JUSTICE INSTITUTE of BRITISH COLUMBIA

IN SERVICE: 10-8

A PEER READ PUBLICATION

Highlights In This Issue

National Library of Canada Cataloguing in Publication Data

Main entry under title:

In service: 10-8. -- Vol. 1, no. 1 (June 2001) Monthly

Title from caption.

"A newsletter devoted to operational police officers across British Columbia."

ISSN 1705-5717 = In service, 10-8

1. Police - British Columbia - Periodicals. 2. Police - Legal status, laws, etc. - Canada - Cases - Periodicals. I. Justice Institute of British Columbia. Police Academy. II. Title: In service, 10-8. III. Title: In service, ten-eight.

Unless otherwise noted all articles are authored by Mike Novakowski, MA, LLM. The articles contained herein are provided for information purposes only and are not to be construed as legal or other professional advice. The opinions expressed herein are not necessarily the opinions of the Justice Institute of British Columbia. "In Service: 10-8" welcomes your comments or contributions to this newsletter.

COMPLAINTS AGAINST BC COPS UP BUT SUBSTANTIATIONS LOW

The Office of BC's Police Complaint Commissioner (OPCC) has released its Annual Report 2020/2021 and Appendices, which outline substantiated allegations. Registered Complaints of police misconduct involving BC's municipal police and special municipal constables rose **+9%** from the previous fiscal year — from **537** in 2019/2020 to **583** in 2020/2021. However, only eight (**8**) Registered Complaint files resulted in substantiated allegations with discipline for the same period.

A Registered Complaint results from a member of the public filing a complaint about a police officer's conduct or actions. Once the Registered Complaint is received by the OPCC it undergoes an admissibility assessment. Admissible complaints are investigated.

OPPC FILES OPENED BY TYPE

	2018/19	2019/20	2020/21
Registered Complaints	487	537 ▲	583 ▲
PCC Initiated Investigations	25	32 ▲	21 ▼
Department Requested Investigations	54	65 ▲	41 ▼
Mandatory External Investigations	14	18 ▲	32 ▲
Monitor Files	497	483 ▼	511 ▲
Internal Discipline	21	22 ▲	16 ▼
Service/Policy Complaints	23	39 ▲	31 ▼
Questions or Concerns	205	164 ▼	168 ▲
Total	1,326	1,360 ▲	1,403 ▲

2020/21 REGISTERED COMPLAINTS & SUBSTANTIATED REGISTERED COMPLAINTS

Jurisdiction	AB	CS	CFSEU	DE	NE	NW	OB	PM	SA	MVTP	ST	VA	VI	WV	TOTAL
Registered Complaints	58	7	1	23	15	24	1	13	37	23	3	309	55	14	583
Admissible	25	2	0	10	5	8	0	6	9	12	3	156	19	3	258
Inadmissible	32	5	1	13	10	15	1	7	28	11	0	153	36	11	323
Awaiting Admissibility	1	0	0	0	0	1	0	0	0	0	0	0	0	0	2
Substantiated (Discipline)	1	0	0	1	0	0	0	0	0	1	0	5	0	0	8

AB (Abbotsford Police), CS (Central Saanich Police), CFSEU (Combined Forces Special Investigations Unit), DE (Delta Police), NE (Nelson Police), NW (New Westminster Police), OB (Oak Bay Police), PM (Port Moody Police), SA (Saanich Police), MVTP (Metro Vancouver Transit Police), ST (Stl'atl'imx Tribal Police), VA (Vancouver Police), VI (Victoria Police), WV (West Vancouver Police)

JUSTICE INSTITUTE of BRITISH COLUMBIA | LIBRARY

WHAT'S NEW FOR POLICE IN THE LIBRARY

The Justice Institute of British Columbia Library is an excellent resource for learning. Here is a list of its recent acquisitions which may be of interest to police.

The 4 disciplines of execution: achieving your wildly important goals.

Chris McChesney, Sean Covey, & Jim Huling with Beverly Walker & Scott Thele.

New York, NY: Simon & Schuster, 2021.

HF 5549.5 G6 M33 2021

50 top tools for coaching: a complete toolkit for developing and empowering people.

Gillian Jones & Ro Gorell.

London, UK: KoganPage, 2021.

HD 30.4 J656 2021

Achieve beyond expectations: master the 5 intangibles to make the impossible possible!

Bill Blokker.

Los Angeles, CA: New Insights Press, 2020.

BF 637 S8 B56 2020

Adult learning basics.

William J. Rothwell.

Alexandria, VA: ATD Press, 2020.

LC 5225 L42 R68 2020

Also available in eBook format (JIBC login required)

Agile leadership for turbulent times: integrating your ego, eco and intuitive intelligence.

Sharon Olivier, Frederick Holscher & Colin Williams.

Abingdon, Oxon; New York, NY: Routledge, Taylor & Francis Group, 2021.

HD 57.7 O433 2021

Autism and the police: practical advice for officers and other first responders.

Andrew Buchan.

London; Philadelphia, PA: Jessica Kingsley Publishers, 2020.

HV 6133 B83 2020

Also available in eBook format (JIBC login required)

Bliss brain: the neuroscience of remodeling your brain for resilience, creativity, and joy.

Dawson Church.

Carlsbad, CA: Hay House, Inc., 2020.

QP 360 C4847 2020

Also available in eBook format (JIBC login required)

Brave talk: building resilient relationships in the face of conflict.

Melody Stanford Martin.

Minneapolis, MN: Broadleaf Books, 2020.

HM 1121 M39 2020

Also available in eBook format (JIBC login required)

Business continuity planning: increasing workplace resilience to disasters.

Brenda D. Phillips & Mark Landahl.

Oxford; Cambridge, MA; Amsterdam: Butterworth-Heinemann, 2021.

HD 49 P45 2021

Also available in eBook format (JIBC login required)

The conflict resolution toolbox: models and maps for analyzing, diagnosing, and resolving conflict.

Gary T. Furlong; foreword by Dr. Christopher Moore, partner, CDR Associates.

Hoboken, NJ: John Wiley & Sons, Inc., 2020.

HM 1126 F873 2020

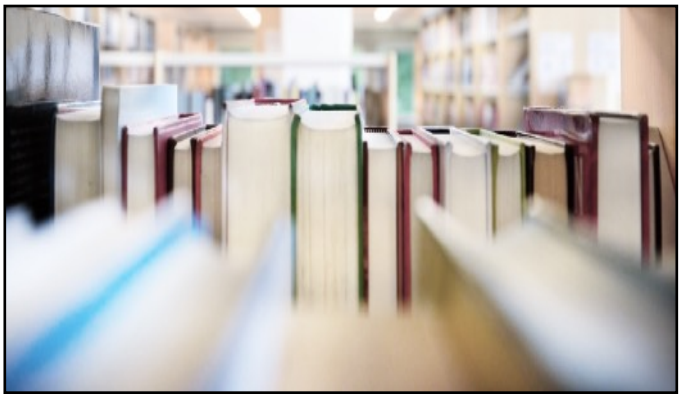
Also available in eBook format (JIBC login required)

Develop your leadership skills: fast, effective ways to become a leader people want to follow.

John Adair.

London; New York, NY: Kogan Page Ltd, 2019.

HD 57.7 A2746 2019



Forward-focused learning: inside award-winning organizations.

edited by Tamar Elkeles; foreword by Kimo Kippen.

Alexandria, VA: ATD Press, 2021.

HD 58.82 E45 2021

Also available in eBook format (JIBC login required)

Great answers to tough interview questions.

Martin John Yate.

London, UK: KoganPage, 2021.

HF 5549.5 I6 Y27 2021

Group dynamics for teams.

Daniel Levi & David A. Askay.

Thousand Oaks, CA: SAGE Publications, Inc., 2021.

HD 66 L468 2021

Helping skills for human service workers: building relationships and encouraging productive change.

by Kenneth France, Ph.D. & Kim Weikel, Ph.D.

Springfield, IL: Charles C Thomas, Publisher, Ltd., 2020.

HV 43 F68 2020

Also available in eBook format (JIBC login required)

Inclusive leadership: transforming diverse lives, workplaces, and societies.

edited by Bernardo M. Ferdman, Jeanine Prime, & Ronald E. Riggio.

New York, NY: Routledge, Taylor & Francis Group, 2021.

HD 57.7 I53 2021

Also available in eBook format (JIBC login required)

Inquiry graphics in higher education: new approaches to knowledge, learning and methods with images.

Nataša Lackovic.

Cham, Switzerland: Palgrave Macmillan, 2020.

LB 2342.75 L33 2020

Leading the learning function: tools and techniques for organizational impact.

edited by MJ Hall, Laleh Patel; foreword by Tony Bingham.

Alexandria, VA: ATD Press, 2020.

HD 57.7 L4376 2020

Also available in eBook format (JIBC login required)

Learning in organizations: an evidence-based approach.

J. Kevin Ford.

New York, NY: Routledge, 2021.

HD 58.82 F67 2021

A little book about trauma-informed workplaces: we envision a world where everyone is trauma-informed.

Nathan Gerbrandt, Randy Grieser & Vicki Enns.

Winnipeg, MB: CTRI, Crisis & Trauma Resource Institute, 2021.

RC 552 T7 G47 2021

Managing your academic research project.

Jacqui Ewart & Kate Ames.

Singapore: Springer, 2020.

Q 180.55 M3 M36 2020

Mindfulness for warriors: empowering first responders to reduce stress and build resilience.

Kim Colegrove.

Coral Gables, FL: Mango Publishing, 2020.

RC 489 M55 C64 2020

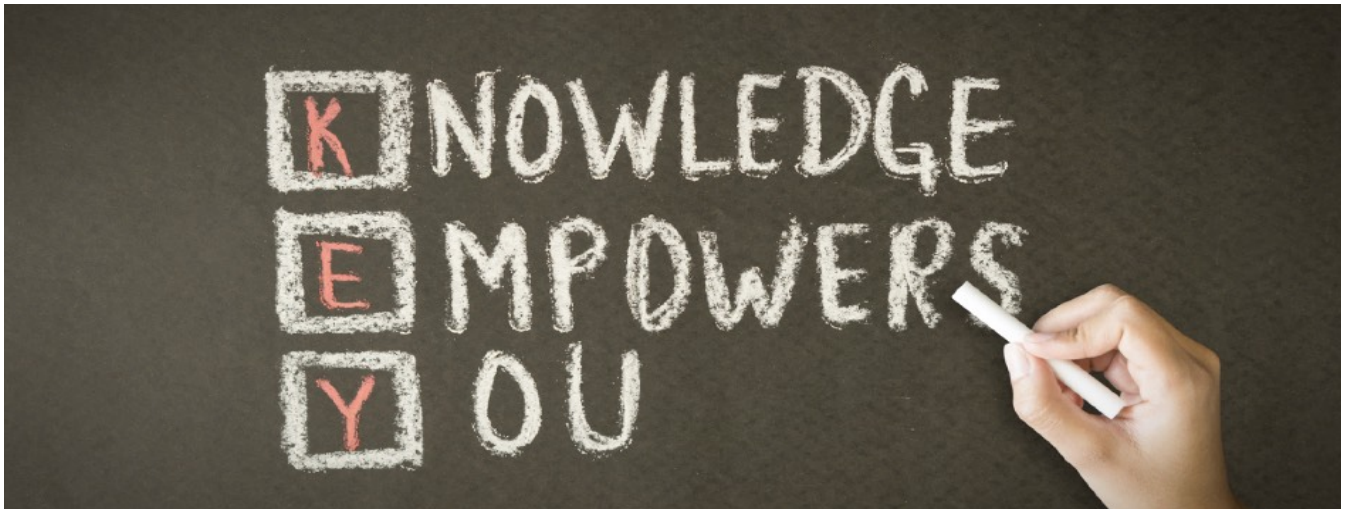
Also available in eBook format (JIBC login required)

The myth of multitasking: how "doing it all" gets nothing done.

by Dave Crenshaw.

Coral Gables, FL: Mango Publishing, 2021.

HD 69 T54 C74 2021



Online child sexual victimisation.
Corinne May-Chahal & Emma Kelly.
Bristol; Chicago, IL: Policy Press, 2020.
HV 6773.15 O58 M39 2020

Open source intelligence techniques: resources for searching and analyzing online information.
Michael Bazzell.
Bolton, ON: Inteltechniques.com, 2021.
JF 1525 I6 B39 2021

Overcoming avoidance workbook: break the cycle of isolation & avoidant behaviors to reclaim your life from anxiety, depression, or PTSD.
Daniel F. Gros.
Oakland, CA: New Harbinger Publications, 2021.
BF 575 A6 G76 2021

The persuasive negotiator: tools and techniques for effective negotiating.
Florence Kennedy Rolland.
London, UK: Routledge, Taylor & Francis Group, 2021.
BF 637 N4 K46 2021
Also available in eBook format (JIBC login required)

Statistics workbook for dummies.
Deborah Rumsey.
Hoboken, NJ: Wiley, 2019.
HA 29 R842 2019

Substance use and misuse: everything matters.
Rick Csiernik.
Toronto, ON: Canadian Scholars, 2021.
HV 5840 C2 C75 2021

Technical training basics.
Sarah Wakefield.
Alexandria, VA: ATD Press, 2020.
HF 5549.5 T7 W35 2020
Also available in eBook format (JIBC login required)

The trusted executive: nine leadership habits that inspire results, relationships and reputation.
John Blakey.
New York, NY: Kogan Page Ltd, 2021.
HD 57.7 B554 2021

When religion kills: how extremists justify violence through faith.
Phil Gurski.
Boulder, CO: Lynne Rienner Publishers, Inc., 2020.
BL 65 V55 G87 2020

You are not your brain: the 4-step solution for changing bad habits, ending unhealthy thinking, and taking control of your life.
Jeffrey M. Schwartz & Rebecca Gladding.
New York, NY: Avery, 2011.
BF 637 B4 S35 2011

JUSTICE INSTITUTE of BRITISH COLUMBIA

SCHOOL OF CRIMINAL JUSTICE & SECURITY

ONLINE GRADUATE CERTIFICATES

GRADUATE CERTIFICATES IN: CYBERCRIME ANALYSIS, INTELLIGENCE ANALYSIS, OR TACTICAL CRIMINAL ANALYSIS

Advance your career with a unique, online program

Expand your credentials and advance your career with these online graduate certificates. Learn through real-world challenges and current cases, with an advanced curriculum that employs the latest analytical techniques.

Each program provides an advanced theoretical and practical framework for the study of intelligence and its application in a wide variety of contexts.

WHAT WILL I LEARN?

The graduate certificates in Intelligence Analysis and Tactical Criminal Analysis are 15-credit programs delivered entirely online. Consisting of five courses (three credits each), these programs are designed to provide the specialized, theoretical foundation and applied skills to function successfully as an analyst. This is accomplished through a rigorous curriculum that includes three core courses that expose students to the fundamental and advanced concepts and analytic techniques in analysis.

Graduates will possess the skills to critically scrutinize unstructured and often ambiguous data within a variety of competitive, security and criminal contexts such as finance and banking, crime and organized crime, national security, safety and terrorism.

CAREER FLEXIBILITY

Graduates will be prepared to work in varying industries that employ analysts. Examples of potential roles include:

- intelligence analyst
- anti-money laundering specialist
- fraud investigator
- financial analyst
- military analyst
- investigator
- compliance officer
- senior analyst
- crime analyst
- intelligence officer
- compliance investigator
- military police officer
- law enforcement officer
- government analyst

GRADUATE CERTIFICATES IN: CYBERCRIME ANALYSIS, INTELLIGENCE ANALYSIS, OR TACTICAL CRIMINAL ANALYSIS

CURRICULUM AT A GLANCE

The graduate certificates in Cybercrime Analysis, Intelligence Analysis, or Tactical Criminal Analysis consist of three foundational courses and two specialized courses.

FOUNDATIONAL COURSES INCLUDE:

- Intelligence Theories and Applications (INTL-5100)
- Intelligence Communications (INTL-5800)
- Advanced Analytical Techniques (INTL-5200)

CYBERCRIME ANALYSIS SPECIALIZED COURSES INCLUDE:

- Applied Cybercrime Analysis (INTL-5900)
- Open Source Intelligence (OSINT) Investigation and Analysis (INTL-5910)

INTELLIGENCE ANALYSIS SPECIALIZED COURSES INCLUDE:

- Competitive Intelligence (INTL-5400)
- Analyzing Financial Crimes (INTL-5260)

TACTICAL CRIMINAL ANALYSIS SPECIALIZED COURSES INCLUDE:

- Tactical Criminal Intelligence (INTL-5760)
- Analytical Methodologies for Tactical Criminal Intelligence (INTL-5370)

Graduates are able to continue their education towards a Masters of Science in Intelligence Analysis through Mercyhurst University.

HOW TO APPLY?

There are entrance requirements for admission into this program. For details of these requirements, and application deadlines, please visit our website at www.jibc.ca/intelligence

FOR MORE INFORMATION:

jibc.ca/intelligence
graduatestudies@jibc.ca

STAY CONNECTED:

JIBC: Justice Institute of British Columbia
@JIBCnews

JUSTICE INSTITUTE of BRITISH COLUMBIA

715 McBride Boulevard
New Westminster, BC V3L 5T4
Canada

Justice Institute of British Columbia (JIBC) is Canada's leading public safety educator with a mission to develop dynamic justice and public safety professionals through its exceptional applied education, training and research.

22-013

RCCs RECEIVED BY B.C. CROWN DOWN

BC's Prosecution Service (BCPS) recently released its 2020/21 Annual Report. This report provides information about its work including statistical summaries on Reports to Crown Counsel (RCCs) received, the number of accused persons and the outcome of cases.

RCC Submissions Down

In 2020/21, the BCPS received **62,187** RCCs, down **-14.2%** from 2019/20. The report attributes this reduction, likely in part, due to the COVID-19 pandemic. These RCCs identified **64,750** accused persons.

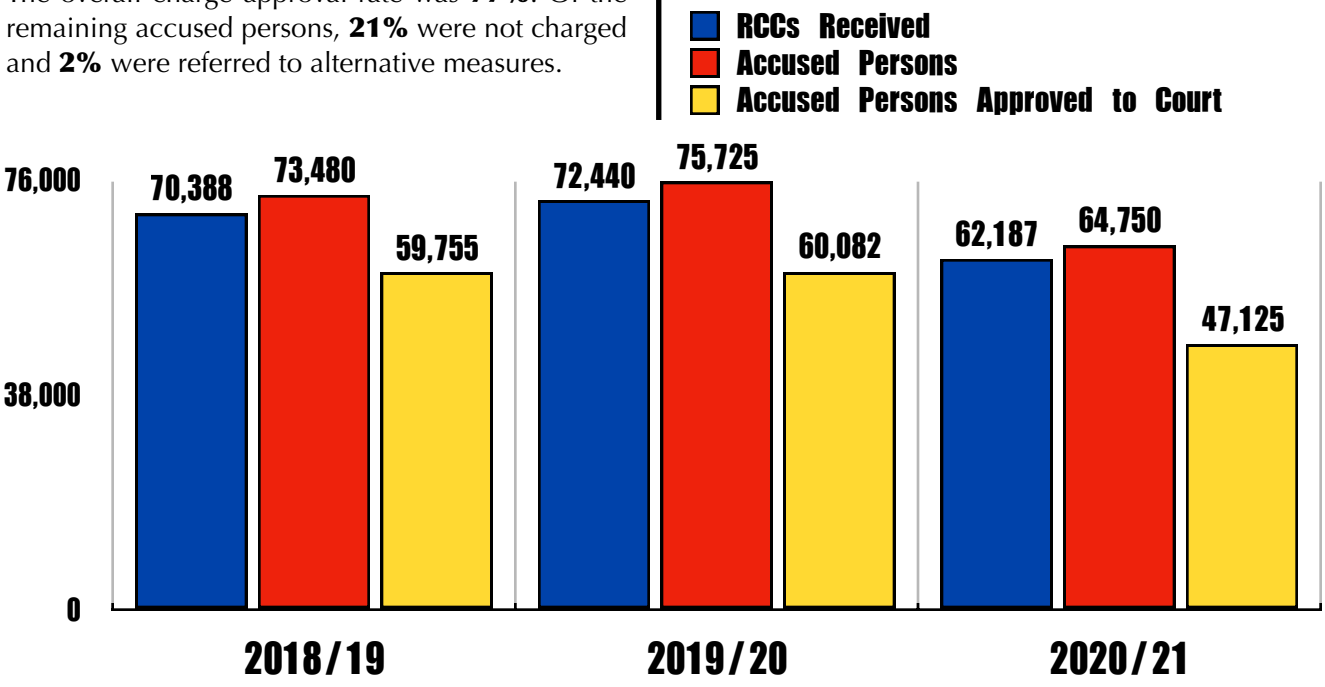
Approvals to Court Dip

The number of charge decisions involving accused persons that were approved to court also dropped. In 2020/21 a total of **47,125** accused persons were approved to court, meaning at least one charge was approved. Of these, **45,931** accused persons were adults while **1,194** were youths (12-17 years old at the time the offence was committed).

The overall charge approval rate was **77%**. Of the remaining accused persons, **21%** were not charged and **2%** were referred to alternative measures.

DISTRIBUTION OF CHARGE DECISIONS

Accused Persons	Approved	No Charge	Alternative Measures
All	77%	21%	2%
Adult	78%	21%	1%
Youth	63%	25%	12%



Youths Named As An Accused Drops

The number of youths named as an accused declined as a percentage of all accused named. In 2020/21, **4.1%** of accused persons were youth, slightly lower than the **4.6%** in 2019/20 and **4.7%** in 2018/19.

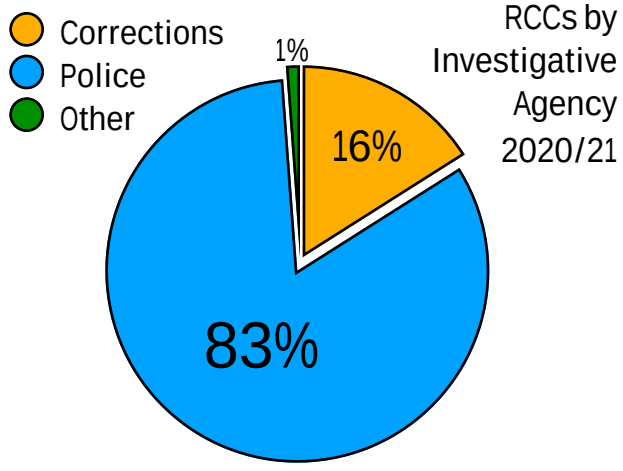
The percentage of youth approved to court was **63%** while **25%** resulted in a no charge decision and **12%** were referred to alternative measures.

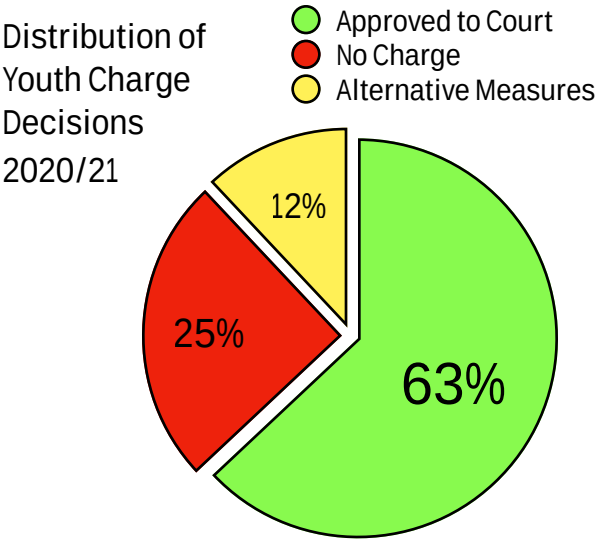
Police Submit Most RCCs

Of the **62,187** RCCs submitted to the BCPS, **83%** came from police agencies, **16%** were submitted by BC Corrections and **1%** came from other types of investigative agencies such as the wildlife conservation service and financial regulators.

RCCs By Investigative Agency

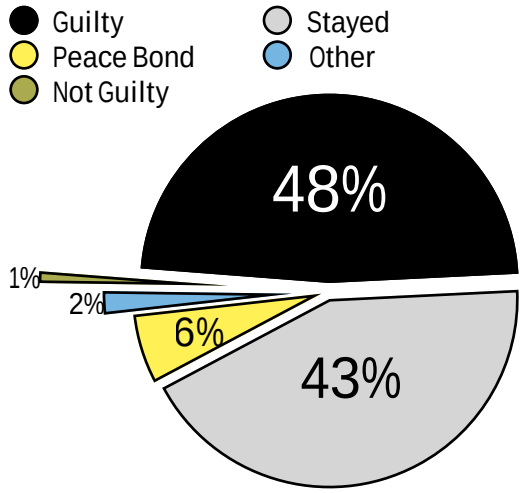
Agency	Police	Corrections	Other	Total
2020/21	51,497	9,958	732	62,187
%	83%	16%	1%	100%
2019/20	57,550	13,318	1,572	72,440
%	79%	18%	2%	100%
2018/19	55,521	13,307	1,560	70,388
%	79%	19%	2%	100%





Guilty Findings Drop

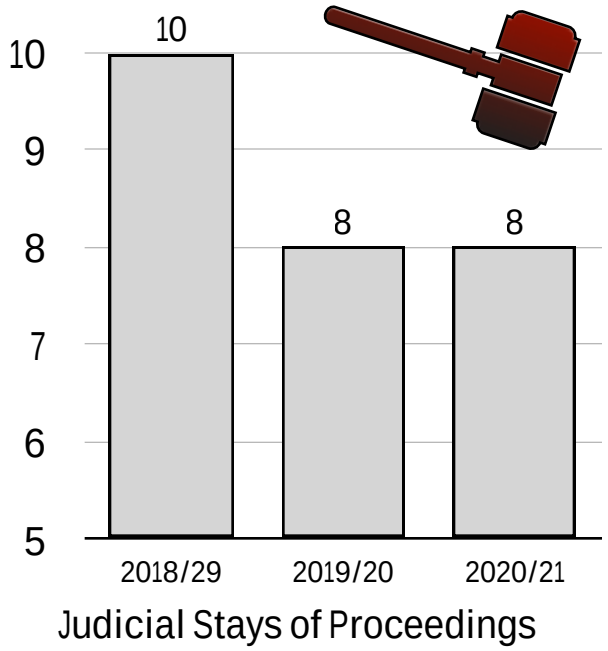
Most concluded prosecutions in 2020/21 did not result in a guilty finding. Of the **45,251** files concluded, only **48%** resulted in a finding of guilt, down from **59%** in fiscal 2019/20, and **60%** in 2018/2019, 2017/18, 2016/17 and **67%** in 2015/16.* Of the remaining 2020/21 concluded prosecutions, they were resolved in other ways including **43%** stayed (by Crown or the court), **6%** resulted in a recognizance to keep the peace (peace bond), **1%** were found not guilty, and **2%** were concluded by some other means such as a court finding of unfit to stand trial or not criminally responsible due to mental disorder.



* Percentages taken from respective annual reports.

Judicial Stays Due to Delay

In 2020/21, there were eight (**8**) prosecutions that concluded with a Judicial Stay of Proceedings due to delay. In 2019/20 eight (**8**) prosecutions were concluded with a Judicial Stay of Proceedings for delay while **10** were so concluded in 2018/19.*



Judicial Stays of Proceedings

* Percentages taken from respective annual reports.

Charge Assessment Timeliness Down

In 2020/21, the percentage of files in which charge assessment was completed, from the date an RCC was received by the BCPS to the date a charge decision was made, dropped in all categories.

Substantial Likelihood of Conviction?

When Crown Counsel receives an RCC it is subject to a charge assessment test involving two questions:

1. **Evidentiary Test** - Is there a substantial likelihood of conviction?
2. **Public Interest Test** - Does the public interest require a prosecution?

The BCPS' Charge Assessment Guidelines describes a "substantial likelihood of conviction" as as follows:

> The reference to "likelihood" requires, at a minimum, that a conviction according to law is more likely than an acquittal. In this context, "substantial" refers not only to the probability of conviction but also to the objective strength or solidity of the evidence. A substantial likelihood of conviction exists if Crown Counsel is satisfied there is a strong and solid case of substance to present to the court.

Prosecution File Duration Up

The amount of time it takes to conclude a criminal file, from the sworn/file date to the date all charges on the file have been disposed of and there were no future scheduled appearance, rose by **73%**.

Duration	2018/19	2019/20	2020/21
Days	94 ▲	107 ▲	185

CHARGE ASSEMENT DURATION					
Fiscal Year	Within 1 Day	Within 3 Days	Within 7 Days	Within 15 Days	Within 30 Days
2018/19	47%	55%	69%	80%	89%
2019/20	45% ▼	53% ▼	66% ▼	78% ▼	87% ▼
2020/21	40% ▼	46% ▼	57% ▼	68% ▼	79% ▼

SHARE IT. DON'T WEAR IT.

IT'S TIME TO SPEAK UP ABOUT MENTAL HEALTH.

AMBULANCE PARAMEDICS OF BRITISH COLUMBIA | BC EMERGENCY HEALTH SERVICES | BC MUNICIPAL CHIEFS OF POLICE | BRITISH COLUMBIA POLICE ASSOCIATION | BRITISH COLUMBIA PROFESSIONAL FIRE FIGHTERS ASSOCIATION | CANADA BORDER SERVICES AGENCY | FIRE CHIEFS' ASSOCIATION OF BC | FIRST NATIONS EMERGENCY SERVICES SOCIETY OF BRITISH COLUMBIA | GREATER VANCOUVER FIRE CHIEFS ASSOCIATION | PROVINCE OF BC | ROYAL CANADIAN MOUNTED POLICE | TRANSIT POLICE | VOLUNTEER FIREFIGHTERS ASSOCIATION OF BC | WORKSAFEBC

BCFirstRespondersMentalHealth.com

For more resources on better understanding mental health in the context of the experiences and pressures of first responders, as well as the broader population, visit the following link.

www.BCFirstRespondersMentalHealth.com

Homicides (High to Low)	
#	Year
754	1991
743	2020
734	1992
687	2019
667	2017
664	2005
660	2018
635	1996
626	1993
625	2004
616	2016
614	2008
611	2009
611	2015
608	2006
608	2011
597	2007
596	1994
587	1995
587	1997
582	2002
559	1998
557	2010
553	2001
551	2003
548	2012
546	2000
539	1999
524	2014
509	2013

HOMICIDES IN CANADA RISE: MOST SINCE 1992

Although overall police-reported crime decreased in 2020, police-reported homicide (murder, manslaughter and infanticide) increased to the highest level in the last 29 years. According to a Statistics Canada report — **"Homicide in Canada, 2020"** — there were **743** homicides reported to police in 2020, up **56** homicides when compared to 2019. This was the highest number of homicides reported to police since 1991. In the last 30 years, the homicide rate topped 700 victims on only three occasions: 1991 (**754**); 1992 (**734**); and 2020 (**743**). The lowest number of homicides reported in the last three decades was **509** in 2013.

Homicide Rate Also Up

Canada's 2020 homicide rate was **1.95** homicides per 100,000 population, the highest since 2005 (**2.06**), and up from **1.83** in 2019. The Northwest Territories had the highest homicide rate in 2020 at **13.29** followed by Nunavut (**7.62**), Manitoba (**5.09**), Saskatchewan (**4.50**), and Nova Scotia (**3.57**).

Ontario Records the Most Homicides

There were **234** homicides reported to Ontario police in 2020. This was followed by Alberta at **139**, British Columbia (**98**), Quebec (**87**), Manitoba (**62**) and Saskatchewan (**60**). The Yukon reported no homicides.

Province/ Territory	2019 Homicides	2020 Homicides	Change
ON	253	234	-19
AB	100	139	+39
BC	90	98	+8
QC	77	87	+10
MB	72	62	-10
SK	55	60	+5
NS	6	35	+29
NB	17	14	-3
NWT	2	6	+4
NL	5	4	-1
NU	7	3	-4
PEI	2	1	-1
YK	1	0	-1
CA	687	743	+56

Homicides By Year	
Year	#
1991	754
1992	734
1993	626
1994	596
1995	587
1996	635
1997	587
1998	559
1999	539
2000	546
2001	553
2002	582
2003	551
2004	625
2005	664
2006	608
2007	597
2008	614
2009	611
2010	557
2011	608
2012	548
2013	509
2014	524
2015	611
2016	616
2017	667
2018	660
2019	687
2020	743

Nova Scotia reported **35** homicides, up from **6** in 2019. This number was significantly impacted by an attack in April 2020 where **22** people were killed by a single gunman.

Toronto reported the most homicides of any Census Metropolitan Area (CMA) at **105** homicides while Thunder Bay had the highest homicide rate. A CMA consists of one or more neighbouring municipalities situated around a major urban core and having a total population of at least 100,000 of which 50,000 or more live in an urban core.

(Number of Victims: High to Low)

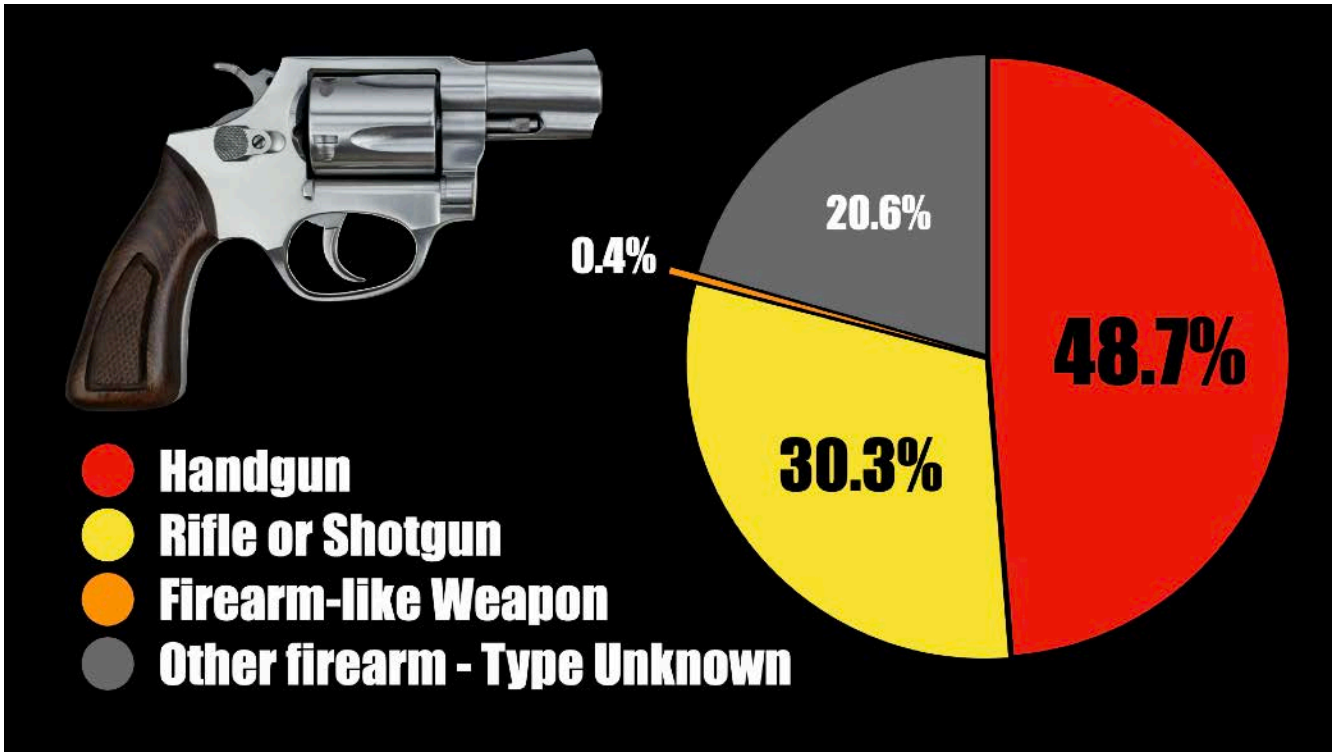
2020 HOMICIDES BY CMA

CMA	Victims	Rate	Population	CMA	Victims	Rate	Population
Toronto	105	1.62	6.47 M	St. Catherines-Niagara	5	1.04	481 K
Edmonton	47	3.19	1.47 M	Windsor	5	1.40	356 K
Vancouver	45	1.64	2.74 M	Brantford	4	2.62	153 K
Montreal	42	0.97	4.35 M	Abbotsford-Mission	3	1.47	204 K
Winnipeg	41	4.93	800 K	Guelph	3	2.06	145 K
Calgary	39	2.53	1.54 M	Kelowna	3	1.35	221 K
Hamilton	18	2.32	777 K	Kingston	3	1.73	174 K
Saskatoon	14	4.10	341 K	Peterborough	3	2.32	129 K
Regina	12	4.54	264 K	Belleville	2	1.75	114 K
Ottawa	10	0.90	1.11 M	Lethbridge	2	1.59	126 K
Kitchener-Cambridge-Waterloo	8	1.32	605 K	Moncton	2	1.20	167 K
Thunder Bay	8	6.35	126 K	St. John's	2	0.96	209 K
Gatineau	7	2.04	343 K	Trois-Rivieres	2	1.24	161 K
Halifax	7	1.56	449 K	Saint John	1	0.76	132 K
London	7	1.27	553 K	Sherbrooke	1	0.48	208 K
Oshawa	7	1.41	498 K	Barrie	0	0.00	260 K
Quebec	7	0.85	824 K	Saguenay	0	0.00	170 K
Victoria	6	1.47	409 K	CMA TOTAL	476	1.74	27.2 M
Greater Sudbury	5	2.96	169 K	Non-CMA TOTAL	267	2.49	10.7 M

Guns

In 2020 there were **277** firearm related homicides, up from **262** in 2019. Of those, **183** occurred in a CMA while **94** occurred in a non-CMA. Ontario had the most at **94**, followed by Alberta (**58**), British Columbia (**38**), Nova Scotia (**24**) and Quebec (**23**). Toronto had the most of any CMA at **52** followed by Vancouver (**19**), Calgary (**18**), Edmonton (**16**), Winnipeg (**11**) and Montreal (**10**).

The firearm of choice was a handgun, which was used in **135** homicides. This was followed by a rifle or shotgun (**84**), including those sawed-off, other firearms of unknown type (**57**) and firearm like weapons (**1**).



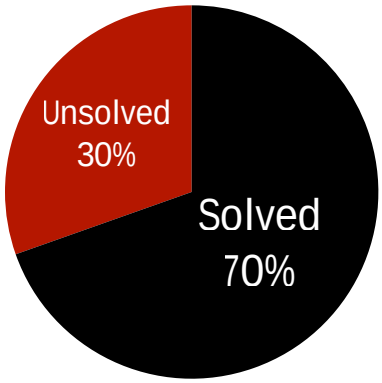
Gangs

There were **148** gang-related homicides in 2020, down from **162** in 2019. Ontario had the most gang-related homicides at **52**, followed by Alberta (**29**), British Columbia (**26**), Saskatchewan (**20**), and Quebec (**15**). Nova Scotia, New Brunswick, Prince Edward Island, Northwest Territories, Nunavut and the Yukon reported none.

Most gang-related homicides (**114**) occurred in a CMA while **34** occurred in a non-CMA. Toronto had the most gang-rated homicides (**32**), followed by Vancouver (**16**), Calgary (**12**) and Edmonton (**10**).

Solved Homicides

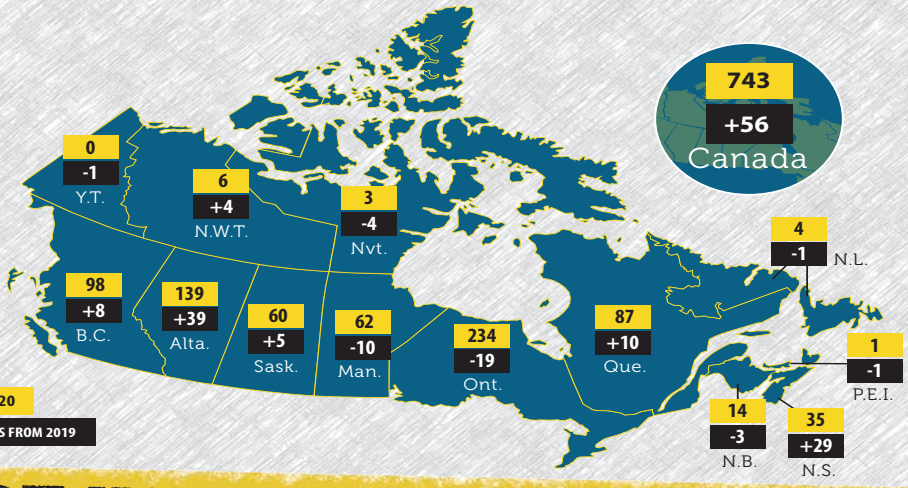
Of the **743** homicides in 2020, **517** were reportedly solved while **226** were unsolved. In 2019, **491** were solved while **196** were unsolved.



Nationwide, there were **743** homicides, at a rate of **1.95** per 100,000 population.

568 male victims

171 female victims



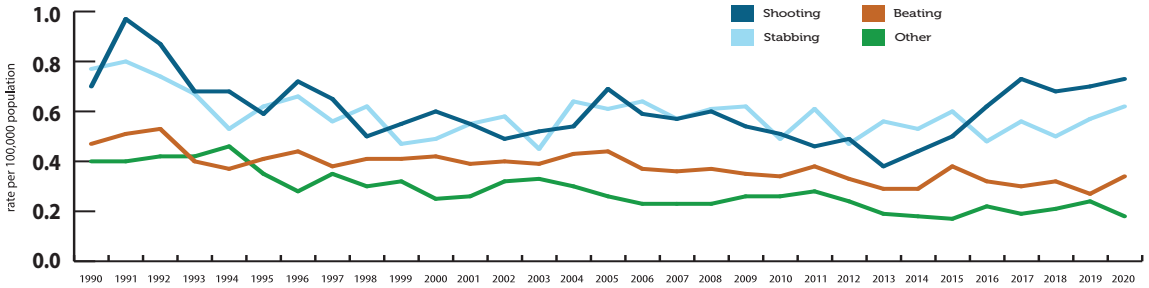
HOMICIDE IN CANADA, 2020

1 in **5** homicides in Canada was gang-related.

The number of gang-related homicides decreased in 2020 to the **lowest rate since 2016.**

In Canada, **277 homicides** were committed with a firearm, or **1 in every 3 homicides**.

Almost half (49%) of these were committed with a handgun.



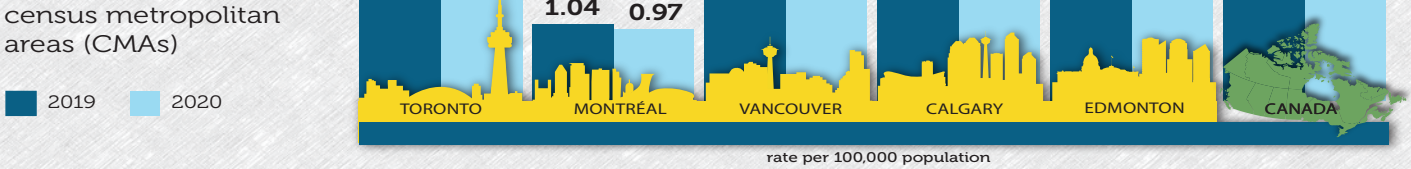
Despite representing about **5%** of Canada's total population in 2020, **Indigenous people**[1] accounted for **28%** of homicide victims and **37%** of accused persons. The homicide rate of Indigenous people was **seven times higher** than the rate of non-Indigenous people.

	Indigenous		Non-Indigenous	
	Male	Female	Male	Female
Homicide victims[2]	16.50	3.76	2.14	0.69
Persons accused of homicide[2]	18.53	3.46	1.84	0.24

rate per 100,000 population

One-quarter of homicide victims were identified as **visible minorities,** 50% of whom were identified as **Black**.

Homicide rate for every 100,000 people living in the **5 largest** census metropolitan areas (CMAs)



1. The term "Indigenous" is used instead of "Aboriginal" for this product. Aboriginal identity is reported by police for the Homicide Survey. Aboriginal identity includes victims and accused persons identified as First Nations (either status or non-status), Métis, Inuit, or an Aboriginal identity where the Aboriginal group is not known to police.
2. Excludes 4% of victims and 5% of accused persons where Indigenous identity was reported as unknown, and 1% of victims and less than 1% of accused persons where gender was reported as unknown.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Homicide Survey.

Catalogue Number: 11-627-M | ISBN: 978-0-660-40823-1

RESISTING PEACE OFFICER CHARGE REQUIRES ACTUAL PHYSICAL RESISTANCE

R. v. Martin, 2021 NBCA 53

Realizing a break and enter was occurring to an unoccupied dwelling-house, neighbours called the police. However, the perpetrators fled before the police arrived. When police attended, they found the house had been ransacked. Several items of personal property were scattered on the floor in the bedroom, including a plastic pouch that had been given to the owner's spouse several years earlier. Police investigation subsequently confirmed a theft had taken place and the accused's fingerprints were on the plastic pouch. The accused was not known to the homeowner or his spouse, and he had never been received into the home.

Over a month later, the police tried to arrest the accused. An officer demanded the accused to stop, shouting ***"Stop, you're under arrest"***. But he fled. When the officer caught up to the accused, he peacefully submitted to arrest. The accused was charged with the break-in and resisting a peace officer in the execution of his duty.

New Brunswick Provincial Court

The judge found the evidence of the fingerprint was sufficient to prove beyond a reasonable doubt that the accused had participated in the break and enter. The accused did not testify but suggested he possibly had taken possession of the pouch in innocent circumstances before it was given to the owner's spouse. This assertion was rejected by the judge as speculation. The only reasonable inference to be drawn from the evidence as a whole was that the accused participated in the break-in.

The judge also convicted the accused under s. 129(a) of the *Criminal Code* for resisting a peace officer in the execution of his duty. The accused was sentenced to 4 1/2 years on the break and enter, and six-months for the resisting offence.

BY THE BOOK:

Criminal Code

Offences relating to public or peace officer

s. 129 Every one who (a) resists or wilfully obstructs a public officer or peace officer in the execution of his duty or any person lawfully acting in aid of such an officer ... is guilty of

(d) an indictable offence and is liable to imprisonment for a term not exceeding two years, or

(e) an offence punishable on summary conviction.

New Brunswick Court of Appeal

The accused argued, in part, that the offence of resisting a peace officer under s. 129(a) required **"active physical resistance."** Justice Drapeau, authoring the Appeal Court's judgement, agreed. ***"In this case, the [accused] was charged with having 'resisted' a peace officer in the execution of his duties, more specifically, the [accused's] arrest,"*** he said. "***The prosecution was therefore required to prove at trial that the [accused] offered an active physical resistance to his arrest. His running away, even if it was for the purpose of avoiding arrest by the peace officer, does not amount to resistance within the meaning of s. 129(a)."***

Justice Drapeau relied on *R. v. Kennedy*, 2016 ONCA 879 to support his opinion. In that case, the Ontario Court of Appeal stated:

- ***"In order to prove a charge of resisting arrest, the actions of the accused must constitute 'active resistance' and not 'passive resistance'"*** (at para. 31).

- ***"[T]he offence of resisting a peace officer requires more than being uncooperative: it requires active physical resistance."*** (at para. 36).

The accused's appeal was allowed and an acquittal was entered on the resist charge. The accused's sentence was also amended to reflect the acquittal.

Complete case available at www.canlii.org

ARRESTEE WAIVED RIGHT TO COUNSEL BY WANTING MORE INFORMATION ABOUT CASE AGAINST HIM

R. v. Burnett, 2021 ONCA 856

Two days after the accused shot and killed a man he was arrested for murder at 7:30 pm by officers who were not involved in the murder investigation. He was handcuffed and police seized his cellphone incident to arrest. The accused was advised of the reason for his arrest and explained his right to counsel. He was told that he had the right to call a lawyer and also about the right to free legal advice from duty counsel. When asked whether he wished to call a lawyer, the accused said ***"I'm telling you. I don't understand. What's going on?"*** He did not respond directly to the question whether he wished to call a lawyer at that time. He appeared shocked when the officer read the police caution.

The accused was turned over to other officers for transport to the police station. One of the transporting officers re-advised the accused of his right to counsel but the accused kept asking what this was all about. The transporting officer could not assist the accused because he was not involved in the investigation and knew nothing more than the allegation of murder. While in the back of the police car, the accused was explained his right to counsel and asked, "Do you wish to call a lawyer now?". In response, the accused said, ***"I might as well, I don't even know what's going on, but obviously a lawyer is gonna have to deal with this matter"***.

The accused said he did not have a particular lawyer to call. The transporting officer asked about duty counsel, to which the accused agreed to speak. He was told he would have a chance to speak to a lawyer at the police station.

When the transporting officers arrived at the police station, more than an hour after the arrest, the accused was booked in. He was told by a booking sergeant that he was entitled to reasonable use of the telephone. He was also told he could speak to one of the transporting officers to facilitate the exercise of his right to counsel. The accused's only request was to speak with his mother, a call that was facilitated. At no time, however, did the accused ask anyone at the booking desk or one of the transporting officers for use of the phone to call a lawyer or duty counsel. After he was booked in, the accused was escorted to an interview room. It was now shortly before 10 pm. This officer advised the lead investigator of what had transpired so far, including the accused's response when advised of his right to counsel.

When the lead investigator entered the interview room, he introduced himself and explained that he wanted to complete some paperwork concerning the arrest and to get the accused in contact with a lawyer if the accused wished to talk to one. The lead investigator again informed the accused of his right to counsel and free advice from legal aid. When asked if he wished to call a lawyer, the accused said, ***"I guess so. Like I don't know what's going on."*** The lead investigator offered to explain what was going on or the accused could first speak to a lawyer. The accused chose an explanation from the investigator. The investigator then read the primary and secondary police cautions to the accused and explained that he need not answer any questions the officer might ask him. The accused repeated his lack of understanding about what was going on and was prepared to listen to what the investigator had to say. The investigator again offered the accused the choice of explaining to him what was going on, or to call a lawyer first or at any point in time. The accused indicated he wanted to understand more about what was going on.

"The purpose of the rights under s. 10(b) is to allow a detainee or an arrested person not only to be informed of their rights and obligations under the law, but also, of equal and perhaps greater importance, to obtain advice about how to exercise those rights."

The accused was escorted to a video suite where he was again advised of his right to counsel and asked whether he wanted to call a lawyer at that time. The accused said that he didn't have a lawyer "on file" and wondered whether it would be possible for a lawyer to come to the police station. The investigator explained that lawyers did not come to the police station but he offered to put the accused in contact with a lawyer at that very moment. The accused said he wanted to hear first ***"what's going on"*** before talking to a lawyer. The investigator told the accused he didn't have to say anything or answer any questions, and could call a free lawyer anytime he wanted to. He declined to call a lawyer. The accused was then interviewed. Although he denied any knowledge of the shooting, he lied to police. The accused was charged with first degree murder.

Ontario Superior Court of Justice

The Crown sought to introduce the accused's statement, with its denials and lies to police, as evidence of post offence conduct inconsistent with the accused's claim of acting in self-defence. The accused challenged the admissibility of his statement, in part, by arguing the police violated the implementational component of the right to counsel under s. 10(b) of the *Charter*. But the judge rejected this submission. The judge found the video recorded interview had not been obtained in breach of the implementational component of s. 10(b).

First, the judge found the police were not required to implement the accused's right to counsel until they arrived at the police station. In his view, it was not appropriate for the transporting officers to turn off the in-car recording devices to permit the accused to call counsel from the backseat of a police cruiser. Nor was it appropriate for the transporting officers to give the accused their own cell phone to make the call. Second, during the booking procedure, the accused was told that he could make reasonable use of the telephone. He only needed to ask the transporting officers but made no such request. Third, the accused told the lead investigator that he would call a lawyer because he did not know what was going on. But he later changed his mind because he wanted to find out what the officer would tell him about the case first. The lead investigator made it clear that the accused could call a lawyer anytime he wished but he never did so.

In total, the accused had been advised on five separate occasions of his right to counsel. He had been read the primary and secondary caution and told that he was under no obligation to speak to the police. He was aware of the nature and extent of his jeopardy and that he had the right to speak to a lawyer, including duty counsel. He spoke freely to investigators and he waived his right to retain and instruct counsel without delay because he wanted to find out the case against him. The judge was satisfied that the accused waived his right to counsel before he spoke to police. Ultimately, the accused was convicted of first degree murder.

Ontario Court of Appeal

The accused again submitted, among other things, that the police did not fulfill the implementational component of his s. 10(b) right to counsel. He claimed the following:

- He expressed his desire to speak to counsel shortly after his arrest at 7:30 p.m. The transporting officers could have facilitated his request by calling Legal Aid. They could have turned off the recording devices in their cruiser, and allowed him to speak with duty counsel.

- At the police station, where a telephone was available to facilitate his request, no one made any attempt to put him in contact with a lawyer in compliance with his earlier express request. He was simply taken to an interview room to await investigators.
- When the lead investigator entered the interview room, he knew the accused had asked to speak to a lawyer and had not been provided with that opportunity. The investigator did nothing to implement the accused's request.

In the accused's view, absent compelling circumstances such as concerns about officer or public safety, the police are required to take steps without delay to assist a detainee invoking their right to speak to a lawyer. Since there were no such compelling circumstances, the delay could not be justified.

The Crown, on the other hand, argued there was no implementational breach. Since the accused was not interested in making a telephone call, the police were not required to facilitate it. He wanted to learn more about the case against him rather than speak to duty counsel or another lawyer.

s. 10(b) - Right to Counsel

Justice Watt, speaking for the Ontario Court of Appeal described the right to counsel this way:

> The purpose of the rights under s. 10(b) is to allow a detainee or an arrested person not only to be informed of their rights and obligations under the law, but also, of equal and perhaps greater importance, to obtain advice about how to exercise those rights. Access to legal advice ensures that an individual who is at once under control of the state and in legal jeopardy is able to make a choice whether to speak to police investigators that is both free and informed. And the right to retain and instruct counsel without delay is also meant to help detainees regain their liberty, as well as guard against the risk of involuntary or inadvertent self-crimination.

The arrest or detention of the person imposes three corresponding duties on the police:

i. An informational duty to inform the detainee of their right to retain and instruct counsel without delay and of the existence and availability of legal aid and duty counsel;
ii. An implementational duty if the detainee has indicated a desire to exercise this right, to provide the detainee with a reasonable opportunity to exercise their right, absent urgent and dangerous circumstances; and
iii. A duty to hold off from eliciting evidence from the detainee until they have had that reasonable opportunity, absent urgent or dangerous circumstances.

The implementational duty – the duty to facilitate access – arises immediately upon the detainee's request to speak to counsel. Arresting officers are constitutionally required to facilitate the access requested at the first reasonably available opportunity. Where delay has occurred, the burden is on the Crown to demonstrate in the specific circumstances of the case that the delay was reasonable.

To facilitate access to counsel at the first reasonably available opportunity includes allowing the detainee on request to use a telephone for that purpose if one is reasonably available.

This implementational duty does not create a corresponding "right" of the detainee to use a specific phone. Nor does it impose a legal duty on police to provide their own cellphone to a detainee. What this aspect of s. 10(b) does is to guarantee that the detainee will have access to a phone to exercise their right to counsel at the first reasonable opportunity.

"This implementational duty does not create a corresponding "right" of the detainee to use a specific phone. Nor does it impose a legal duty on police to provide their own cellphone to a detainee."

> As for the duty to hold off, until the requested access to counsel has been provided, police are required to refrain from taking further investigative steps to elicit evidence from the detainee. The implementational duty and the obligation to hold off are contingent on the detainee's reasonable diligence in attempting to contact counsel. What constitutes reasonable diligence depends on the particular circumstances of each case. [references omitted, paras. 130-135]

In this case, Justice Watt agreed with the trial judge that there was no infringement of the accused's s. 10(b) implementational component:

> The [accused] was arrested at 7:30 p.m. by officers who were not involved in the homicide investigation. On arrest, a pat down search took place. The arresting officer seized the [accused's] cellphone. Apprised of the reason for his arrest and his right to counsel, the [accused] insisted that he did not know what was going on or what the officers were talking about. This would become a constant refrain throughout the [accused's] dealings with police. It was admittedly false. The [accused] did not tell the arresting officer that he wanted to speak to a lawyer.
>
> Arresting officers turned the [accused] over to other officers three minutes later. These officers, also uninvolved in the investigation, were assigned to transport the [accused] to 55 Division. When the [accused] denied that he had been advised of his right to counsel, an officer repeated the s. 10(b) Charter advice. A discussion followed about speaking to a lawyer. The [accused] indicated that "I might as well speak to a lawyer" since the lawyer would have to deal with the matter anyway. But the [accused] didn't know a lawyer. Advised of the availability of free legal advice from duty counsel, the [accused] said that he was "gonna have to speak to duty counsel". He would do so, he said, at the police station.
>
> The [accused] did not suggest at trial, as he does here, that he should have been given access to his own cellphone and left in the police car with the recording equipment turned off so he could speak to a lawyer. The [accused's] cellphone did not work because he had thrown away the SIM card before he was arrested. And there was no obligation on either transporting officer to offer use of their own cellphone so that the [accused] could speak to a lawyer. Trial counsel conceded that the first reasonably available opportunity to speak to a lawyer was at the police station.
>
> When the [accused] arrived in the booking room at 55 Division, the acting sergeant repeated the [accused] right to retain and instruct counsel without delay. The officer told the [accused] that he was entitled to make reasonable use of the telephone at the station. To do so, the [accused] could ask either the officers who brought him to the station or the investigating officer. The [accused] did ask to speak to his mother. An officer facilitated that call.
>
> The [accused] did not ask any of the booking officers or either transporting officer to use the phone to call for legal advice. The [accused's] approach to speaking to a lawyer was at best ambivalent, barren of any reasonable diligence. From the outset, he was more interested in knowing the case against him than in obtaining legal advice.
>
> Prior to entering the interview room, [the lead investigator] had been advised by transporting officers that the [accused] had received his s. 10(b) Charter advice and had indicated that he wished to speak to duty counsel.
>
> In the interview room, shortly after they began to speak, [the lead investigator] asked the [accused] whether he wished to call a lawyer "right now". The [accused] responded, as he had previously, "I guess so. Like I don't know what's going on". The officer offered to explain to the [accused] what was "going on" but told him that he (the [accused]) could talk to a lawyer first. {The lead investigator] repeated the [accused's] right to call a lawyer on several more occasions, but the [accused] declined the offer: "no, not as right now sir". [paras. 137-143]

The accused's appeal was dismissed.

Complete case available at www.ontariocourts.on.ca

TRIPLE TASERING JUSTIFIED: NO EXCESSIVE FORCE, NO CHARTER BREACHES

R. v. Jarrett, 2021 ONCA 758

Plainclothes police detectives directed the accused to pull his vehicle over to the side of the road after seeing him using his cell phone at an intersection. The accused complied. A uniformed officer also attended the scene. On request, the accused produced his driver's licence and vehicle registration. Through a database check, it was learned that the accused was on bail. He was not allowed to possess the cell phone because it had not been registered with police. He was placed under arrest and asked to get out of his car. But he did not initially comply. He was described by police as hostile, aggressive, confrontational and argumentative.

As the accused got out of the car, he reached for a fanny pack. One of the officers, concerned for his own safety, also reached for it. A struggle ensued. Police delivered knee strikes but the accused broke free, got up and charged at an officer, head butting and bear hugging him. Other officers assisted. A Taser was deployed three times within about 30 seconds to get the accused under control. The fanny pack was searched and found to contain cocaine, oxycodone and hydromorphone pills, and $125 in cash.

When advised of his right to counsel, the accused requested the opportunity to contact a lawyer, whom he identified by name. As a result of his arrest, however, he was taken to the hospital for medical attention. An officer called the accused's lawyer about an hour and a half after the arrest and left a voicemail message. But the accused was never told this call was made. Police did not follow-up when the lawyer did not call back nor were any other efforts made to facilitate contact with counsel.

While at the hospital, the accused remained in police custody, handcuffed to his bed, for about 20 hours. He had no contact with counsel and was not offered the opportunity to contact counsel from the hospital, even though there was no health reason that would have prevented him from doing so. He was only able to contact his lawyer after being transported from the hospital to the police station (or courthouse), about 30 hours after his arrest. The accused was charged with assaulting a police officer, breach of recognizance, possessing proceeds of crime and several drug trafficking related offences.

Ontario Superior Court of Justice

The judge concluded that the force used during the arrest was not excessive. It was reasonable and necessary in the circumstances. There were no breaches of s. 7 (the right to security of the person) or s. 12 (cruel and unusual punishment) and therefore no basis to stay the charges under s. 24(1).

The judge did, however, find the accused's rights under s. 10(b) of the *Charter* were infringed when he was not allowed to contact counsel for about 30 hours. Once the accused had requested counsel, the police were required to implement it. Although it was reasonable for police to leave a message with the accused's lawyer, the police needed to do more. Since no further efforts were made to facilitate the accused's right to counsel, nor any evidence to suggest that contact with counsel could not be facilitated at the hospital, s. 10(b) had been breached.

As for the evidence found in the fanny pack, it was obtained in a manner that breached the *Charter*. Even though the fanny pack was located before the s. 10(b) breach, its recovery was temporally connected to the violation. The arrest and search of the fanny pack, and resultant s. 10(b) violation, were part of the same transaction or chain of events. But the judge admitted the evidence under s. 24(2). The accused was convicted of three drug trafficking charges, proceeds of crime, breach of

recognizance, and assaulting a police officer for the bear hugging and head butting. He was sentenced to a total of 25 months in prison.

Ontario Court of Appeal

The accused asserted the trial judge erred in misallocating the burden in having him prove, on a balance of probabilities, that excessive force was used, rather than the Crown proving the force was justified on a subjective-objective analysis. The accused also contended that the trial judge erred in not excluding the fanny pack evidence as a remedy for the breach of his s. 10(b) right. Since the evidence that was discovered at the scene of the arrest formed the basis for the convictions of drug trafficking and possessing proceeds of crime, he suggested those convictions ought to be set aside and acquittals entered.

Excessive Force

Justice Zarnett, writing the Appeal Court's opinion, concluded that the trial judge did not misallocate the burden of proof in the excessive force analysis. The trial judge referred to s. 25 of the *Criminal Code,* which authorizes the police to use as much force as is necessary when arresting an individual, and found that the police had used only the force necessary to effect the arrest in the circumstances. This determination was consistent with the Crown's onus of proof. The judge accepted the Crown's case that the accused aggressively resisted arrest and reasonable force was used during the course of the arrest, including the three taser deployments. Justice Zarnett wrote:

> [The trial judge's] findings, although not always broken down between what the police officers believed and the reasonableness of their behaviour, covered matters that pertained to both, and were responsive to the arguments that were made before him. He found that the police had engaged in a wrestling match with the [accused] that covered some distance because he was satisfied on the evidence that that occurred. But he went on to find that there was no reason for them to have done so, or to apply a taser, other than the [accused's] non-compliance. On the evidence that he accepted, that non-compliance was aggressive, physical, confrontational, and continuing, and included an assault on one of the officers. He found, considering the height, weight, and physical condition of the [accused], that he "represented a threat to the police officers", and stated that he accepted the officers' evidence that "it was not possible to physically subdue [the accused] despite the best efforts of [the officers] until the Taser was applied." His positive finding that lesser measures than the force actually used were not possible is quite different than saying that the [accused] had fallen short of proving excessive force was used. [para. 72]

s. 10(b) Charter

Justice Zarnett noted the obligation on the police when an arrestee asserts a desire to speak to counsel. ***"Section 10(b) guarantees to anyone arrested or detained the right 'to retain and instruct counsel without delay and to be informed of that right',"*** she said. ***"Where, upon being informed of the right, the detained person exercises it, the police must immediately provide the detainee with a reasonable opportunity to speak to counsel."***

In this case, the accused had exercised his s. 10(b) right by expressing a desire to speak to counsel immediately upon his arrest. But the police breached their duty of immediately providing the accused with a reasonable opportunity to speak to counsel:

> The single message that was left with counsel, without any follow-up, did not actually provide an immediate opportunity for the [accused] to speak to counsel. No such opportunity was provided for 30 hours. Nor was the single message, without any follow-up, reasonable, judged in all of the circumstances. The trial judge appropriately observed that it was unreasonable for the police to consider the single message sufficient and the "matter ended there" – further efforts were required. Yet the police took none. They did not explore

"Section 10(b) guarantees to anyone arrested or detained the right 'to retain and instruct counsel without delay and to be informed of that right'. Where, upon being informed of the right, the detained person exercises it, the police must immediately provide the detainee with a reasonable opportunity to speak to counsel."

> whether there were other means of making contact with the counsel the [accused] had specified. Nor was the [accused] told that a message had been left with the counsel he had specified, or that it had not been answered. Thus, he was not given the opportunity to provide other contact information for that counsel if he had it, or to specify another counsel who might be more immediately responsive.
>
> There are a number of ways in which the police may facilitate a detainee's right to immediate contact with counsel. Where the police assume the responsibility of making first contact, rather than providing the detainee with direct access to a phone or internet connection, they must be taken to have "assumed the obligation to pursue [the detainee's] constitutional right to [access counsel] as diligently as she would have". "Anything less would encourage token efforts by the police and imperil the right of those in detention to consult a lawyer of their choosing". In this case, where the police undertook to contact a lawyer on the [accused's] behalf, it was unreasonable for them to have left a single voicemail and ended their efforts there.[references omitted, paras. 42-43]

As for s. 24(2), the Court of Appeal excluded the evidence. Despite no causal connection between the discovery of the fanny pack contents and the s. 10(b) breach, there was a sufficient temporal connection, as the trial judge found, that rendered the evidence **"obtained in a manner"** that infringed a *Charter* right. The *Charter* breach was serious. The 30-hour delay in providing the accused with the opportunity to contact counsel was substantial. The impact of the breach on the accused was also significant. He was without the benefit of counsel for about 30 hours including 20 hours spent handcuffed to a hospital bed. These two factors — the seriousness of the *Charter*-infringing police conduct and its impact on the accused — were not outweighed by society's interest in having the case decided on its merits through the admission of the relevant and reliable evidence. As a result, the convictions for the trafficking offences and proceeds of crime possession were quashed and acquittals were entered. But the convictions for the breach of recognizance and assaulting a police officer – and their respective one and three months sentences - were maintained.

Complete case available at www.ontariocourts.on.ca

NO STRIP SEARCH IN VIEWING UNDERWEAR NOT COVERING PRIVATE AREA

R. v. Choi, 2021 BCCA 410

As part of a dial-a-dope drug trafficking investigation, police officers conducted surveillance of a vehicle occupied by a driver and a front seat passenger (the accused). As the police apparently observed drug trafficking activity, they decided to arrest both occupants. As one officer approached the passenger side to arrest the accused, he saw the accused manipulating something around his pocket or pants. A small package, believed to be drugs, was seen on the car seat situated between the accused's legs. It was later determined to contain 0.29 grams of a heroin and fentanyl mix. The accused was told he was under arrest and he was directed to get out of the car. He was handcuffed, and was provided with his *Charter* rights and the police caution. In response, the accused asked to speak to a lawyer.

A second officer patted-down the accused incidental to his arrest, feeling a bulge in his jacket pocket. This second officer, unaware that the accused had asserted his right to counsel, asked ***"what is that?"*** The accused replied that it was ***"more stuff"***. Suspecting drugs, the second officer removed a sandwich bag from the accused's jacket pocket. It contained 44 colour-coded packages of cocaine, methamphetamine and a heroin and fentanyl mixture, commonly referred to as a ***"dealer pack"***. The jacket also contained a wallet, $70 in cash (not in the wallet) and some marijuana. The vehicle was searched and several cell phones and other items related to the investigation were located and seized.

The accused was transported to the police station. His handcuffs were removed by police but he removed his own shoes and jacket. The drawstring of his pants was cut for safety reasons. He was then directed to stand facing the wall with his hands against it. His shirt was lifted up to the mid-chest area to see if there was anything in it. When this was done, a small part of the accused's underwear waistband was visible above the waistband of his pants. The officer pulled the accused's elastic waistband away from his body and examined it for weapons and drugs. In doing so, he could see the top of the accused's underwear all the way around his waist. Holding the waistband back slightly, the officer ran his fingers around it and visually inspected the waistband of the underwear to check for hidden items. The officer then let go of the waistband and felt down each of the accused's legs. His pants pockets were inspected and the search was over. The area was monitored by a video-recording camera that broadcast to another room containing several screen monitors.

The waistband part of the search took about 10 seconds and the entire booking-in process lasted about six minutes. Nothing was found in the course of the search and, after it was completed, the accused spoke to a lawyer. He then provided a warned statement to police where he admitted to selling drugs and that one of the seized cell phones was a drug line. He told police that he had made one sale of $50 that day, so $20 of $70 in his pocket belonged to him. He also admitted being a marijuana and cocaine user. The accused and the other occupant of the vehicle (its driver) were charged with three counts of possessing drugs - cocaine, heroin/fentanyl mixture, and methamphetamine - for the purpose of trafficking.

British Columbia Provincial Court

The accused argued that he was unlawfully arrested (because the police did not have the necessary reasonable grounds to arrest him) and unlawfully strip searched incidental to his arrest. In his view, his rights under ss. 8 and 9 of the *Charter* had been violated. Furthermore, he claimed his s. 10(b) *Charter* right to counsel was infringed when he was asked about the bulge in his pocket.

The judge found that the police had reasonable grounds to arrest the accused. Therefore, he was not arbitrarily detained. However, the judge concluded the search at the police station was a strip search, citing the Supreme Court of Canada's definition in *R. v. Golden*, 2001 SCC 83:

> ***"the removal or rearrangement of some or all of the clothing of a person so as to permit a visual inspection of a person's private areas, namely genitals, buttocks, breasts (in the case of a female), or undergarments"***.

"I accept that a strip search includes the re-arrangement of clothing to allow a visual inspection of underwear and does not require that clothing be removed," said the judge. The judge ruled the search to be unreasonable and a s. 8 *Charter* breach because the officer did not comply with the framework for strip searches established in *Golden*. As for s. 10(b), the judge found the police had breached this provision when the accused was asked about the bulge in his jacket pocket after he had expressed a desire to speak to a lawyer. The police had failed in their duty to hold off asking questions under s. 10(b).

Golden Guidelines

"Strip search" = "the removal or rearrangement of some or all of the clothing of a person so as to permit a visual inspection of a person's private areas, namely genitals, buttocks, breasts (in the case of a female), or undergarments."

Manner of Search Framework Questions:

1. **Can the strip search be conducted at the police station and, if not, why not?**
2. **Will the strip search be conducted in a manner that ensures the health and safety of all involved?**
3. **Will the strip search be authorized by a police officer acting in a supervisory capacity?**
4. **Has it been ensured that the police officer(s) carrying out the strip search are of the same gender as the individual being searched?**
5. **Will the number of police officers involved in the search be no more than is reasonably necessary in the circumstances?**
6. **What is the minimum of force necessary to conduct the strip search?**
7. **Will the strip search be carried out in a private area such that no one other than the individuals engaged in the search can observe the search?**
8. **Will the strip search be conducted as quickly as possible and in a way that ensures that the person is not completely undressed at any one time?**
9. **Will the strip search involve only a visual inspection of the arrestee's genital and anal areas without any physical contact?**
10. **If the visual inspection reveals the presence of a weapon or evidence in a body cavity (not including the mouth), will the detainee be given the option of removing the object himself or of having the object removed by a trained medical professional?**
11. **Will a proper record be kept of the reasons for and the manner in which the strip search was conducted?**

The judge found the connection between the ss. 8 and 10(b) *Charter* breaches, and the discovery of the evidence (the drugs found in the car and on the accused), were sufficiently connected to the *Charter* violations to engage s. 24(2). He found a temporal and contextual connection between the drugs found on the front seat and the s. 10(b) violation. The s. 10(b) violation was part of the arrest and occurred a few minutes after the drugs were found. The s. 10(b) violation was also temporally, contextually and causally connected to the drugs located on the accused's person. After considering s. 24(2), the judge excluded the drugs found on the accused, but admitted the package of drugs found in the car. The statement obtained by police at the station was also admissible because it had not been obtained in a *Charter*-infringing manner. In the judge's view, it was entirely disconnected from the *Charter* breaches. It was obtained after the accused had been at the police station for some time and had received legal advice. The accused was convicted of possessing the package of fentanyl and heroin mix found in the car for the purpose of trafficking. He was sentenced to 18 months incarceration followed by 12 months of probation.

British Columbia Court of Appeal

The accused submitted, in part, that the trial judge erred in admitting the drugs found in the car under s. 24(2). The Crown, on the other hand, suggested (among other things) that the accused had not been subjected to a strip search nor did the trial judge err in admitting the evidence.

Strip Search

Justice Dickson, delivering the Court of Appeal's decision, noted that a strip search incidental to arrest will be *Charter*-compliant provided it is: ***"incident to a lawful arrest; conducted for the purpose of discovering weapons or evidence related to the reason for the arrest; based on reasonable and probable grounds; and conducted in a reasonable manner in accordance with***

"Undergarments may well cover private areas of a person's body, but they are not, in and of themselves, 'a person's private areas'. In my view, ... it is apparent that the visual inspection contemplated by the definition [of a strip search] is an inspection of private areas of the body, whether those body areas are exposed or covered by undergarments."

prescribed guidelines." Furthermore, strip searches should be conducted at a police station and not ***"in the field"*** unless there are exigent circumstances.

In this case, the Appeal Court concluded that the search of the accused did not amount to a strip search. ***"As I see it, to fall within the Golden definition a search must involve the removal or rearrangement of clothing so as to permit an inspection of the private areas of the body of an arrestee, whether those areas are fully exposed or they are covered by undergarments alone,"*** said Justice Dickson. There was no visual inspection of an arrestee's genital or anal areas such that the safeguards put in place by *Golden* to protect personal privacy and dignity were required. Even though the meaning of a strip search contemplates the inspection of undergarments, it only applies where the private areas of the body to be visually searched (including female breasts) remain covered by undergarments:

> ... [The officer] rearranged [the accused's] clothing and visually inspected the waistband of his underwear, but not his genital or anal area, either covered or uncovered. There was nothing inherently humiliating or degrading about the search given its limited nature and the context in which it took place, namely, as part of a standard booking-in procedure at police cells. Nor was there anything to suggest that [the accused] found it humiliating or degrading for the officer to see the exposed waistband of his underwear. On the contrary, he was apparently and predictably unfazed by that aspect of the search. As the judge recognized, in modern times the waistband of underwear may be displayed in public in an overt and intentional way.
>
> I agree with Crown counsel that the judge erred by employing an unduly literal interpretation of the Golden definition of a strip search disconnected from its underlying purpose and context. In my view, the reference in that definition to undergarments must be read in the context of the preceding phrase. To repeat, the definition of a strip search articulated in Golden is: "the removal or rearrangement of some or all of the clothing of a person so as to permit a visual inspection of a person's private areas, namely genitals, buttocks, breasts (in the case of a female), or undergarments".
>
> Undergarments may well cover private areas of a person's body, but they are not, in and of themselves, "a person's private areas". In my view, when the reasons in Golden are read as a whole, it is apparent that the visual inspection contemplated by the definition is an inspection of private areas of the body, whether those body areas are exposed or covered by undergarments. It follows that the salient consideration when a court determines whether a search falls within the definition of a strip search is the private nature of the body area in question, not the nature of a garment worn under an outer layer of clothing. [references omitted, paras. 75-77]

Since the search in this case involved a visual inspection of a non-private area of the body covered by an undergarment, there was no strip search. ***"[The officer] intentionally limited his visual inspection of [the accused's] body to his***

"Unless the area of the body inspected is inherently private, whether exposed or covered by an undergarment, the search will not fall into the category of a strip search and the additional safeguards will not apply."

"[The officer] intentionally limited his visual inspection of [the accused's] body to his waistline area, which is not a private area."

waistline area, which is not a private area," said Justice Dickson. ***"Unless the area of the body inspected is inherently private, whether exposed or covered by an undergarment, the search will not fall into the category of a strip search and the additional safeguards will not apply."*** She continued:

> Adopting the foregoing approach strikes an appropriate balance between the privacy interests of citizens "to be free from unjustified, excessive and humiliating strip searches" and those of police and society "in ensuring that persons who are arrested are not armed with weapons … and finding and preserving relevant evidence," while accommodating the realities of effective law enforcement. In my view, it would be impractical to require arresting officers to seek prior authorization from a senior officer or risk committing a s. 8 Charter violation whenever they conduct a search incident to an arrest that may expose any part of an arrestee's underwear. It is also unnecessary to treat every search in which any part of an arrestee's underwear is rendered visible as a strip search and apply the additional safeguards described in Golden in order to protect Canadian citizens from undue exposure to inherently humiliating and degrading searches at the hands of police. [reference omitted, para. 81]

Admission of the Evidence

The Court of Appeal upheld the trial judge's ruling on the admissibility of the package of drugs found in the car. In its view, the trial judge properly considered the factors under s. 24(2).

The accused's appeal was dismissed.

Complete case available at www.courts.gov.bc.ca

DETENTION OCCURRED WHEN OFFICER BOXED IN VEHICLE & APPROACHED IT: GUN TOSSED

R. v. Tutu, 2021 ONCA 805

While driving through the parking lot of a hotel, a patrol officer noticed a black Chrysler with fresh yellow paint markings on its front quarter panel, suggesting possible damage. The officer pulled in behind the car, which he thought was unoccupied, and ran a computer check on the licence plate, learning it was a rental. Curious, the officer got out of his police vehicle and approached the car.

Seeing occupants, the officer knocked on the driver's side window. The accused, a black man wearing a black hoodie, rolled down the window. He had a set of gold teeth (known as a "grill") and was passing a marijuana joint to his passenger. The officer asked the occupants to put the joint out, turn down the music and provide their names. The passenger gave the officer her real name but the accused lied about his. The officer told the occupants to ***"just wait here"***, that he was going to run their names through the system and he would ***"be right back."*** The officer returned to his police vehicle and ran the names through his computer. The name provided by the accused had no driver's licence connected to it, nor any outstanding warrants or criminal convictions. Suspecting the accused provided a false name, the officer returned to the car and asked him to spell his name. He was unable to do so and then provided another fake name.

The accused was taken out of the car and arrested for obstructing police. However, the accused was not immediately advised of his right to counsel. The passenger was arrested for possessing marijuana. The vehicle was searched incident to the arrests and a Glock handgun as well as pouches of drugs was found in a Gucci bag located on the floor. The accused was arrested for possessing the firearm and read his rights. He was transported to the police station where he spoke to a lawyer.

Ontario Superior Court of Justice

The accused submitted, in part, that his s. 9 *Charter* rights (arbitrary detention), s. 10(b) rights (right to counsel), and s. 8 rights (unreasonable vehicle search incident to arrest) had been breached. He sought the exclusion of the evidence discovered in the search of his car under s. 24(2).

The judge found the accused had not been detained until he was arrested for obstructing police after giving the second false name. Prior to that, nothing prevented the accused or his passenger from exiting the vehicle. But the judge found a s. 10(b breach because the accused had not been immediately advised of his right to counsel when he was first arrested. The evidence, however, was admitted under s. 24(2) and the accused was convicted of wilfully obstructing a peace officer, six firearm related offences, five counts of breaching a recognizance and four drug related counts. He was sentenced to four years in prison.

Ontario Court of Appeal

The accused argued he was psychologically detained at the moment the officer boxed his car into the parking spot and the trial judge erred in not excluding the evidence under s. 24(2) of the *Charter*. The Crown, however, contended the accused had not been detained when the officer approached his vehicle. In the Crown's view the officer was unaware that the vehicle was even occupied when he parked behind it and there was no evidence that the accused was aware of the officer's presence at that moment.

Detention

The Court of Appeal first examined the law concerning detention and noted the following:

- *"Arbitrary detention is prohibited in order to 'protect individual liberty against unjustified state interference'. It protects 'an individual's right to make an informed choice about whether to interact with the police or to simply walk away'."*
- *"Upon detention, an individual must be informed of the additional rights afforded by the Charter, such as the right to be informed of the reasons for the detention (s. 10(a)), and the right to retain and instruct counsel without delay and to be informed of that right (s. 10(b))."*
- *"A detention arises only where the police suspend an individual's liberty through 'a significant physical or psychological restraint'."*
- *"Not every interference with an individual's liberty attracts Charter scrutiny."*
- *"Physical detention is usually obvious. More difficult is psychological detention, which … 'is established either where the individual has a legal obligation to comply with the restrictive request or demand, or a reasonable person would conclude by reason of the state conduct that he or she had no choice but to comply'."*
- *"[P]sychological detention or restraint can arise in two ways, when: (1) 'an individual is legally required to comply with a police direction or demand'; or (2) absent legal compulsion, when 'the police conduct would cause a reasonable person to conclude that he or she was not free to go and had to comply with the police direction or demand'."*

"The s. 9 inquiry engages all the circumstances of the encounter. It requires an objective assessment of what a reasonable person in the shoes of the accused would perceive about his or her freedom to leave. The focus is on how the police behaved and, considering the totality of the circumstances, how their behaviour would reasonably be perceived. The focus is not on what was actually in the accused's mind at the particular moment. Nor is it on the police officer's intention."

"A reasonable person boxed in by a police cruiser would conclude that he or she was not free to leave."

- *"The s. 9 inquiry engages all the circumstances of the encounter. It requires an objective assessment of what a reasonable person in the shoes of the accused would perceive about his or her freedom to leave. The focus is on how the police behaved and, considering the totality of the circumstances, how their behaviour would reasonably be perceived. The focus is not on what was actually in the accused's mind at the particular moment. Nor is it on the police officer's intention."* [references omitted, paras. 10,12-15]

Unlike the trial Judge, the Court of Appeal concluded that the accused had been detained before he was arrested. The detention occurred when the officer had blocked the car from moving and discovered it was occupied. ***"In our view, the circumstances giving rise to the encounter in this case support a finding that a reasonable person, in the [accused's] position, would believe he was detained when the police, having obstructed his car, approached it or knocked on the window,"*** said the Appeal Court. ***"A reasonable person would see this as a directed personal inquiry. … The [accused] was psychologically detained from the outset of his interaction with [the officer], well before his initial arrest."*** The police conduct in this case was "authoritative from the outset":

> [The officer] blocked the movement of the [accused's] car with his marked police cruiser. He was in a police uniform. Nothing about the officer's initial interaction with the [accused] would have diminished the perception of a reasonable person in the [accused's] circumstances that he was detained. [The officer] told the occupants to put out the joint, to turn the music down, to produce identification, and to wait while he did a computer check of their names. He also asked whether they possessed a marijuana licence. [para. 22]

Not only did the officer tell the occupants to ***"just wait here"*** while he ran their names through the police computer, he prevented the accused from driving away. ***"A reasonable person boxed in by a police cruiser would conclude that he or she was not free to leave,"*** said the Appeal Court. It continued:

> In our view, when the officer came to the driver's side window, after blocking the car and preventing it from leaving, he effectively detained the [accused]. This situation would lead a reasonable person in the [accused's] position to conclude that he was not free to go. This detention was arbitrary and therefore a breach of s. 9 of the Charter because at that point, there was no reasonable suspicion of criminal conduct. The detention was reinforced when [the officer] knocked on the window. On the officer's own evidence, the [accused's] use of marijuana did not justify his detention or his arrest. [references omitted, para. 27]

The officer's failure to not immediately advise the accused of his right to retain and instruct counsel upon detention breached s. 10(b) of the *Charter*. "***The officer continued to elicit evidence from the [accused], who had no obligation to speak to him,"*** said the Court of Appeal. ***"Their verbal encounter led to the obstruction charge. That charge led to the arrest, which led to the search, which led to the discovery of the drugs and the gun, and to the upgraded charges."***

"When the officer came to the driver's side window, after blocking the car and preventing it from leaving, he effectively detained the [accused]. This situation would lead a reasonable person in the [accused's] position to conclude that he was not free to go."

Exclusion of Evidence

Having found breaches of both ss. 9 and 10(b) of the *Charter*, a fresh s. 24(2) analysis was required. Unlike the trial judge, the Court of Appeal excluded the evidence. The *Charter*-infringing police conduct — which included the combined breaches of arbitrary detention and the right to counsel — was serious. The impact of the breach on the accused's *Charter*-protected rights was significant. The police continued to question the accused after he was detained, which led to the obstruction arrest and discovery of the incriminating evidence. Society's interest in the adjudication of the case on the merits did not outweigh the first two lines of inquiry. The evidence was inadmissible and it was unnecessary to address the alleged s. 8 breach.

The accused's appeal was allowed and acquittal's were entered on all charges.

Complete case available at www.ontariocourts.on.ca

NOT ALL LIMITATIONS ON PHYSICAL MOVEMENT AMOUNT TO DETENTION

R. v. Teng, 2021 ONCA 785

Two police officers responded to two 911 call's from the same basement apartment. One 911 call had been made by the accused, the second from her landlord. The accused told the 911 operator that her husband had died several days ago, then said he had died two days earlier. She also told the operator she did not know the cause of death. The landlord called 911 after he confronted the accused about a body he had found wrapped in blankets in her closet.

When the first officer arrived at the apartment, he found the accused and the landlord yelling at each other. The officer separated the two and directed the accused into the bedroom. He then spoke first to the landlord. He initially thought the problem was related to landlord/tenant concerns, but the landlord told the officer the accused was hiding her husband's body in the closet. The officer checked and confirmed there was a body under some blankets in a storage closet. A second officer arrived and spoke to the accused to find out what was going on. He asked her what happened. She told the officer her husband died of a heart attack and she took the body from the bedroom and put it in the storage area. The first responding officer also spoke to the accused. She identified herself with a health card and told him the same information she had already provided. During the interaction, the accused made no effort to leave the apartment.

Subsequent police investigation included a pathologist finding no evidence of a heart attack. Rather, the accused had ligature marks on his neck and wrists, green twine tied loosely around his neck, two significant blunt force impact injuries on his skull and a needle puncture wound on the inside of his elbow. Toxicology revealed there were traces of a sedative called Zopiclone, prescribed for insomnia, in the deceased's blood. The accused was also the beneficiary of two life insurance policies totalling between $1.5 and $2 million at the time of her husband's death. She was charged with first-degree murder.

Ontario Superior Court of Justice

The first officer testified that he was suspicious to find a body in the storage closet and he was concerned that a crime had been committed, but he did not know how the husband had died nor what role, if any, the accused my have played in the death. He was concerned she may have been involved in his death, or she may have been a victim or a witness. The officer also said he would not have allowed the accused to leave the apartment — even if she tried to — until the police had a better understanding of the situation. The second officer described the situation as chaotic. He testified the follow-up questions he asked, such as what happened, were the kind of questions asked when he arrived at the scene in response to a 911 call.

"Not every limitation imposed by the police on the physical movements of an individual amounts to a detention for the purposes of s. 10. Detention under s. 10 refers to a suspension of an individual's liberty by a significant physical or psychological restraint."

The accused argued, among other things, that she was detained by police in her apartment which triggered her rights under ss. 10(a) and (b) of the *Charter*. In her view, the statements made while she was detained ought to have been excluded under s. 24(2). The judge, however, found the accused had not been detained, either physically or psychologically, when questioned by police in her apartment, thus her s. 10 rights were not engaged. The statements were admissible and the accused was convicted by a jury of first-degree murder.

Ontario Court of Appeal

The accused continued to claim she had been detained and therefore her rights under ss. 10(a) and (b) were triggered by a detention. In her view, her *Charter* rights were breached and the trial judge erred in concluding otherwise.

Detention?

Justice Doherty, authoring the unanimous Appeal Court decision, first briefly described the meaning of detention. ***"Not every limitation imposed by the police on the physical movements of an individual amounts to a detention for the purposes of s. 10,"*** he said. ***"Detention under s. 10 refers to a suspension of an individual's liberty by a significant physical or psychological restraint."*** He continued:

> There is no doubt that the [accused's] movements within her apartment were curtailed by the police after they arrived. She was placed in a bedroom to separate her from the landlord. One of the officers also asked her to sit at the kitchen table. She was seated at the table when she spoke to [the first responding officer].
>
> The limitations on the [accused's] movements, however, occurred in the context of the police arriving at her apartment in response to a 9-1-1 request from both the [accused] and the landlord. Having arrived at the scene with a dead body seemingly secreted in a storage room, the police were understandably attempting to control the scene and sort out the somewhat chaotic and very unusual situation they had encountered. The first order of priority for the police arriving in response to the 9-1-1 call was not to investigate a crime, or target the [accused], but to gain control of the situation.
>
> The trial judge correctly concluded the [accused] was not physically detained by the police. The police had been called to the apartment by the [accused] and the landlord. They had to sort out the situation they encountered, at least in a preliminary way. To do so, the police had to gain control over the scene, including the [accused] and the landlord who appeared to be angry with each other. The police had to separate them and make inquiries about the reasons for their 9-1-1 calls. [references omitted, paras. 121-123]

As for whether the accused was psychologically detained, the Court of Appeal also found the trial judge had not erred in this respect. First, there was no suggestion that the accused had any legal obligation to speak with the officers. Nor would a reasonable person in her circumstances perceive

"The first order of priority for the police arriving in response to the 9-1-1 call was not to investigate a crime, or target the [accused], but to gain control of the situation."

"By placing the call, [the accused] clearly expected and wanted the police to come to her house in connection with her husband's death. When the police officers arrived, they acted in a professional and non-threatening manner. They asked exactly the kinds of questions one would expect the officers to ask in that situation.

that she had no choice but to answer the officers' questions. Justice Doherty rejected the accused's assertion that her status as a racialized person, recently arriving in Canada, with less than a full command of the English language should have been attributed to the hypothetical reasonable person when assessing whether a reasonable person in her shoes would have felt an obligation to answer the questions posed by the police. In comparing the accused's encounter with police to that of a police encounter of an individual on the street and asking questions about where they lived and where they were going, he stated:

> … The [accused] called 9-1-1 for assistance and reported that her husband's body was in the apartment. By placing the call, she clearly expected and wanted the police to come to her house in connection with her husband's death. When the police officers arrived, they acted in a professional and non-threatening manner. They asked exactly the kinds of questions one would expect the officers to ask in that situation. In those circumstances, I see no basis upon which to find that the [accused's] status as a recently-arrived, racialized person, who has less than a full command of the English language, would have any effect on her perception of her interaction with the officers who arrived in response to the 9-1-1 calls. [para. 130]

The trial judge had correctly ruled the accused's statements admissible and this ground of appeal was rejected.

Complete case available at www.ontariocourts.on.ca

MILITARY POLICE FACTS & FIGURES

The Canadian Forces Provost Marshal released its Annual Report 2020-2021 in which the activities of the Canadian Armed Forces Military Police are highlighted. This report provides information about the work of the Military Police including statistical summaries on the types of files the Military Police investigated.

The report states that the Military Police is among the **10** largest police services in Canada with more than **1,800** personnel. Military police officers (MPs) ***"are peace officers and lawfully exercise jurisdiction over members of the [Canadian Armed Forces) and over person son defence establishments including civilians"***. The authorized strength for MP Regular Force Personnel was **1,476** while the actual strength was **1,281**. The actual strength included **215** officers and **1,066** non-commissioned members. There were **39** officers in the actual strength of MP Reserve Force personnel and **199** Non-Commissioned Officers.

Investigation Statistics

The number of calls in 2020 dropped by **16%**, while general occurrences were down **28%**, tickets declined by **41%** and street checks dipped by **7%**.

YEAR	2018	2019	2020
CALLS	37,712	36,757	30,991
GENERAL OCCURRENCES	10,272	10,231	7,417
TICKETS	7,280	2,844	1,664
STREET CHECKS	40,130	40,741	37,865

YEAR	2018	2019	2020
PROPERTY CRIMES	997	877	613
B&E	54	49	49
PSP	8	14	11
Theft MV	9	13	9
Theft > $5,000	18	15	12
Theft< $5,000	373	302	184
Theft (other)	172	190	103
Fraud	79	69	45
Mischief	282	224	197
Arson	2	1	3
OTHER CRIMINAL CODE OFFENCES	204	175	183
Counterfeiting (Currency Offences)	1	0	1
Weapons Violations	10	20	14
Child Pornography	7	4	7
Prostitution	1	2	0
Disturbing the Peace	72	65	95
Administration of Justice	76	46	51
Other Violations	37	38	15
CRIMINAL CODE TRAFFIC OFFENCES	183	195	74
Impaired Driving	161	183	59
Other CC Traffic	22	12	15

DRUG OFFENCES

YEAR	2018	2019	2020
DRUG OFFENCES - TOTAL	143	68	40
Possession Offences Total	93	20	13
Cannabis	69	6	0
Cocaine	9	4	4
Other Drugs	15	10	9
Trafficking/Production/Distribution Offences - Total	36	20	16
Cannabis	9	2	3
Cocaine	12	8	4
Other Drugs	15	10	9
Posses/Traffic/Produce - Precursors/Equipment	1	0	0
Canabis Act - Offences/Violations	2	10	3
Other Drug-Related Offences	2	3	0

Most Regular and Reserve Forces MPs are male in both the Officer and Non-Commissioned Members ranks. For Regular Forces, the percentage of female MP's at the Officer level is greater than it is for the Canadian Armed Forces overall, while the percentage of females at the Non-Commissioned Members ranks is lower.

MPs BY GENDER

	MP Officer	CAF Officer	MP NCM/NCO	CAF NCM/NCO
Female (Regular Force)	24%	16%	14%	16%
Male (Regular Force)	76%	84%	86%	84%
Female (Reserve Force)	15%	17%	16%	16%
Male (Reserve Force)	85%	83%	84%	84%

MP = Military Police, CAF = Canadian Armed Forces, NCM = Non-Commissioned Members, NCO=Non-Commissioned Officers

SEXUAL RELATED INCIDENTS REPORTED TO THE MILITARY POLICE

	Total	Founded	Unfounded	Not Cleared	Cleared Charge	Cleared Otherwise	Clearance Rate	Involving CAF Member
SEXUAL-RELATED INCIDENTS **(100%)**	234	226	8	97	57	72	57.1%	135
Sexual Assault With Weapon	3	3	0					3
Sexual Assault	173	167	6					102
Total **(75.2%)** Sexual Assaults	176	170	6	77	40	53	54.7%	105
Other Sex Crimes	11	11	0					10
Sexual Interference	12	11	1					7
Invitation To Sexual Touching	2	2	0					1
Sexual Exploitation	2	2	0					1
Total **(11.5%)** Sex Offences Against Children	27	26	1	8	9	9	69.2%	19
Voyeurism	4	4	0					0
Distribution of Images	3	2	1					1
Indecent Acts	5	5	0					1
Child Pronography	15	15	0					8
Public Morals	1	1	0					0
Sexual Offences, Morals & Disorder	1	1	0					0
Sexual Harassment	2	2	0					1
Total **(13.2%)** Other Sex Offences	31	30	1	12	8	10	60.9%	11

Time Elapsed Between Sexual-Related Occurrence and Reporting To Police

Time Elapsed	0 Days	1-7 Days	1 Week-1 Month	1 Month-1 Year	1-10 Years	>10 years
Sexual Assaults	19	23	24	42	41	27
Sexual Offences Against Children	3	4	1	7	8	4
Other	6	6	3	11	5	0
Total	28	33	28	60	54	31

OFFENCE REPORTED TO MILITARY POLICE

YEAR	2018	2019	2020
VIOLENT CRIMES	690	621	410
Homicide	0	0	1
Attempted Murder + Conspiracy to Commit	1	0	0
Assault Level 3 - Aggravated	3	1	2
Assault Level 2 - Weapon or Bodily Harm	18	18	14
Assault Level 1	173	139	89
Assault - Peace Officer	17	8	5
Firearms - Use of, Discharge, Pointing	3	3	2
Robbery	2	2	0
Forcible Confinement/ Kidnapping	9	11	8
Abduction	2	1	2
Extortion	7	6	7
Criminal Harassment	18	20	17
Uttering Threats	59	65	56
Threatening/Harassing Communications	3	3	7
Harassment	68	80	60
Other Violent CC Violations	9	4	3

BORDER DETENTION REQUIRES SOMETHING MORE THAN ROUTINE INVESTIGATION

R. v. Ceballo, 2021 ONCA 791

The accused arrived at the Pearson International Airport in February 2014 on a flight from St. Maarten. She had been flagged in the computer as a **"lookout"**. The lookout included the following:

- Her flight details;
- She was targeted for "contraband";
- Her criminal record for fraud;
- She was travelling alone on a "go-show ticket";
- She had not travelled since 2010;
- She had been on a five-day trip to a "country of high interest for contraband smuggling";
- She had been the "very last person to board the plane sequentially".

The lookout requested the following from Border Service Officers (BSO):

- ***"Please conduct a progressive secondary examination to build any reasonable grounds, considering all methods of concealment such as body packing, ingestion and stuffing"***;
- ***"Please utilize all resources such as XRAY and ION"***; and
- ***"Please verify means and funding of travel – and purpose for last minute travel"***.

A BSO roving among arriving passengers in the baggage hall briefly spoke with the accused and marked her arrival card for a secondary customs inspection. After she claimed her luggage, he commenced a secondary inspection at 10:24 p.m. The BSO questioned the accused about the purpose and funding for her travel. She said she had stayed alone in a resort. Her boyfriend had purchased the ticket for her because she was upset about having miscarried a child. He asked her what she and her boyfriend did for a living and about their income. He examined the contents of her purse and

"[T]he restraint a traveller is under to either comply satisfactorily with a customs inspection or be denied entry into Canada does not constitute detention. Nor is it enough to trigger a detention that the traveller has been subjected to "secondary screening".

conducted an ion swab at 10:33 p.m. The ion swab tested positive for **cocaine**, indicating that the purse had been in contact with cocaine at some undeterminable point in time. The BSO told the accused about the ion test result. She responded that she had borrowed the purse from a friend and did not use drugs. When asked if she had drugs with her, she replied "no". At 10:47 p.m., while the BSO was examining her luggage, he asked the accused if she had drugs strapped to her body. When she admitted that she was in possession of drugs, the BSO arrested her.

The accused was searched incident to her arrest and 3.2 kilograms of cocaine was found strapped to her body. She was charged with importing cocaine under s. 6(1) of the *Controlled Drugs and Substances Act*.

Ontario Superior Court of Justice

The BSO testified, among other things, that the accused remained calm during the inspection. He denied having a particularized or strong suspicion that the accused was committing an offence, or sufficient grounds to detain her prior to her admission that she had cocaine on her body. He explained why individual indicia of possible criminality that he discovered prior to her arrest were not significant. For example, he testified that individuals placed on a lookout may simply be wanted on a warrant, and many innocent people are coded that way; innocent people often have odd stories or "strange answers"; and he often fails to find narcotics after a positive ion test result. The main impact of the ion test, he said, was to give him another question to ask.

The accused suggested, in part, that when she admitted to having the drugs she was already detained but had not been advised of the reason for her detention or of her right to consult counsel without delay as required by ss. 10(a) and 10(b) of the *Charter*. The judge concluded that the accused was not detained. She accepted the BSO's evidence that he did not believe he had the grounds necessary to detain the accused for a *Customs Act* search prior to her admission to having narcotics. In the judge's opinion, there was no evidence that he BSO conducted anything other than a normal and routine screening procedure. The accused's *Charter* application was denied and she was convicted of importation. She was sentenced of six years and three months in prison.

Ontario Court of Appeal

The accused argued, among other things, that the trial judge erred in finding that she had not been detained prior to her arrest because the indicia of detention had been evaluated in a piecemeal fashion rather than cumulatively.

Border Detention

Justice Paciocco, authoring the Appeal Court's opinion, first examined the legal principles relevant to detention at the border. ***"[G]iven the importance of Canada's effective control over its borders, no one entering Canada reasonably expects to be left alone by the state,"*** he noted. ***"As a result, routine inspection of persons entering Canada is not stigmatizing, and principles of fundamental justice permit greater interference with personal autonomy and privacy than would ordinarily be acceptable in a free and democratic society. The concept of detention is tailored to this reality."*** He continued:

> "[T]he restraint a traveller is under to either comply satisfactorily with a customs inspection

> or be denied entry into Canada does not constitute detention. Nor is it enough to trigger a detention that the traveller has been subjected to "secondary screening". In the context of a traveller crossing the border, there are two alternative ways of identifying when the line has been crossed and a detention will occur. [references committed, para. 19]

Justice Paciocco noted there appeared to be two ways in which to identify the point when a person may be detained in the border context: (1) a BSO engages in intrusive, non-routine investigation or (2) a BSO has formed a strong particularized suspicion that a person was committing an offence and had decided to commence an intrusive investigation.

Intrusive, Non-routine Investigation:

"The line between detention and routine investigation is not always bright," said Justice Paciocco:

> … [I]n assessing whether a border investigation has reached the point where it is intrusive enough to trigger a detention, it must be appreciated that given the importance of border security, a robust concept of permissible "routine forms of inspection" operates. For example, the use of x-rays and ion scans capable of detecting drugs are routine forms of inspection. So, too, is questioning related to the contents of luggage, or the provenance of those contents. Similarly, questions intended to expose possible contraband or immigration issues, including questions about marital or employment status, income, or the purpose of a trip, or questions intended to probe the credibility of the answers a traveller has provided, are routine.
>
> By contrast, searches conducted pursuant to s. 98 of the Customs Act, including strip searches, body cavity searches, and "bedpan vigils", are intrusive and will trigger a finding of detention. Of more immediate relevance to the instant case, questions cross the line and become intrusive when they amount to a coercive or adversarial interrogation, contain improper inducements, or exert unfair pressure. [references omitted, paras. 21-22]

BY THE BOOK:

Customs Act

Search of the person

s. 98 (1) An officer may search

(a) any person who has arrived in Canada, within a reasonable time after his arrival in Canada,

(b) any person who is about to leave Canada, at any time prior to his departure, or

(c) (any person who has had access to an area designated for use by persons about to leave Canada and who leaves the area but does not leave Canada, within a reasonable time after he leaves the area,

if the officer suspects on reasonable grounds that the person has secreted on or about his person anything in respect of which this Act has been or might be contravened, anything that would afford evidence with respect to a contravention of this Act or any goods the importation or exportation of which is prohibited, controlled or regulated under this or any other Act of Parliament.

Person taken before senior officer

(2) An officer who is about to search a person under this section shall, on the request of that person, forthwith take him before the senior officer at the place where the search is to take place.

(3) A senior officer before whom a person is taken pursuant to subsection (2) shall, if he sees no reasonable grounds for the search, discharge the person or, if he believes otherwise, direct that the person be searched.

Search by same sex

(4) No person shall be searched under this section by a person who is not of the same sex, and if there is no officer of the same sex at the place at which the search is to take place, an officer may authorize any suitable person of the same sex to perform the search.

"[S]earches conducted pursuant to s. 98 of the Customs Act, including strip searches, body cavity searches, and "bedpan vigils", are intrusive and will trigger a finding of detention."

Strong Particularized Suspicion + Decision to Conduct a More Intrusive Inquiry:

Sometimes an officer will ask questions in circumstances where the BSO objectively has ***"sufficiently strong particularized suspicion"*** and subjectively decides to conduct a more intrusive inquiry. This, and perhaps something more, may crystallize an interaction between a BSO and a traveller into a detention. ***"In addition to having a sufficiently strong particularized suspicion, and a subjective decision to engage in an intrusive investigation or detain the subject, the border services officer may have to engage in some action that makes that intention known to the traveller,"*** said Justice Paciocco. ***"This requirement is consistent with the foundation for the constitutional concept of detention, resting as it does in the physical or psychological detention of the accused."*** However, it was necessary to resolve this alternative mode of identifying detention. Even if no additional action or step by the BSO was required beyond having a sufficiently strong particularized suspicion and making a subjective decision to engage in an intrusive investigation, the trial judge did not err in concluding that the BSO did not go beyond routine investigation.

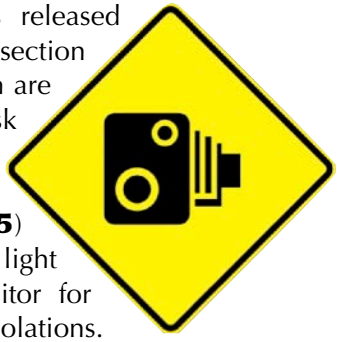
First, the accused had the burden of establishing that she was detained, yet she chose not to present evidence. The only evidence presented was that the BSO conducted routine searches of the accused's belongings and engaged in routine questioning. There was no evidence that the BSO told the accused that she was going to be strip searched. Rather, it appeared at most that he only described his s. 98 *Customs Act* powers but did not threaten to use them. Nor was the only reasonable conclusion that the BSO had formed a "sufficiently strong particularized suspicion" and had subjectively decided to engage in an intrusive investigation. Just because a traveller is targeted for investigation for a specific kind of offence does not amount to a particularized suspicion. It will ***"depend on the cogency of the information supporting the suspicion"***:

> There is therefore an important difference between having general suspicion that a person seeking entry could be engaged in criminality and having the sufficiently strong particularized suspicion that can open the door to a finding of detention. For this reason, the mere fact that the traveller has been targeted for investigation, even for a suspected general category of offence, does not constitute a sufficiently strong particularized suspicion.
>
> In my view, the trial judge was entitled to find that [the accused] was not detained. The tip or lookout was not particularly significant. It disclosed only that [the accused] presented with a general profile that warranted attention. Similarly, it was open to the trial judge on the evidence before her to find, as she did, that the ion scan result did not have particular significance. The trial judge also considered the exchange that occurred between [the BSO and the accused]. She was entitled, on this record, to conclude that prior to [the accused's] admission that she had cocaine in her possession [the BSO] did not have objective grounds to detain her. Although it would have been preferable for the trial judge to have said expressly that she was not satisfied that [the BSO] had a sufficiently strong particularized suspicion to trigger a detention, that was the clear purport of her comments, and I would take no issue with that outcome.
>
> Similarly, the trial judge was entitled to accept [the BSO's] testimony that he did not believe subjectively that he had grounds to detain [the accused] prior to her admission that she had cocaine strapped to her body. … [reference omitted, paras. 38-40]

The accused's appeal was dismissed.

Complete case available at www.ontariocourts.on.ca

198 KM/H: TOP SPEED RECORDED ON BC INTERSECTION CAMERA

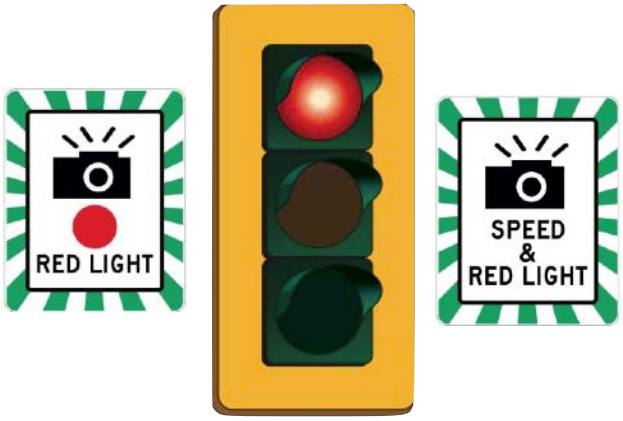


British Columbia has released statistics for its intersection safety cameras which are located at 140 high-risk intersections throughout the province. One hundred and five (**105**) cameras monitor for red light violations while **35** monitor for both red light and speed violations. The cameras operate 24 hours a day, seven days a week.

So far in 2021, from January to September, there have been **49,328** red light tickets issued and **38,167** speeding tickets issued. During the same period in 2020, there were **48,686** red light tickets issued and **60,370** speeding tickets issued.

Source: Intersection safety violation ticket statistics

INTERSECTION CAMERA TICKETS			
	2021		
Term	Jan-Mar	Apr-Jun	Jul-Sep
Red Light Tickets	13,242	16,486	19,600
Speeding Tickets	10,252	14,284	13,631
Highest Speed	181 km/h 60 zone	198 km/h 80 zone	162 km/h 60 zone



BC INTERSECTION SAFETY CAMERA PROGRAM		
Year	2019	2020
Red Light Tickets	83,358	64,379
Paid	73,490 **(88%)**	61,070 **(95%)**
Disputed	3,775 **(5%)**	3,278 **(5%)**
Speeding Tickets	9,721	72,546
Paid	4,101 **(42%)**	49,640 **(68%)**
Disputed	525 **(5%)**	5,143 **(7%)**
Total Tickets	93,079	136,925
Net Revenue Paid	$11,355,265	$17,697,761
	Source: Intersection Safety Camera Program Annual Report 2019	Source: Intersection Safety Camera Program Annual Report 2020

JUSTICE INSTITUTE of BRITISH COLUMBIA

SCHOOL OF CRIMINAL JUSTICE & SECURITY

JUSTICE & PUBLIC SAFETY DIVISION

BACHELOR OF LAW ENFORCEMENT STUDIES (BLES)

Get Ahead of the Competition

Today's law enforcement and public safety environment is complex. Employees in public and private organizations are increasingly being called upon to perform inspections, investigations, security supervision, enforcement and regulatory compliance functions. The Bachelor of Law Enforcement Studies (BLES) provides expanded opportunities in the study of law enforcement and public safety and will position you to be a sought-after candidate in a highly competitive recruiting environment. Our education program will prepare you for success by developing your leadership skills, and enhancing your interpersonal communications, critical thinking and ethical decision making.

WHAT WILL I LEARN?

This comprehensive program will prepare you to contribute to a just and fair society as a member within a variety of criminal justice and public safety professions. Graduates will obtain:

- An in-depth knowledge of the Canadian criminal justice system.
- Analysis and reasoning skills informed by theory and research.
- Skills required to effectively work within a law enforcement agency.

WHO SHOULD TAKE THIS PROGRAM

- Graduates of JIBC's two-year Law Enforcement Studies Diploma (LESD) or applicants a diploma or associate degree in a related field can begin in the third year of the Bachelor of Law Enforcement Studies program.
- Applicants who have completed a peace officer training program with a minimum of three years full-time service in a recognized public safety agency with a Prior Learning Assessment that would allow for 60 credits to be granted towards completion of the degree program.

CAREER FLEXIBILITY

The program will provide you with the in-depth knowledge, expanded skills and competencies to seek employment in a wide range of law enforcement, public safety, regulatory, and compliance fields offering you more career flexibility and professional development. Examples of potential roles include:

- police officer
- conservation officer
- animal cruelty officer
- border services agency official
- fraud investigator
- by-law enforcement officer
- regulatory enforcement officer
- gaming investigator
- correctional officer
- deputy sheriff
- intelligence services officer
- probation officer

BACHELOR OF LAW ENFORCEMENT STUDIES (BLES)

CURRICULUM AT A GLANCE

Courses in years one and two are offered through the Law Enforcement Studies Diploma. Years three and four build on these courses to complete the degree. Students can pursue their third and fourth year studies full-time or part-time to complete the final 60 credits.

Year 3

- Criminal & Deviant Behaviour
- Comparative Criminal Justice
- Leadership in a Law Enforcement Environment
- Search & Seizure Law in Canada
- Organizational Behaviour
- Investigations & Forensic Evidence
- Restorative Justice
- Project Management
- Data & Research Management

Year 4

- Aboriginal People and Policy
- Multiculturalism, Conflict and Social Justice
- Administrative and Labour Law in Canada
- Applied Research in Public Safety and Law Enforcement
- Professional Practice in Justice and Public Safety
- Crisis Intervention
- Research Project
- Governance and Accountability in Law Enforcement
- Terrorism and Society
- Organized Crime and Society

PROGRAM FORMAT

Students can pursue their studies full-time at the New Westminster campus or online. The full-time on-campus format consists of 60 credits completed over two years with courses over the fall and winter semesters (five courses per semester). The online format consists of 60 credits that must be completed within five years with the flexibility to take courses in the fall, winter and spring-summer semesters.

HOW TO APPLY?

Credit for the first two years of BLES will be granted to students who meet the program's admission requirements. For details on admission requirements and application deadlines please visit our website at jibc.ca/bles.

FOR MORE INFORMATION:

jibc.ca/bles

bles@jibc.ca
604-528-5778

STAY CONNECTED:

JIBC: Justice Institute of British Columbia

@JIBCnews

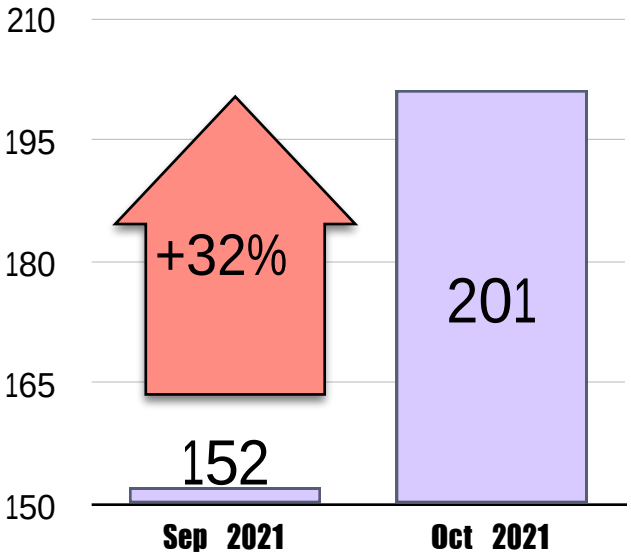
JUSTICE INSTITUTE of BRITISH COLUMBIA

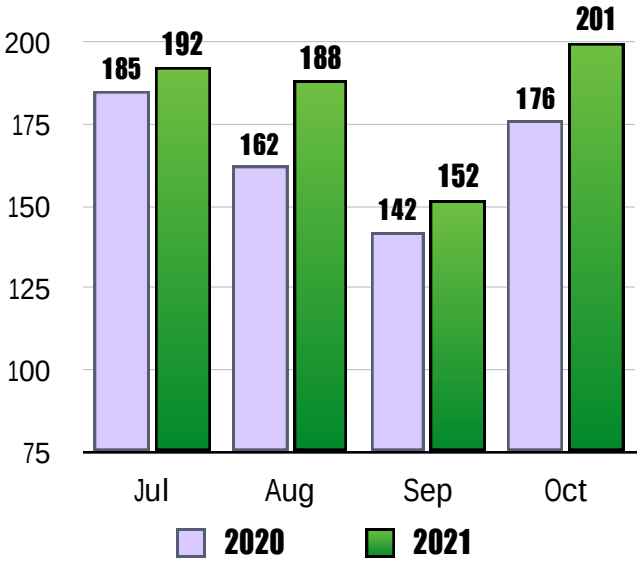
715 McBride Boulevard
New Westminster, BC V3L 5T4
Canada

Justice Institute of British Columbia (JIBC) is Canada's leading public safety educator recognized nationally and internationally for innovative education in justice, public safety and social services.

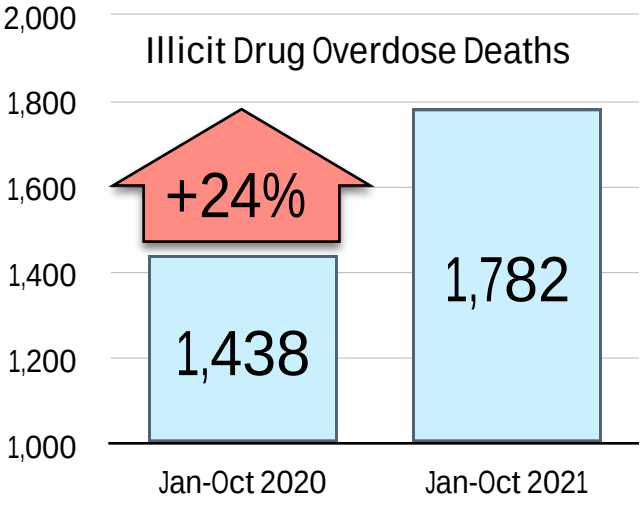
2021 BC ILLICIT DRUG TOXICITY DEATHS OUTPACING PREVIOUS YEAR

The Office of BC's Chief Coroner has released statistics for illicit drug toxicity deaths (formerly known as illicit drug overdose deaths) in the province from **January 1, 2011 to October 31, 2021**. In October 2021 there were **201** suspected drug toxicity deaths, the highest single month total ever recorded. This represents a **+32%** increase over the number of deaths occurring in September 2021 (**152**).





In 2021, there has been a total of **1,782** suspected drug overdose deaths from January to October. This represents an increase of **344** deaths over the 2020 numbers for the same time period (**1,438**).

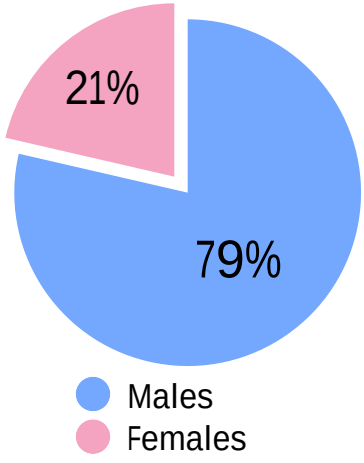


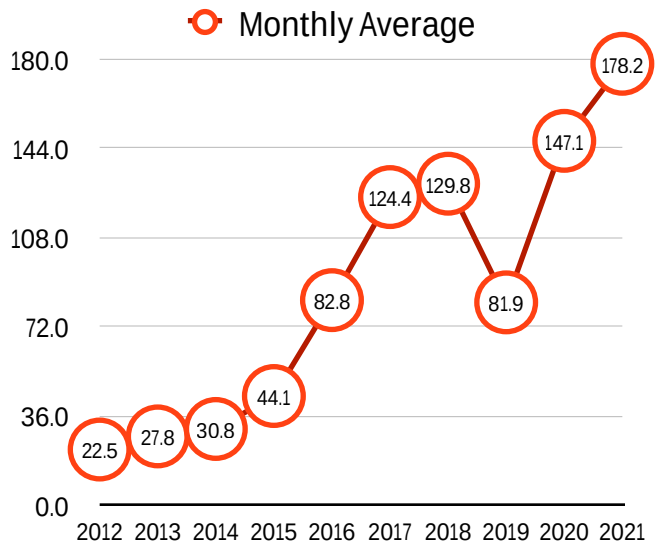
People aged 50-59 were the hardest hit so far in 2021 with **450** illicit drug toxicity deaths, followed by 30-39 year-olds (**424**) and 40-49 year-olds (**390**). There were **250** deaths among people aged 19-29, **217** deaths among 60-69 year-olds while those under 19 years had **23** deaths. Vancouver had the most deaths at **419** followed by Surrey (**221**), Victoria (**110**), Abbotsford (**68**), Burnaby (**61**) and Kamloops and Kelowna, each with **60**.

Overall, the 2021 statistics amount to about **6.5 people dying every day of the year.**

Deaths by Sex

Males continue to die at about a **4:1** ratio compared to females. From January to October 2021, **1,400** males had died while there were **381** female deaths. One person's sex was not known.





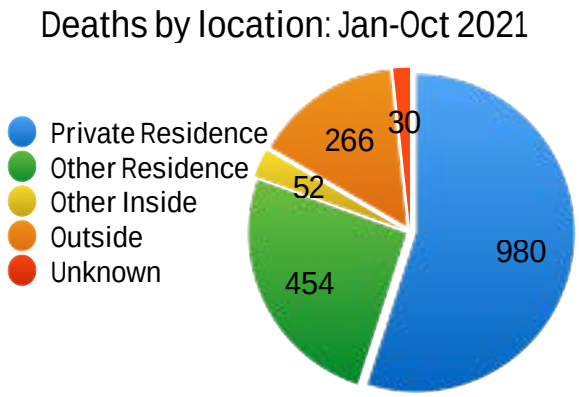
The January to October 2021 data indicated that most illicit drug toxicity deaths (**83%**) occurred inside while **15%** occurred outside. For **30** deaths, the location was unknown.

"**Private residence**" includes residences, driveways, garages, trailer homes.

"**Other residence**" includes hotels, motels, rooming houses, shelters, etc.

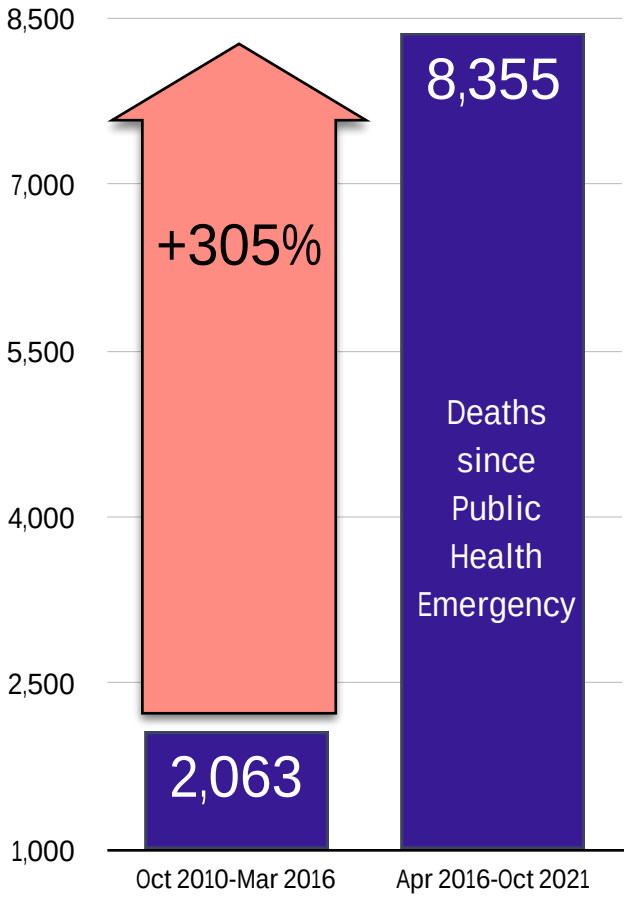
"**Other inside**" includes facilities, occupational sites, public buildings and businesses.

"**Outside**" includes vehicles, streets, sidewalks, parks, wooded areas, campgrounds and parking lots.



DEATHS SINCE PUBLIC HEALTH EMERGENCY

In April 2016, BC's provincial health officer declared a public health emergency in response to the rise in drug overdoses and deaths. The number of overdose deaths in the **66** months preceding the declaration (Oct 2010* — Mar 2016) totalled **2,063**. The number of deaths in the **66** months following the declaration (Apr 2016 — Oct 2021) totalled **8,355**. This is an increase of almost **305%**.

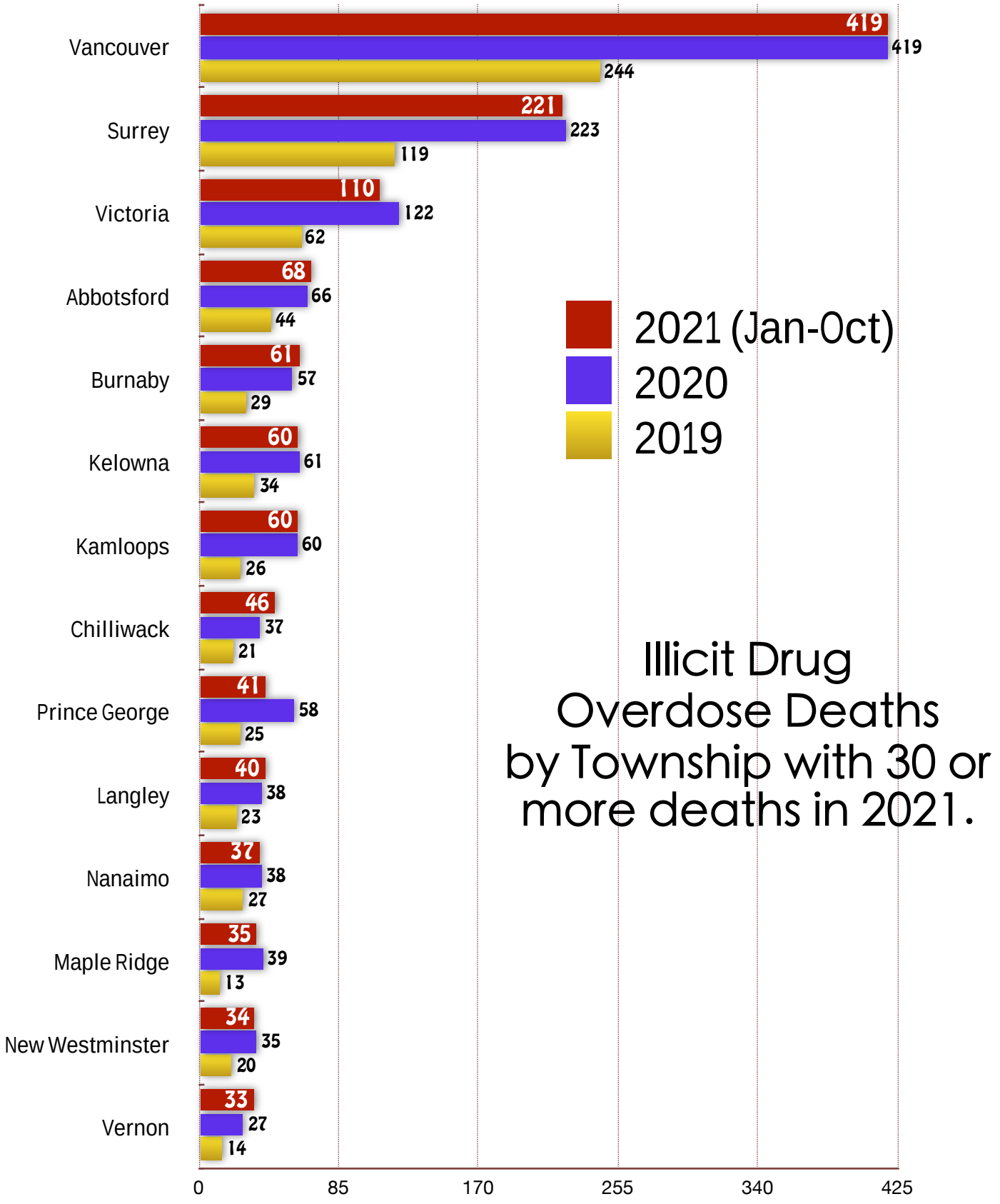


Source: Illicit Drug Toxicity Deaths in BC - January 1, 2011 to July 31, 2021. Ministry of Public Safety and Solicitor General, Coroners Service. September 29 2021.

* December 2010 stat taken from Illicit Drug Toxicity Deaths in BC January 1, 2010 – September 30, 2020. October 20, 2020.

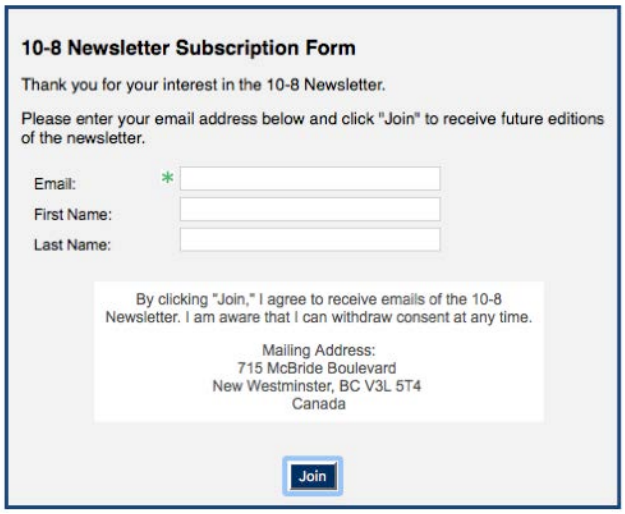
TYPES OF DRUGS

The top five detected drugs relevant to illicit drug overdose deaths from 2018 - 2021 were illicit fentanyl and its analogues, which was detected in **86.8%** of deaths, cocaine (**47.9%**), methamphetamine/amphetamine (**39.8%**), ethyl alcohol (**27.9%**) and benzodiazepines (**7.6%**). Other opioids (**29.4%**), such as heroin, codeine, oxycodone, morphine and methadone, and other stimulants (**3.0%**) were also detected.


Vancouver
419
419
244
Surrey
221
223
119
Victoria
110
122
62
Abbotsford
68
66
44
Burnaby
61
57
29
Kelowna
60
61
34
Kamloops
60
60
26
Chilliwack
46
37
21
Prince George
41
58
25
Langley
40
38
23
Nanaimo
37
38
27
Maple Ridge
35
39
13
New Westminster
34
35
20
Vernon
33
27
14
2021 (Jan-Oct)
2020
2019
0
85
170
255
340
425
Illicit Drug Overdose Deaths by Township with 30 or more deaths in 2021.

"In Service: 10-8" Sign-up Now

Are you interested in regularly receiving the In Service: 10-8 newsletter by email. You can sign up by clicking here. This will take you to the free Subscription Form that only requires an email.



10-8 Newsletter Subscription Form

Thank you for your interest in the 10-8 Newsletter.

Please enter your email address below and click "Join" to receive future editions of the newsletter.

Email: *

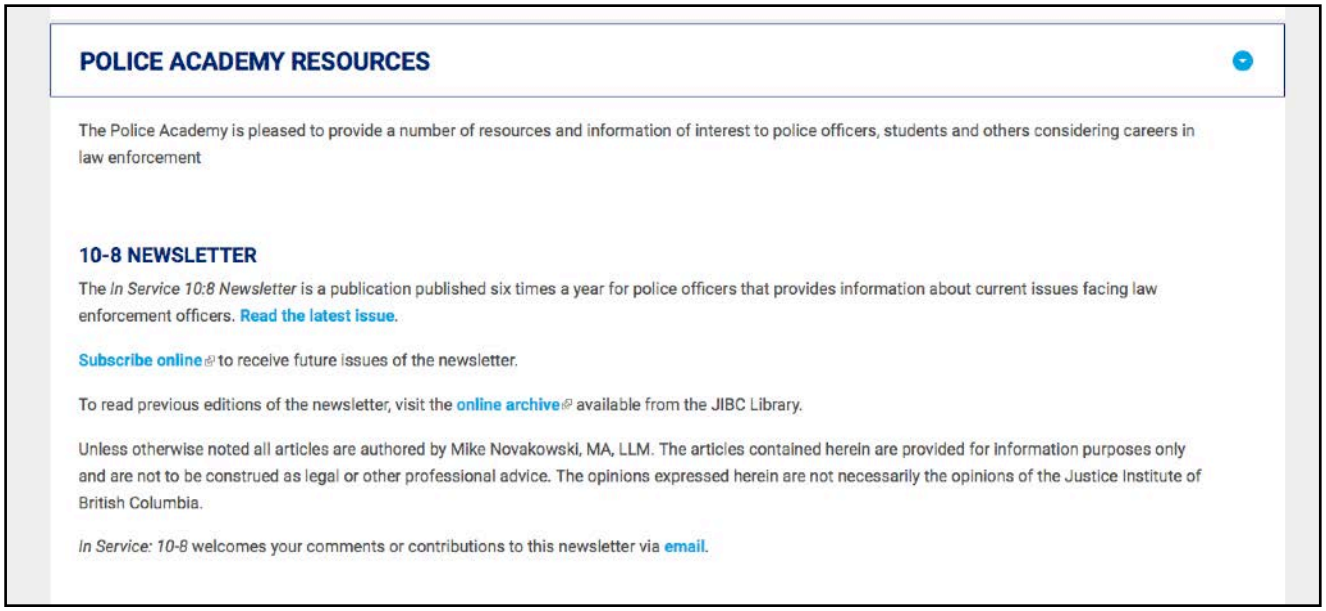
First Name:

Last Name:

By clicking "Join," I agree to receive emails of the 10-8 Newsletter. I am aware that I can withdraw consent at any time.

Mailing Address:
715 McBride Boulevard
New Westminster, BC V3L 5T4
Canada

Join



POLICE ACADEMY RESOURCES

The Police Academy is pleased to provide a number of resources and information of interest to police officers, students and others considering careers in law enforcement

10-8 NEWSLETTER

The *In Service 10:8 Newsletter* is a publication published six times a year for police officers that provides information about current issues facing law enforcement officers. **Read the latest issue.**

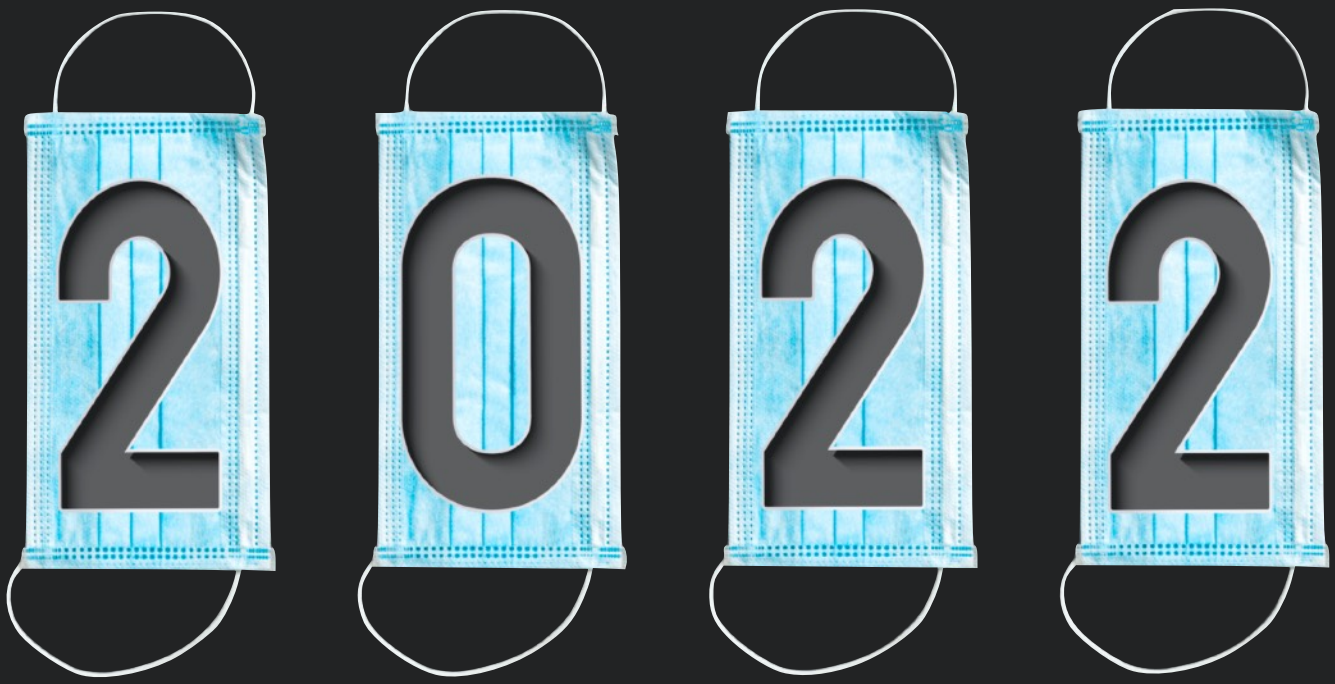
Subscribe online to receive future issues of the newsletter.

To read previous editions of the newsletter, visit the **online archive** available from the JIBC Library.

Unless otherwise noted all articles are authored by Mike Novakowski, MA, LLM. The articles contained herein are provided for information purposes only and are not to be construed as legal or other professional advice. The opinions expressed herein are not necessarily the opinions of the Justice Institute of British Columbia.

In Service: 10-8 welcomes your comments or contributions to this newsletter via **email.**

Also visit the online archive.



HAPPY NEW YEAR