



# *the* Service Star

The Official Newsletter of the British Columbia Mounted Police Professional Association

Volume Fifteen

Issue Two

Summer-Fall 2009

## Are you a member of the Mounted Police Members' Legal Fund?

Read on and learn how your money is being used!

*by Rob Creasser, Vice President, BCMPPA*

As you are no doubt well aware by now, an Ontario Superior Court of Justice decision rendered by Justice MacDonnell has struck down Section 96 of the RCMP Act Regulations mandating the Staff Relations Representative Program as the only system of labour relations for RCMP members. The Government of Canada has appealed this decision to the Ontario Court of Appeal. They have also asked that the appeal be placed on hold until the Supreme Court of Canada hears a case called "Fraser". Fraser centers on whether newly enacted legislation in Ontario, (The Agricultural Employees Protection Act, (AEPA), went far enough to protect the collective rights of agricultural workers in Ontario. The Ontario Court of Appeal said "No" and now the Supreme Court of Canada will hear the case on December 17 this year.

What does this have to do with RCMP members and the Mounted Police Members' Legal Fund? The legal fund has sought to obtain intervener status at the Fraser court case so that it can explain the system of labour relations for RCMP members and show that the legal fund can act as a substitute of real collective

bargaining. Secretary Treasurer of the Legal Fund, A. Gordon Clarke, confirms that intervener status is being sought for the Fraser case stating that SRRs and the Legal Fund did not know that they could obtain intervener status at the Ontario Superior Court of Justice trial where Section 96 of the RCMP Regulations was struck down.

What Mr. Clarke did not say was that SRR Ken Legge provided testimony and an affidavit at this trial and that Justice MacDonnell was well aware of what the capabilities of the SRR system were when he made his decision to strike down Section 96.

What's the bottom line here? The bottom line is that the Mounted Police Members' Legal Fund is preparing to spend somewhere between \$12,000 and \$17,000 of your money to try and convince a court that the current system works for RCMP members. How many of you were consulted about this use of your money? Mr. Clarke states that the membership of the Legal Fund is advised of how the money is being spent in an

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## Our Mission

The B.C. Mounted Police Professional Association is comprised of regular and civilian members of the Royal Canadian Mounted Police.

We provide a forum to identify, debate and reach consensus on professional and employment concerns.

We seek the right to engage in free collective bargaining with our employer, a right enjoyed by all police officers in Canada, except the RCMP. **We do not seek or support the right to strike.**

We strive for excellence in our conduct and obligations. We provide leadership, in affiliation with the Canadian Police Association, on justice issues which affect the quality of life of all Canadians.

## Profile

The B.C. Mounted Police Professional Association used to be known as the "E" Division Members' Association.

We are a professional association looking out for the interests of employees of the Royal Canadian Mounted Police stationed in British Columbia ("E" Division).

# President's Corner

by Pat Mebain

First off I would like to apologize to membership for the delay in the late issue of our newsletter. As you know, we the Executive, are doing Association work during our spare time and as such, from time to time, other matters take precedence. Having said that, we are all committed to pursuing what we think is a right denied to all our members.

Obviously by now you are aware that in a not so surprising move, the Crown, with few hours to go before the window to appeal expired, filed its appeal. The grounds for appeal as outlined by Crown are as follows:

- The Ontario Superior Court, on the standard of review of correctness, erred in declaring that s. 96 of the RCMP Regulations, which provides for the Staff Relations Representative Program (SRRP), violated the RCMP members' rights to freedom of association under s. 2(d) of the Charter.
- The Superior Court erred in finding that s.96 of the Regulations substantially interferes with the freedom of members of the RCMP to engage in a process of collective bargaining.
- The Superior Court erred in finding that s.96 of the Regulations is not a reasonable limit on s.2 (d) of the Charter and cannot be justified under s.1

To delay the proceedings even further the Crown then brought a motion to stay the MacDonnell decision and the perfection and hearing of the appeal, all pending the decision in the *Fraser* matter to be heard by the Supreme Court in December (probably to be decided next spring). The *Fraser* case is the follow-up on the agricultural workers constitutional chal-

lenge that was decided by the Supreme Court in 2001. In the latter motion to stay, the Crown argues that the stay it seeks would serve the public interest because the *Fraser* decision could address, one way or the other, whether "alternative models of collective bargaining, such as the current SRR program" are constitutionally sound, the legislative response by the government, if any, would have the benefit of the wisdom of *Fraser*, and in the interim, the members' confidence in the SRR Program would be maintained. The Government argued that the *Fraser* may support its position that the legislative framework of the SRR Program is constitutionally valid. Furthermore, the Government's position was that without the benefit of a final disposition of the *Fraser* decision it would result in:

- a) loss of public confidence in the effectiveness and efficiency of the legislative process; and,
- b) disruption of labour relations in the RCMP

In response to these latest legal proceedings, our legal firm Doane & Young LLP filed a Factum on the Stay Motion. On October 23, the presiding judge dismissed the appeal and entitled the Associations to recover their costs of \$10,000.

So now for more good news... In an August 2009 decision Justice MacDonell ruled that the Association is entitled to recover a large amount of our costs. Our counsel submitted that the Government reimburses us \$548,000. The Crown submitted that no costs should be awarded or alternatively the amount be fixed at



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*"the presiding judge dismissed the (Fraser) appeal and entitled the Associations to recover their costs of \$10,000.... Justice MacDonell ruled that we are entitled to receive \$300,000"*

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Continued from page 3: President

\$80,000. Justice MacDonell ruled that we are entitled to receive \$300,000 back. This money will again be used to continue our fight to the next level (Supreme Court) which it will undoubtedly get to in the end.

Another glimmer of hope is Bill C-437 which was again reintroduced in the House of Commons in September 2009 by Liberal MP McTeague. This Bill is an act to amend the RCMP Act and more specifically the labour relations portion giving members the right to have an association. As some of you may recall similar bills have been introduced in either the House or Senate for the past few years. Unfortunately, due to Parliament being prorogued so many times it died on the order paper. As far as we know, the NDP, the Bloc and some Liberals, if not the entire Caucus, is in support of this Bill. Now if the Government would function for the duration of its session we may have a chance of getting this bill passed as opposed to costly court challenges.

As you can see the Association has not lost its momentum. We are on track and fighting on behalf of our membership. Again we ask you the members to help educate the non-Association members as to what we do and what we stand for. As such we have included some information

brochures which we hope you take the time to hand to a fellow member.

And as always the Executive is open to your suggestions and concerns so feel free to contact us.

Oct 28-30: Myself and Rae Banwaire attended the BCPA (British Columbia Police Association) meeting in Parksville. Several issues were discussed and the BCPA pledged their continuing support for the Association. In addition there were a couple other issues I wanted to share. Calgary PD just ratified their latest contract and the numbers break down to just over 10% to the end of 2010. Over 5% is to be retroactive to January 2009. Funny how I hear so many members say we don't need a union or collective bargaining. I guess the 0.5% service pay and the 1.5% raise is satisfactory to them.

On another note the municipal forces in this province are abiding by a Supreme Court of Canada ruling. This ruling is referred to as the McNeil Decision and creates an obligation for police to disclose, as part of the first party disclosure package to Crown, records relating to serious misconduct. These include all discipline files any and all convictions including traffic and bylaw convictions. VPD and the other municipal forces have taken proactive steps to mitigate any stress or issues arising from this ruling. Our OIC has signed an agreement to abide by this ruling and yet I have not heard a single word from anyone stating how this issue will impact us or how it is going to be dealt with. I have been unable to find a single person within the RCMP that knows of this ruling, any policy the RCMP has created around it or how it intends to deal with it. It appears to me the OIC is too busy with Olympics or other issues to be concerned with some unsuspecting member that is going to be blindsided in court.

Our AGM is quickly approaching and I hope to see you all in December.



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Continued from page 1: Legal Fund

annual newsletter that is sent out to all Legal Fund members. Once a year, wow! How timely is that? I recently went on the MPMLF website to see if any information on this matter was posted there. NA DA, NOTHING, ZIP!!

As SRRs are the stewards of the funds placed into the Mounted Police Members' Legal Fund they determine how that money is spent and on what issues. It would

appear they would have a vested interest in maintaining the status quo in terms of their jobs and current status. *Hold them to account and demand that they spend your money on other important issues other than trying to preserve their own jobs!* You could also simply withdraw from the fund until the stewards become more accountable for their spending habits.

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*Hold them to account and demand that they spend your money on other important issues other than trying to preserve their own jobs!*

## We are pleased to announce our new partnership with BCAA.



**Now you and your family can access Travel, Insurance and Membership at BCAA through the MPPA Group Plan. This means valuable benefits and savings.**

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- Discount on Home Insurance\*
- Excellent monthly payment offer for Travel Medical Insurance\* – save money plus you only buy the coverage you need
- A full range of auto insurance\* products to suit your needs
- Watch for exclusive cruises, vacation packages and offers on travel - designed for our industry and members - in fact our first offer is included in this issue – CHECK OUT THE FLYER!

*And don't forget, BCAA members also get up to 50% off at Show Your Card and Save Partners - glasses, paint, shoes, hotels and more. See enclosed brochure for details.*

### **HOW TO GET STARTED:**

**MPPA members must register with BCAA.** This is free, and you don't have to be a BCAA member to register, but registration ensures that our offers are available to you. Even if you are already a BCAA member, you have to call in and identify yourself as a MPPA member so you can take advantage of these extra special savings. Take a few minutes and call **1-888-268-5154**.

**P.S. Want to go to the movies?** If you sign up for a new BCAA membership and refer a friend who signs up too, BCAA will send you 2 movie passes. It's that easy! Don't wait though – this is a limited time offer.

*\*Insurance is sold by BCAA Insurance Agency and underwritten by various underwriters*



# RCMP slow to protect

Police force yet to use program designed to identify threatening

*Edmonton Journal, October 20, 2009*

The RCMP have failed to bring in a proactive program that would help them identify and safely deal with lethal threats to justice officials, such as mass murderer James Roszko, says retired RCMP forensic psychologist Matt Logan, who developed the program in response to the Mayerthorpe massacre.

"I've got a lot of friends and family who are cops, and I just think that we need to use the knowledge that we've got to protect our people," Logan says. "I think we (the police) do an admirable job of protecting the public...I would like them go a step further and put something in place that would ensure that we have no more Mayerthorpes."

Long before the Mayerthorpe massacre of March 3, 2005, Logan and forensic psychologists had developed a general program for RCMP behavioural scientists to evaluate threatening people, those who had come to their attention because of a complaint. This program is in place in "K" Division, says police spokesman Cpl. Wayne Oakes, and 250 individuals who are a threat to both the members of the public and the police have been identified, with plans put in place to safely deal with them.

"K" Division has also created its own unit to assess and help manage these threatening individuals.

But in the wake of Roszko's mass murder of four RCMP officers, Logan has come to believe it isn't safe to just wait for a complaint in order to identify threatening individuals. Other killers such as

Roszko might fall through the cracks, he fears.

Instead, Logan says, RCMP behavioural scientists should seek out police officers, judges, parole officers and Crown prosecutors and ask them to identify the hundreds of men and women who have made threats specifically against the police or other justice officials.

"It's very proactive," he says of this approach. "The other (existing) one is totally reactive. ... It's totally inadequate to handle an everyday threat, let alone the kind of threat I'm talking about."

The level of threat posed by each subject would be judged on a template that Logan has developed. They would be scored for dangerousness by looking at different factors, including the person's level of psychopathy, history of violence, substance abuse, weapons offences, signs of a mental disorder and thrill-seeking behaviour. A handful of new RCMP risk assessors would have to be rigorously trained to do this work.

At first, RCMP bosses in Alberta, Saskatchewan and Manitoba were enthused about this plan, but it was never adopted, Logan says.

"I know that they've got their manpower shortages, but I thought that there were ways of shuffling people around so we could prioritize this piece....It's a priority because I'm not interested in waking up in the morning and hearing that we've had another police officer shot.

"And when another police officer is shot, I'm willing to say that there's prob-

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*"I think we (the police) do an admirable job of protecting the public...I would like them go a step further and put something in place that would ensure that we have no more Mayerthorpes."*

# officers: *expert*

people – *Matt Logan*

ably an 80-per-cent chance that it will be by somebody we could have known ahead of time.”

Cpl. Oakes says it would be too costly to constantly seek out and evaluate individuals who might pose a threat, even though it might be a good idea to do so if you had an ideal world with unlimited resources. “You would have to have absolute scads and scads and scads of resources to do that and that is not reasonable.”

There’s also the issue of the police casting too wide a net and assessing too many people, bringing on accusations of a police state. “We may have some in the public that would soon start to cry, ‘Big Brother! Big Brother!’” Oakes says.

The current process of threat assessment works, he says. “Both from the perspective of ensuring the safety of our officers and the public it’s a very good process.”

While the RCMP haven’t adopted his program, Logan says a major police force in the US is now implementing it.

To come up with his new program, Logan – who retired in January 2009 and now works as a consultant and lecturer on psychopaths, and as an expert witness on sexually violent predators – studied FBI research on hundreds of cop killings. It showed most such murders aren’t carried out on the spur of the moment. Instead, the killers have planned to murder a police officer.

All individuals identified under Logan’s system would have an operational plan developed to instruct officers on how to

deal with such people, something that Oakes says has been done already with the 250 currently identified as threats to the public and police.

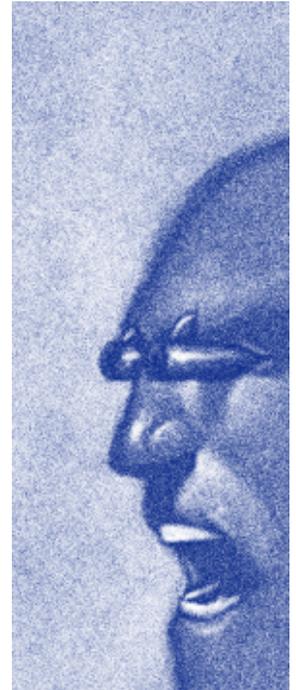
For instance, it would likely be determined that when dealing with such a threatening person there should always be at least two police officers present, Logan says. “It’s really a lot of safety features.”

The program would help any officer new to an area or dealing with an unknown person. “Forewarned is fore-armed,” Logan says. “They would know this person has the potential of igniting. They wouldn’t have to second-guess what they would do with this person. The plan would be in place and they would follow the plan.”

The program would have identified Roszko as a threat, Logan says, and it would also instructed the police not to leave a few officers guarding his place, but to deploy an Emergency Response Team, a heavily-armed tactical unit, on his property until Roszko was apprehended.

“Now, obviously, we’re talking from an armchair quarterback position,” Logan says. “The point here is not, ‘Did we screw up in Mayerthorpe?’ It’s what can we learn from it that’s going to save more lives in the future”

Retired RCMP officer Matt Logan consults for law enforcement agencies worldwide on cases involving sex offenders and psychopaths.



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*They would be scored for dangerousness by looking at different factors, including the person’s level of psychopathy, history of violence, substance abuse, weapons offences, signs of a mental disorder and thrill-seeking behaviour.*

## RESEARCH VOLUNTEERS NEEDED

My name is Mike Funicelli. I am a regular member presently attached with the Combined Forces Special Enforcement Unit (CFSEU) in Montreal. I am also a candidate in the Masters degree program in Psychology at Concordia University in Montreal. I am looking for regular members across Canada who are currently staffed in investigative sections whose mandate is the investigation of serious crimes and who would like to volunteer in a research project on personality and the interrogation of suspects.

The sections of interest are:

- serious crime units
- general investigation section
- organized crime
- commercial crime
- proceeds of crime
- drug enforcement
- customs and excise
- immigration and passport
- national security
- war crimes
- traffic accident (fatal MVA only)
- general duty (only if involved in a serious crime investigation)
- any other enforcement section tasked with the investigation of serious crimes

This study is conducted under the supervision of Dr. Jean-Roch Laurence. This research is only possible with your participation. What is asked of you is not complicated. Your involvement requires that you answer a series of questionnaires and that you fill out a brief monthly questionnaire on your interrogations for 6-12 months.

Upon completion, you will be asked to forward the questionnaires directly to Dr. Jean-Roch Laurence. He will encode the participants' name and any other personal identifiers. He will be the only holder of the encoding key. You will only be known to me as participant number "X". All documents are confidential and the sole property of Concordia University. As a result, your participation will remain completely anonymous to me and the RCMP.

If you are interested in assisting me with this research project, I ask that you communicate with the undersigned by leaving your contact information at: (514) 767-0452 (extension 2031) or via GroupWise.

Thank you.

Michel Funicelli  
#38491



## *In Memoriam . . .*

On July 6, 2009, Provincial Constables **Alan Hack** and Lynne Neale of the Elgin County OPP detachment were involved in a two-vehicle collision. Both officers were transported to the Four Counties Hospital in Newbury Ontario. Constable Hack succumbed to his injuries. Cst. Hack was a recent graduate having started in May 2009 and was recently engaged to be married.

On September 7, 2009 Constable **Mélanie Roy** of the Lévis Police died while on duty in a motor vehicle accident. Officer Roy is survived by her twin sister and her parents.

# Ramps cost money

## Calls for 'in your face policing' have a price, and not just in cash

*The Winnipeg Sun, Wed Aug 26 2009*

In the wake of continued gang violence, shootings, beatings and the like, talk of a ramped up gang suppression strategy from politicians and bureaucrats has rekindled. More and more is said about the need for aggressive policing tactics. The old tag line "in-your-face policing initiatives" is trotted out.

To hear it from politicians and civic executives you'd think it was as simple as increasing police presence and being more confrontational with these lesser lights of society.

Truth is 20-30 years ago that may have been not only possible but productive too. However it shows a surprising lack of recognition by today's politicians and civic leaders. Times have changed.

The invasive tactics of yesteryear may have had their place but today they do more to foster complaints and accusations of impropriety against police officers and that carries a lot more baggage now than it did in the 1980s.

Everyone knows that policing is under the microscope at every turn. Everyone knows that regardless of noble intentions, the appetite for even the perception of overly authoritarian tactics isn't great. It is a fact realized here and in other jurisdictions that increased arrest rates equal a rise in complaints against police.

### Routine Tactic

None of that particularly means anything to politicians and bureaucrats calling for a ramped up police presence and why should it? It won't be their reputations sullied, not their professional integrity jeopardized and certainly not theirs or their families stress levels taxed.

Complaining about police tactics or conduct has become a routine tactic of a criminal sub-culture bent on blaming anyone but themselves for their plight. The corresponding fall-out hits home for front-line officers when they're removed from active duty, scrutinized to the core, slandered and stressed beyond the normal bounds of an already stressful career.

Politicians and civic bureaucrats need to recognize that dealing with gangs and near epidemic levels of violence requires a different kind of ramped up police presence. The theoretical "kicking ass and taking names" just doesn't wash anymore. These same politicians and bureaucrats will be noticeably absent when it comes to supporting the officers they've asked to step-up the hard-line tactics.

And that's where the problem lies. The changing requirements of law enforcement necessitate that complex investigations involving gangs, drugs and violence will require heavy investments of time. Time costs money in policing circles.



*... dealing with gangs and near epidemic levels of violence requires a different kind of ramped up police presence.*

Twenty years ago you could arrest seven hoods in one week of an investigative project. Verbal admissions, written statements and circumstantial evidence would stick.

Today, done properly and not needlessly jeopardizing an officer's professional standing, it'll take you seven weeks to arrest one hood. Judicially authorized wire-taps, lengthy surveillance and hard evidence are what's required.

Contrast the money-making venture associated with handing out a traffic ticket. Aside from a change in technology, tickets have acceptably been issued the same way for decades.

Maybe if violent crime was subject to fines which could then be converted to revenue streams, the old "in your face" policing tactics would have survived the challenges they now inevitably bring.

Marc Pellerin is the vice-president of the Winnipeg Police Association. The Association's column appears twice a month.

# Head smashed in

by Ian T. Parsons

Peer at the cliff where millions of buffalo plunged to their deaths at Alberta's Head-Smashed-In Buffalo Jump and it's easier to understand how a massive animal – one who dominated the prairies for centuries – was reduced to today's smattering in a few protected areas. The buffalo might have survived had it not been for the European influx – white buffalo hunters and pioneers hungry for large tracts of farmland. The Indians killed more than they needed, approaching on foot and herding many buffalo toward the edge – stampeding them at the last moment so their momentum carried them to their deaths – wasn't exactly considered a conservation maneuver, but was very efficient.

As I mused, I thought of another western icon: the Royal Canadian Mounted Police. This worthy and durable organization has been a fundamental building block of my personal being. My father joined in 1930 and policed all parts of Canada for 35 years. I followed in his footsteps in 1961, serving 33 years from coast to coast. My son recently completed training and is embarking on his own career. It was presumed that his future in the force was assured.

The buffalo analogy is ominous. Once they began running, nothing could stop their great momentum and prevent their rush over the precipice. A similar fate may be in store for the RCMP.

Momentum is building and they soon may be 'over the edge;' this

is particularly ironic as the plains buffalo is an RCMP symbol. Canada's increased population and complexity has overwhelmed our frontier police force, which originally accepted and discharged all facets of policing in the west. No matter what the request from Ottawa, members accepted the task and usually carried it out successfully. "Never say No!" was the philosophy. The job was undertaken without question and every effort was made to meet the challenges, no matter the burden. Such was the case when the RCMP expanded from small prairie communities to large cities, beginning with Burnaby in the early 1950s. The staffing logistics were extremely taxing, sapping the force in many other areas. 'Robbing Peter to pay Paul' became policy. Many operations ran shorthanded in an effort to "feed the monster" in southern British Columbia. Loathe to lobby government for more, administrators attempted to deal with inadequate resource internally. Amazingly, overtime pay wasn't a factor until the late 1970s; members worked extra hours for free, often toiling alongside municipal police who were paid overtime. As Canada began transitioning to a multi-cultural society, exacerbated by population growth, more cracks and fissures appeared. The RCMP's basic paramilitary infrastructure did not change and it continued to be responsible for all levels of policing from coast to coast. Provincial and growing municipal contracts were demanding more resources. Our

frontier police force was attempting to be all things to all people in what was becoming a very diversified country. Trying to balance all this while also handling Canada's national security caused serious shortcomings during the 1960s. The government acted on the McDonald Commission's recommendation and removed security services from the RCMP purview, but the force did not relinquish this responsibility voluntarily. It had to be arbitrarily taken away. Today, even after the Brown study recommended internal changes, few upper echelon RCMP executives or politicians focus on the essential problem – multi-jurisdictional saturation. Management makes lofty policy statements about elevating professionalism, improving the management environment and urging members to "meet the challenge." Detachments operate under strength daily. Morale doesn't improve and members feel under siege, both inwardly and outwardly.

Sadly, the force seems headed for the cliff. Like the emperor without clothes, the problem of 'mandate overload' is massive and should be obvious, yet not a single voice speaks up. The time has come to admit that the RCMP can no longer attempt to be all things to all people. The RCMP has so many diversified and complex tasks, at so many levels, that the appearance of success is becoming more and more elusive. Immediate action must be taken to bring it into the 21st century. It must be extricated from municipal and provincial contracts – provincial contracts are up for renewal in 2012 – and transition to an exclusively federal focus. The Force

must concentrate its considerable expertise on federal responsibilities. It could be deployed in an *assistance* capacity when asked to provincial and municipal agencies involving serious and/or inter-provincial crime.

Rather than being distracted by a myriad of assorted demands, the force could target national maladies such as biker gangs, terrorism, corporate and economic crime and other national criminal maladies. Through mandate transition, there

may still be time to prevent this noble "herd" from plunging over the cliff. It will be a psychological debilitating national trauma if the 'RCMP herd' is not turned around and saved from destruction. Our leaders have a responsibility to ensure this national treasure, a Canadian icon etched indelibly into our psyche, is preserved. The RCMP is still admired worldwide and Canada will be a smaller country without it. Turning the herd will not be easy. There will be resistance at all levels. The

logistics are difficult and complex. Resistance to change will be rampant. It will take great political courage and dynamic leadership. If current leaders do not display courage and stamina and move on these initiatives, the RCMP will continue to be deluged with a complexity of problems from the multi-levels of jurisdiction it now futilely wrestles with. The disasters will continue. It will sadly be swallowed up by a barrage of criticism and find itself broken and dying at the bottom of the cliff.

RCMP Inspector Ian T. Parsons (ret) can be reached at [parsonsposse@shaw](mailto:parsonsposse@shaw)

## ***RCMP MEMBERS & STAFF***

Hi. My name is Wayne Ryan. As a retired Member of the Force, I know all about moving, buying and selling!! I also know how expensive it is to live in the LMD. That's one of the reasons I'm pleased to be able to offer you an exclusive package which will provide full MLS service while saving you lots of money! I work extensively in the N. Delta, Surrey, Langley and Abbotsford areas. However, if you reside outside these areas or would simply prefer to use a more local realtor, give me a call anyway – I may be able to arrange the same package deal for you!

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*The buffalo analogy is ominous. Once they began running, nothing could stop their great momentum and prevent their rush over the precipice. A similar fate may be in store for the RCMP.*

# For Your Information

*The Province of New Brunswick has recently announced funding for policing projects. The funding will come from the Police Officer Recruitment Fund, which was created through a federal government initiative to help provinces and territories improve their front-line policing throughout the country*

## 1. Legislative Agenda

The following are a list of bills currently before the House and Senate that the CPA is closely monitoring:

- S-4** An Act to amend the Criminal Code (identity theft and related misconduct)
- S-5** An Act to amend the Criminal Code and another Act (Firearms Registry)
- C-14** An Act to amend the Criminal Code (organized crime and protection of justice system participants)
- C-15** An Act to amend the Controlled Drugs and Substances Act and to make related and consequential amendments to other Acts
- C-18** An Act to amend the Royal Canadian Mounted Police Superannuation Act, to validate certain calculations and to amend other Acts
- C-19** An Act to amend the Criminal Code (investigative hearing and recognizance with conditions)
- C-25** An Act to amend the Criminal Code (limiting credit for time spent in pre-sentencing custody)
- C-26** An Act to amend the Criminal Code (auto theft and trafficking in property obtained by crime)
- C-34** An Act to amend the Criminal Code and other Acts (Protecting Victims From Sex Offenders Act)
- C-35** An Act to deter terrorism, and to amend the State Immunity Act
- C-36** An Act to amend the Criminal Code (Serious Time for the Most Serious Crime Act)
- C-42** Ending Conditional Sentences for Property and Other Serious Crimes Act
- C-43** Strengthening Canada's Corrections System Act
- C-46** Investigative Powers for the 21st Century Act (Lawful Access)
- C-47** Technical Assistance for Law Enforcement in the 21st Century Act (Lawful Access)
- C-201** An Act to amend the Canadian Forces Superannuation Act and the Royal Canadian Mounted Police Superannuation Act (elimination of deduction from annuity)
- C-268** An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years)

**C-359** An Act to amend the Contraventions Act and the Controlled Drugs and Substances Act (marihuana)

**C-391** An Act to amend the Criminal Code and the Firearms Act (repeal of long-gun registry)

The bills listed above are key legislative initiatives that we are closely monitoring.

## 2. New Brunswick allocates funding under the Police Officer Recruitment Fund

The Province of New Brunswick has recently announced funding for policing projects. The funding will come from the Police Officer Recruitment Fund, which was created through a federal government initiative to help provinces and territories improve their front-line policing throughout the country.

The funding will be allocated to three projects over the next four years:

- *Fighting organized crime (\$6.2 million):* will support a proposal by the New Brunswick Association of Chiefs of Police to invest more money to fight organized crime through the improvement of regional integrated intelligence units.
- *Attracting new police recruits (\$240,000):* will establish a police cadet graduate bursary to attract recruits for municipal and regional police forces. This should provide 20 bursaries per year, valued at \$3,000 each, for the next four years.
- *Creating safer communities and neighbourhoods:* the remaining \$2.36 million will be used for the establishment of the safer communities and neighbourhoods enforcement unit. This unit, which will eventually comprise five civil enforcement officers, will follow up on confidential complaints from the public to target and shut down

properties where criminal activity is taking place. The unit will work in close co-operation with police forces, and it will significantly reduce the efforts made by police forces to respond to recurring calls at property locations.

### 3. Canada takes action to strengthen the National Sex Offender Registry and the National DNA Bank.

On June 1st, the federal government announced new legislation to strengthen the National Sex Offender Registry and the National DNA Data Bank. Proposed amendments in the legislation include:

- Automatic inclusion of all convicted sex offenders in the Registry – as opposed to the current scheme where prosecutors must apply and a judge has discretion whether to include a convicted sex offender in the registry;
- Offenders convicted of a designated sexual offence under the Sex Offender Information Registration Act will also now be subject to a mandatory order to provide a DNA sample for the National DNA Databank;
- Police will be empowered to use the Registry to prevent sexual offences, unlike now where they can only use the registry to investigate crimes after they are committed;
- People who are convicted and jailed for sex crimes in another country who return to Canada under the International Transfers of Offenders Act to serve the remainder of their sentence will now be registered in the Sex Offender Registry;
- Canadians convicted abroad of sex crimes and returning to Canada at the

end of sentence must report their conviction to police within 7 days of arriving in Canada or face criminal prosecution;

- Police to notify foreign or other Canadian police when high-risk registered sex offenders are traveling to that area; and,
- Amendments to the National Defence Act to ensure that reforms also apply to the military justice system.

### 4. Recent pay raises

#### **Durham Regional Police Association**

Salary increases and enhanced benefits have been awarded the Durham Police Regional Association Members in an arbitrator's ruling made public at the end of May. Officers will receive salary hikes of 3.13 per cent and 3.02 per cent during the two-year span of the contract, which is retroactive to January 2008; the new deal expires at the end of 2009. The salary of a First-Class Constable will now be more than \$78,000, which is comparable to other forces in the GTA. Also included in the package are "modest" wage hikes for civilian employees and benefits improvements for both current association members and retirees. Members of the Durham Regional Police Association had been without a contract since the end of 2007.

#### **Halton Regional Police Association**

In July the Halton Regional Police Association had reached a tentative agreement with its employer. The wage structure is as follows:

January 1, 2009: 3.1% (retroactive to the beginning of the year)  
January 1, 2010: 3 %  
January 1, 2011: 3.1%.

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*Offenders convicted of a designated sexual offence under the Sex Offender Information Registration Act will also now be subject to a mandatory order to provide a DNA sample for the National DNA Databank*

*Continued on page 14*

Continued from page 13: FYI

At the end of the contract a 1st class Constable will earn \$83,272.

### **Winnipeg Police Association**

The Winnipeg city council has approved a new two-year contract with the Winnipeg Police Association. The deal includes a wage increase of 3.5 per cent in each year of the agreement. It also calls for an auxiliary cadet force to supplement duties performed by regular police. The cadets will help enforce certain bylaws and refer people on the street to jobs, shelters and other services. The cadets will not carry weapons. The cadets will earn between \$10-\$15 per hour.

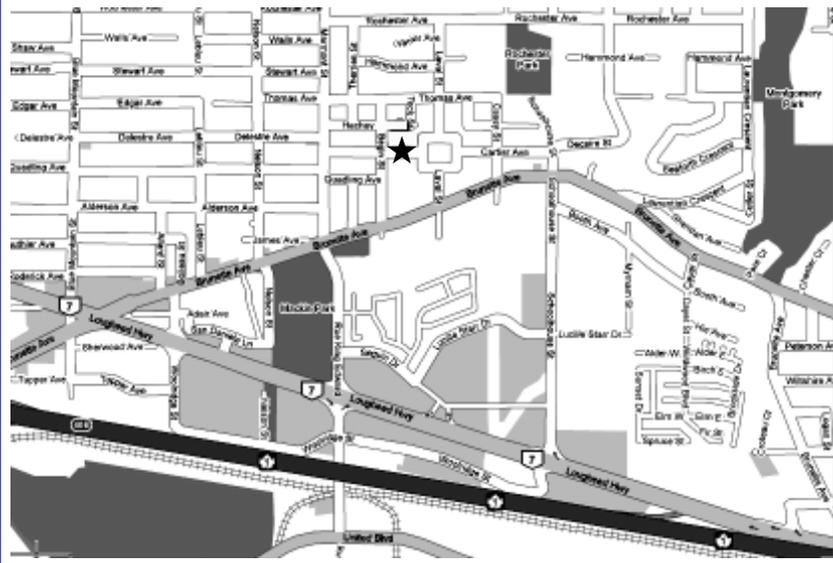
## **ANNUAL GENERAL MEETING**

**Saturday, December 12, 2009 @ 13:00 hrs**  
**Maillard Place, 1200 Cartier Ave., Coquitlam**

This is your opportunity to hold the Executive accountable, examine our financial situation, and give your input as to how to better represent and serve the members.

Cash and gift prizes will be awarded at the end of the meeting.

Refreshments and snacks will be provided



## **5. Cst. Merrifield allowed to sue the Force**

The Supreme Court of Canada has cleared the way for Cst. Merrifield to sue the police force and two of his superiors for harassment which he links to his political ambitions. The court has refused to hear a government appeal which sought to dismiss Peter Merrifield's suit. He says he was demoted from a plum job to a backwater and harassed by superiors after he sought a Conservative nomination in 2005. He had previously run and lost as a Tory while on leave from the force. When he filed a suit seeking damages for harassment and breach of his rights, the RCMP asked the trial judge to dismiss the case on technical grounds. The judge refused and the Ontario Court of Appeal rejected the government's appeal. With the high court refusing to hear the case, Merrifield is free to pursue his claims.

## **6. CPA sets Priorities for 2009-2010**

At this year's CPA Annual General Meeting held in Toronto the delegates set a number of priorities that will be pursued in the coming year. These issues will be addressed at the next Lobby Day to be held in the Spring of 2010. As it can be seen the CPA continues to support and lobby on behalf of the RCMP Associations.

- More resources for police personnel
- Independent Police Association for the RCMP
- Canada's Sentencing, Corrections and Parole systems
- National Anti-Drug Strategy
- Public Safety Officer Compensation Benefit
- Public Safety Occupation Designation for Public Safety Personnel
- Conducted Energy Devices
- National CPA Strategy to Address Abuses of Private Security and Multi-Tiered Policing

# 2009 ANNUAL CANADIAN PROFESSIONAL POLICE ASSOCIATION AWARDS OF EXCELLENCE



## NOMINATION FORM

### Requirements:

All nominations must meet the following provisions in order to be considered.

*Nominees must be members of the Canadian Professional Police from any federal, provincial or municipal police service within Canada. Nominations may include police officers, special constables and civilian members.*

*Nominators must be members of the Canadian Professional Police Association and must provide his/her signature in the space designated below.*

*Nominations must involve an event between **January 1, 2009 and December 31, 2009.***

*Nominations involving a long-term investigation can be submitted as long as the investigation concludes within the 2006 calendar year as set above. Only one nomination involving a long-term investigation may be chosen per year by the awards selection committee. Nominee(s) eligible for such nomination(s) is/are only the officer(s) in charge (OIC).*

*Nominations for CPPA civilian members may be submitted. One nomination per year involving civilian members shall be chosen by the awards selection committee. CPPA members eligible for this award are: Special Constables and civilian support staff.*

*Nominations must include information concerning any pending legal proceedings arising from the incident. In such cases the nomination may be deferred until the legal proceedings are concluded.*

### Instructions:

Please write a short summary on why your nominee(s) should be considered for a 2009 CPPA Awards of Excellence. This summary should be composed on a separate sheet of paper and should be no longer than 500 words. Be as specific as possible with references to events, circumstances, dates, etc. In addition, you must complete all of the areas below and attach this form to your summary along with a picture of your nominee(s). We invite you to send additional information in support of your nominee(s). Newspaper articles, police reports, video tapes and case numbers, if available, will all help our Committee in their decision making process. Kindly send your package, postmarked no later than **January 31, 2010**, to:

**CPPA Awards of Excellence  
Canadian Professional Police Association  
141 Catherine Street, Suite 100  
Ottawa, ON K2P 1C3**

**internet site: [www.cppa-acpp.ca](http://www.cppa-acpp.ca) / Email : [cppa-acpp@cppa-acpp.ca](mailto:cppa-acpp@cppa-acpp.ca)**

### Recipients will receive:

An all expense paid trip for the recipient and one travel companion to the prestigious CPPA Awards of Excellence Ceremony to be held in conjunction with the CPPA 2010 EBM in Ottawa, Ontario.

Crystal award and professional photograph from the Awards of Excellence Ceremony.

National exposure through the publication of the Award Recipients' profiles in the CPPA Magazine "Express" and on the CPPA website

<p><b>Nominee:</b> Full Name _____ Rank/Title _____ Police Service _____ Business Address _____ City, Province, Postal Code _____ _____ Home Telephone ( ) _____ Work ( ) _____ In the event of multiple nominations arising from one event, please attach the above information for each nominee.)</p>	<p><b>Nominator:</b> Full Name _____ Rank/Title _____ Police Service _____ Business Address _____ City, Province, Postal Code _____ _____ Home Telephone ( ) _____ Work ( ) _____ Signature _____</p>
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## BCMPPA Membership Application/ Amendment Form

### Check All Boxes That Apply

- |   |  |
|---|--|
| <input type="checkbox"/> <b>New Application</b>                 | <input type="checkbox"/> <b>Renewal</b> (\$108/year) |
| <input type="checkbox"/> Interdivisional Membership (\$15/year) |  |
| <input type="checkbox"/> Pre-approved payment request           | <input type="checkbox"/> Cheque attached             |
| <input type="checkbox"/> Male <input type="checkbox"/> Female   | <input type="checkbox"/> Change of address           |
| <input type="checkbox"/> Change of posting/duties               | <input type="checkbox"/> Change of bank/account      |

Referred by \_\_\_\_\_  
(Referring member 3 months no dues)

Regimental # \_\_\_\_\_

Surname \_\_\_\_\_

Given Names \_\_\_\_\_

Address (Street, City, Province, Postal Code) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

E-mail Address \_\_\_\_\_

Telephone # \_\_\_\_\_

Current Posting & Duties \_\_\_\_\_

\_\_\_\_\_

#### PRE-APPROVED PAYMENT REQUEST

This application constitutes authorization for the B.C. Mounted Police Professional Association (BCMPPA) to withdraw the sum of \$9 per month from:

Financial Institution \_\_\_\_\_

Address \_\_\_\_\_

Account # \_\_\_\_\_

*Please attach a void/blank cheque to initiate your Pre-approved Payment.*

Visa     MasterCard (credit card payments through PayPal only)

Card # \_\_\_\_\_

Expiry \_\_\_\_\_

The said withdrawal will be debited on the 14th day of each month. These authorized deductions will commence on \_\_\_\_\_ 20\_\_\_\_, and will continue until such time as the undersigned advises the BCMPPA to cease said withdrawals in writing.

Date \_\_\_\_\_

Signed \_\_\_\_\_

Mail to: BCMPPA, PO Box 76004, Langley, BC V1M 4B7  
or Fax to: (604) 460-6403

This form is also available on the BCMPPA website: [www.mppac-acpmp.com](http://www.mppac-acpmp.com)

## Contact Numbers

The following provides contact information for our members wishing to reach the executive of the BCMPPA or *The Service Star* editor. This list was accurate at the time of printing. In the event some of this information becomes dated, up-to-date information can always be obtained from our website at [www.mppac-acpmp.com](http://www.mppac-acpmp.com)

### Association Executive

President

Pat Mehain                      778-838-5508 cell.

Vice President

Rob Creasser                      250-371-1071 cell.

Treasurer

Kimberly Russell                      250-319-8528 cell.

Secretary

Rae Banwarie                      604-505-6436

Directors

*BC Interior*

Alain Roy                      250-545-7141

Dan Sandhar                      778-772-9690

*BC North*

Brendan McKenna                      250-632-7111 work

250-632-1537 cell.

### Service Star Editor

Dan Petre                      778-240-1570 cell.

### Change of Address

Members with access to the Internet can communicate via e-mail their change of address or any other data pertaining to their membership.

Mrs. Linda Bauchman, BCMPPA bookkeeper, is online at the following address: [lin@telus.net](mailto:lin@telus.net).

Other members can still submit those changes by mail or fax. You will find the details on the inside cover of *The Service Star*, or at the Association's website, [www.mppac-acpmp.com](http://www.mppac-acpmp.com)