England who was detained by the Canada Border Services Agency last February pushed the issue to the forefront as she tweeted her experiences before being detained in a men’s facility, despite travelling on a passport identifying her as female.

Avery Edison was eventually transferred to a women’s facility, but filed a human rights complaint about her treatment. She said Monday she couldn’t comment on Ontario’s new policy because her human rights case is ongoing.

Trans advocate Susan Gapka said the new policy is significant because it is “incredibly dehumanizing” for trans people to be treated as anything other than their self-identified gender.

“For the trans community ... it has a tremendous negative impact, not only during that moment in time but in our experience with authority, our experience with institutions,” she said. “When we try to patch our lives back together that can really be a barrier to accepting the sources of support that will help us to get through to the next level.”

Trans inmates were previously often put in segregation, but now they will be integrated into the general population whenever possible, Naqvi said.

“Today is about human rights,” he said. “It is about ensuring that trans inmates are given the same protections, the same dignity and the same treatment. It is about respect and dignity for gender identity and gender expression.”

Ontario Human Rights commissioner Barbara Hall says the policy helps protect the rights of trans people, who face a higher risk of harassment and violence behind bars from other inmates and sometimes corrections staff.

Jan 26 2015

### **SUDBURY, Ont. - A Sudbury, Ont., police officer is facing an assault charge arising from an incident in which a man is seen in video being shoved into a window while in custody.**

Const. Christopher Labreche was charged with assault Monday after a hearing in Sudbury in relation to the incident last June 8.

Video from Sudbury police headquarters that day shows an officer pushing a man face-first into a window.

Tanner Currie, who was 20 years old at the time, alleges the officer used excessive force against him when he was arrested for public intoxication and resisting arrest - charges that were later dropped.

Sudbury police said last year that an internal investigation had cleared the officer of any wrongdoing.

Jan 26 2015

### **WASHINGTON - Law enforcement is concerned that the popular Waze mobile traffic app by Google Inc., which provides real-time road conditions, can also be used to hunt and harm police.**

Waze is a combination of GPS navigation and social networking. Fifty million users in 200 countries turn to the free service for warnings about nearby congestion, car accidents, speed traps, traffic cameras, construction zones, potholes, stalled vehicles or unsafe weather conditions.

Waze users mark police - who are generally working in public spaces - on maps without much distinction other than “visible” or “hidden.” Users see a police icon, but it’s not immediately clear whether police are there for a speed trap, a sobriety check or a lunch break.

To some in law enforcement, this feature amounts to a stalking app for people who want to harm police. They want Google to disable that feature.

The growing concern is the latest twist in Google’s complicated relationship with government and law enforcement. It places the Internet giant, again, at the centre of an ongoing global debate about public safety, consumer rights and privacy.

Los Angeles Police Chief Charlie Beck complained in a letter to Google’s chief executive on Dec. 30 that Waze could be “misused by those with criminal intent to endanger police officers and the community.”

The Los Angeles Police Department said Monday it had not heard back from Google about whether it had addressed Beck’s concerns.

Google purchased Waze for \$966 million in 2013.

There are no known connections between any attack on police and Waze, although Beck said Waze was used in the killing of two New York Police Department officers on Dec. 20. The Instagram account of the gunman in that case included a screenshot from Waze along with other messages threatening police.

Investigators do not believe the shooter, Ismaiyil Brinsley, used Waze to ambush the NYPD officers, in part because police say Brinsley tossed his cellphone more than two miles from where he shot the officers. In his letter to Google, Beck said that Brinsley had been using the Waze app to track police since early December.

“I am confident your company did not intend the Waze app to be a means to allow those who wish to commit crimes to use the unwitting Waze community as their lookouts for the location of police officers,” Beck wrote.

Some officers, like Sheriff Mike Brown of Bedford County, Virginia, think it’s only a matter of time before Waze is used to hunt and harm police.

“The police community needs to coordinate an effort to have the owner, Google, act like the responsible corporate citizen they have always been and remove this feature from the application even before any litigation or statutory action,” said Brown, who raised the issue at a National Sheriffs’ Association meeting in Washington January 23.

Google declined to comment and directed questions to a Waze spokeswoman, Julie Mossler, who said the company thinks deeply about safety and security. She said Waze works with the New York Police Department and others around the world by sharing information.

“These relationships keep citizens safe, promote faster emergency response and help alleviate traffic congestion,” Mossler said.

The NYPD did not respond to questions about Waze.

This is not the first time law enforcement has raised concerns with these types of apps. In 2011, four U.S. senators asked Apple to remove all applications that alert users to drunken driving checkpoints. Apple’s current guidelines for developers state that the company will not accept apps with information about drunken driving checkpoints unless the checkpoints are published by law enforcement agencies, an Apple spokeswoman said.

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Former OPP Commissioner Chris Lewis will be presenting a one-day seminar in conjunction with **Blue Line EXPO Training**. This session will be of particular interest to those involved in the management levels of police, security and governmental law enforcement.

Information and Registration at **blueline.ca/expo**

## TUESDAY JANUARY 27, 2015

Jan 27 2015

### **OTTAWA - Opposition MPs say the government's long-promised plan to lock up some criminals and throw away the key will only make prisons more dangerous.**

The NDP and Liberal public safety critics say denying any chance of parole to the worst violent offenders will increase the chances of prison guards being attacked.

They want a greater emphasis on rehabilitating inmates.

In the October 2013 throne speech, the Conservative government promised a new law that would deny any chance of release to some criminals.

The government said those convicted of the worst crimes - such as multiple murders or sex assaults on children - could spend the rest of their lives behind bars.

Public Safety Minister Steven Blaney says legislation will be tabled before Parliament rises in June.

Jan 27 2015

### **KAMLOOPS, B.C. - It's been almost two months since an RCMP officer was shot during a traffic stop in Kamloops, B.C., and now his wife says they're confident he'll overcome his substantial injuries.**

Colleen Michaud says her husband, Cpl. Jean-Rene Michaud, was shot multiple times and critically wounded in a senseless and unforgivable act of violence.

She says her family has suffered a great deal and she is deeply saddened and angry that two more RCMP families are experiencing similar pain after Mounties were shot in Alberta.

The two officers were gunned down at a casino on Jan. 17, and 42-year-old Const. David Wynn later died of his injuries.

Michaud says her husband has endured many surgeries, countless complications and setbacks and has a long road to recovery, but he has shown courage and strength at every step.

She says she, their two young children and the rest of their family has received overwhelming support from across the country and that she's thankful for the encouragement and thoughtfulness.

Jan 27 2015

### **COBOURG, Ont. - A former correctional officer accused of smuggling contraband into a medium security prison in Ontario has pleaded guilty to a breach of trust charge.**

Darrell Fairman, 54, of Trenton entered the guilty plea during a court hearing in Cobourg, Ont., on Monday.

He did not enter a plea for a second charge of possession of contraband.

Fairman was working as a correctional

officer at Warkworth Institution, near Campbellford, Ont., when police conducted a search following suspicions that a staff worker was smuggling items into the facility.

The OPP said that during the search they discovered unidentified contraband in Fairman's possession.

A sentencing hearing is scheduled for April 13.

Jan 27 2015

### **LLOYDMINSTER, Alta. - A Mountie fired several shots at a pickup truck after a liquor store break-in in eastern Alberta.**

RCMP say it happened early Tuesday in Lloydminster when they answered the call.

Officers identified two pickup trucks they say were connected to the crime, and a spike belt was put down to stop the first vehicle.

RCMP say something happened at the spike belt that caused the officer to shoot his service pistol, but wouldn't give details add no one was hurt.

Two men, a 20-year-old from Lloydminster and a 29-year-old from Onion Lake, Sask., have been arrested.

Police are still searching for a second vehicle which is described as a dark grey 1993 Chevrolet CK2500 with a GMC grill and tailgate with chrome side panels with white tape in a Union Jack design on the back window.

The Alberta Serious Incident Response Team is investigating as well.

"At some point during this incident, shots were fired at the vehicle by an RCMP officer. The pursuit continued until the vehicle stopped. The suspect vehicle contained two men who were both arrested and taken to the local detachment," ASIRT said in a release.

"The ASIRT investigation will focus on the circumstances surrounding the conduct of the officer in firing a service weapon."

## WEDNESDAY JANUARY 28, 2015

Jan 28 2015

### **HALIFAX - The lawyer for a man who was wrongfully convicted of statutory rape 45 years ago says a Nova Scotia Supreme Court judge should have found his client's confession was improperly obtained.**

The Supreme Court last year cleared the RCMP of wrongdoing and said there was nothing wrong with the way police investigated the case against Gerald Barton, which he is appealing in court today.

Barton had launched a lawsuit against the Mounties alleging negligent investigation.

In a decision last May, Judge James Chipman said Earl Hamilton, an RCMP corporal at the time, interviewed the right people and properly obtained an incriminating statement from Barton, then 19.

Dale Dunlop is arguing before five judges of the Nova Scotia Court of Appeal that Chipman didn't have enough evidence to find the

confession was properly obtained and his client should have been awarded compensation.

He also says the Charter of Rights and Freedoms may have been violated when the province refused to negotiate compensation with Barton over the past four years.

Chipman's decision concluded that Barton's rights had not been breached even though there had been a miscarriage of justice and no compensation from the province or police.

He also said Barton did not provide any evidence in his lawsuit that the defendants caused him serious psychological harm beyond the "ordinary stress" that comes with litigation.

Barton spent a few hours in jail and was sentenced to a year of probation after he was convicted of statutory rape in 1970 - a conviction that was thrown out in 2011.

The Nova Scotia Court of Appeal quashed the conviction after the complainant recanted her story and blamed her brother for getting her pregnant.

DNA testing showed her brother was 1.9 million times more likely to be the father of the boy than anyone else. He was later charged with indecent assault, but the charge was dismissed in 2009.

His name and that of his siblings and immediate family are protected by a publication ban.

Jan 28 2015

### **SASKATOON - A lack of young offenders serving prison sentences is being cited by provincial officials as a key reason for the closure of two Saskatchewan youth correctional facilities.**

The provincial Ministry of Justice says as of March 31st, the Yarrow Youth Farm near Saskatoon and Yorkton's Orcadia Youth Residence will close.

Young offenders at both centres will be transferred to facilities in Saskatoon, Prince Albert and North Battleford.

Orcadia workers will keep their jobs as the residence converts to an adult jail, but Yarrow staff will be transferred elsewhere.

The ministry says Saskatchewan's youth custody facilities are running at 50 per cent capacity, which is leading to inefficiencies.

Dennis Cooley, associate deputy minister of Custody, Supervision and Rehabilitation Services, says there's been a significant decline in the number of young offenders in Saskatchewan since 1997, when there were about 180 kids in secure custody.

He says that number is down to around 60, with similar declines across Canada.

The Yarrow Youth Farm has capacity for 14 offenders, while Orcadia has space for 39. (CBC)

Jan 28 2015

### **VANCOUVER - A judge has ruled against tossing charges of perjury for a Mountie accused of lying about what happened when a Polish immigrant was stunned by a Taser and died at Vancouver's airport.**

Const. Gerry Rundel is one of four officers who confronted Robert Dziekanski in 2007 and was later called to testify about the high-profile incident at a public inquiry.

The Crown later brought cases against the officers alleging they colluded to lie to investigators and perjured themselves at the Braidwood inquiry.

Rundel's lawyer had made an application to end the trial and throw out the charge, arguing the prosecutors had no evidence that supported a conviction.

But Judge Miriam Gropper said on each of six particular issues raised by the Crown she has found some evidence that a reasonable jury could find Rundel guilty.

A different judge also previously dismissed the same motion made by Const. Kwesi Millington's lawyer to end his trial and another Mountie in the group was acquitted of the same charge last year.

Jan 28 2015

**ST. JOHN'S, N.L. - The Royal Newfoundland Constabulary says an RCMP investigation has found an officer acted appropriately when he fired his weapon while investigating vehicle thefts on the campus at Memorial University last year.**

The officer was part of a constabulary team assigned to investigate the thefts in the area of the university field house last February.

Police say he fired his weapon while trying to apprehend a suspect.

The provincial police force says the Mounties concluded the officer acted in accordance with rules under the national use of force model and the Criminal Code of Canada.

The man eventually arrested in the case, Justin Chipman, was convicted in August of theft and dangerous driving, but was acquitted of assaulting four police officers.

Judge Lois Skanes ruled the officer used excessive force, saying Chipman was only trying to get away and not attempting to run down the officers.

Jan 28 2015

**VANCOUVER - An off-duty Vancouver police officer has been arrested following allegations of domestic assault and unlawful confinement.**

The Vancouver Police Department says the member with 10 years' experience was arrested Friday night by Mounties in Maple Ridge, B.C.

They say a woman went to the Ridge Meadows detachment earlier that day and reported the allegations.

Vancouver police say they were advised and then notified the province's police watchdog.

The officer has been removed from front-line duties, pending the results of an investigation.

His identity has not been released, and Vancouver police say the RCMP is in charge of the investigation.

**THURSDAY  
JANUARY 29, 2015**

Jan 29 2015

**DRUMHELLER, Alta. - For the second time this week, an inmate has died at a southern Alberta prison.**

The Correctional Service of Canada says Martin Pinkus was discovered unresponsive in his cell Wednesday at Drumheller Institution.

Staff tried to resuscitate the 47-year-old man and emergency services were called, but he was pronounced dead at the local health centre around noon.

Pinkus had been serving time since December 1999 for second-degree murder, aggravated assault and assault causing bodily harm.

There was no immediate word on the cause of death.

On Monday, Drumheller staff found a convicted murderer, Earl William Davenport, unresponsive in his cell and could not revive him.

The 56-year-old man had spent more than 25 years in prison for killing two women in Hamilton in 1986.

A Correctional Service spokesman says foul play is not suspected in Davenport's death.

Jan 29 2015

**PRINCE ALBERT, Sask. - A Saskatchewan RCMP officer has pleaded not guilty to charges of accessing and possessing child pornography.**

The lawyer for Const. Aiden Arthur Pratchett entered the plea Wednesday during a court hearing in Prince Albert.

Mark Brayford says there will not be a preliminary hearing and Pratchett's provincial court trial will start Oct. 5 in Prince Albert.

The 31-year-old Mountie had been serving in the remote fly-in community of Fond du Lac when he was charged Dec. 22 following an investigation that started last fall.

Personal computer devices were seized from Pratchett's Fond du Lac home and he was removed from the community.

He is currently suspended with pay.

Jan 29 2015

**TORONTO - An Ontario judge has upheld the conviction of a Toronto police officer found guilty of assaulting a protester during the city's G20 summit four years ago, but has ruled that the man need not serve any jail time.**

Const. Babak Andalib-Goortani - who sat silently in court as the decision on his case was delivered - was convicted in September

2013 of assault with a weapon for using excessive force during the arrest of protester Adam Nobody on June 26, 2010.

He was sentenced to 45 days behind bars, though he was almost immediately granted bail pending an appeal.

Superior Court Justice Brian O'Marra has now changed that sentence to one year of probation and 75 hours of community service for Andalib-Goortani.

O'Marra did not provide reasons for his judgment.

In his appeal, Andalib-Goortani had asked for an acquittal or a new trial, but also requested that if his conviction couldn't be quashed that his sentence be changed to a discharge, suspended or that any custodial sentence be served intermittently.

The judge who presided over Andalib-Goortani's trial had found the officer hit Nobody several times with his baton while the protester was already on the ground, surrounded by other officers who were in the process of arresting him.

Nobody was offering minimal resistance and several other police officers were piled on top of him, she found.

The trial judge also said the officer had shown no remorse and noted his name tag and badge weren't visible during the arrest.

Nobody said he suffered a broken nose, a facial fracture and bruised ribs during the arrest.



**TRAINING**

**INTERVIEWING & DECEPTION**

Former Detectives Gordon MacKinnon and Wayne van de Laan will be presenting this course designed for all police officers as well as private investigators and security people involved in interviewing suspects and/or victims.

This course will teach the basics of:

- Conducting an investigative interview in a conversational setting with the emphasis on obtaining important information.
- How to establish a "free-flowing" interchange between the subject and the interviewer.
- How to plan and enter into an interview and get the subject talking and keep them talking.
- Current legal status of investigative interviews and how far you can pursue the truth in a legal manner.

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