

BLUE LINE

Canada's National Law Enforcement Magazine

April 2005

BORDER CONFIDENCE

Going beyond the political agenda



BLUE LINE TRADE SHOW
April 26 & 27, 2005

Free Registration at www.blueline.ca

BORDER CONFIDENCE

Going beyond the political agenda



by Morley Lyburner

The US Department of Homeland Security is working with a severe handicap. It is called Canada. In my recent investigations along the Canadian/US border in BC I have found that this ailment is experienced by US County Sheriffs Departments as well as the Canadian Border Security Agency(CBSA). It is more clearly recognized as the Canadian Firearms Registration laws and an awkward Department of External Affairs.

My investigation to determine if there is any common ground to get around these issues was met with the blank stares of a lot of dedicated but long suffering faces on both sides of the border.

The Point Roberts awakening

My first stop was with the Delta Police Department. A little American border hiccup they call Point Roberts is situated immediately south of the city of Delta and is the recipient of a large influx of Canadian tourists looking for a good time and a big bang for their otherwise puny dollar. Here they can buy American and pay Canadian. Most of these dollars are spent at bars where the inevitable drinking issues and bar room fights explode into full scale mini-riots during the summer.

To police the rabble the U.S. based Whatcom County Sheriff's department keeps two resident officers on the peninsula. If any help is needed these officers have been known to call for assistance from their headquarters 40 km away in Bellingham, WA. But problems arise when the back-up units arrive at the Canadian border in an attempt to cross the 20 kms of Canada that stands in the way of help.

Members of the Delta Police have unofficially advised us, on the "QT", that it is not unusual for their officers to slip across the US border to assist until help arrives.

We spoke with Delta Police, people who assured us that they never knew this to happen... officially any way.

It is clear there is really no protocol in place to actually "legally" do what they do



when they go to assist. But cops being cops, they still have a need to help and in the case of a police officer needing help it is understood that no politically drawn imaginary line will stop them. In other words they will make bad rules work... and potentially get themselves into a lot of hot water in doing so.

And what happens officially if an officer messes up? Politicians and top brass would shake their heads, show concern and drop the cop like a lobster in a pot.

Okay then if this unofficial protocol actually exists how do we recognize it or how was I to find out what proper process should take place? I found out very easily and there were no embarrassed faces about it all.

The Canadian Border connection

My one stop at a CBSA office found me discussing the issues with a senior supervisor. There was no reluctance in telling me that if there were officers at Point Roberts needing the assistance of Whatcom County officers the border would not be a problem under her watch. "I think if there is any form of emergency anywhere along the border, and there are emergency services of either country wanting to help, this border will be no obstacle,"

the Supervisor advised with confidence. "The help will be delivered first and then we can sort things out later."

When I asked where this is written down the only response was... "There is a big shelf of books behind me and the answer will be in there somewhere."

... and south of the border

However, this was in contrast to official Canadian policy. In fact as far as the bureaucratic process is concerned the biggest fly in the ointment is the Canadian Firearms regulations. Chief Criminal Deputy of Whatcom County Sheriff's office, Jeff Parks, made this abundantly clear.

"I don't like what the Canadian Regulations say we have to do to simply get our officers some help up there," Parks advised. "The Canadian laws are simply obstructing our ability to properly protect both Americans and Canadians. And Point Roberts is mostly Canadians. But if they are on American soil we have to protect them regardless of what country they are from."

When asked if Canadian police officers have aided their officers in the past he declined to say. "We have always had a cordial rela-

tionship with Canadian police and as far as I am concerned we always will.”

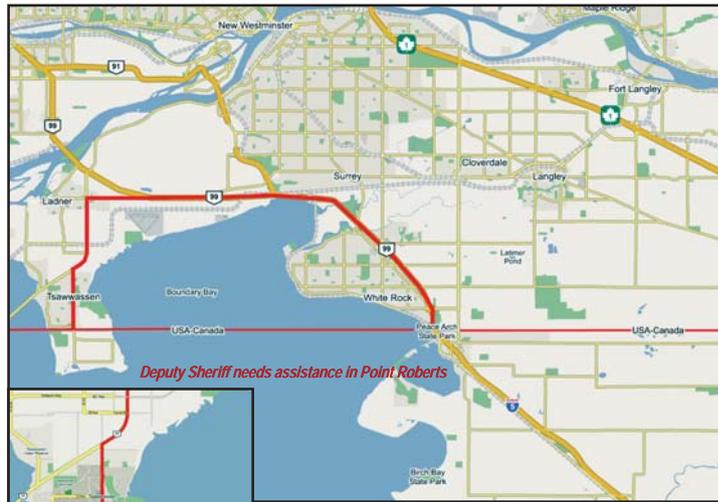
The Sheriff’s office was informed that due to the Firearms Regulations in effect in Canada their officers must go to their patrol area in Point Roberts after stopping at the Canada Border office, advise where they are going, unload their firearms and place the handgun in a locked box in the trunk and the clip in a separate locked box. They may then drive directly to the US Border where they must stop their cruiser and open the two locked boxes and re-load and holster their weapon when they arrive back in US territory.

But all of this has even more bureaucracy. Before they even get to the stage of locking up their firearms. The officers must first be registered at the border crossing prior to attending and the list must be kept at the CBSA office and the border officer must check the identity of the officer and ensure he or she is on the list of people permitted to cross with a firearm.

“Now if we have to send in a Tactical Team in an emergency we don’t even want to begin talking about the weapons they will have to take with them,” Chief Parks stated. “The process certainly could be far more streamlined in this day of terrorism and cross border security issues.”

Just like good neighbours

Border issues are certainly multiplied when one considers much of the geographic anomalies that exist across Canada. The dangling tonsil of Point Roberts is simply one of many. The Northwest Angle of Minnesota is a por-



tion of the US border that hangs above the 49th parallel and is attached to the east side of Manitoba. The border between the State of Maine, New Brunswick and Quebec is shrouded in uncertainty as thick as the bush and swamp that makes up the geography of the area. The Alaska Panhandle is a likewise obscure geography and the exact delineation of the border between Alaska and Yukon Territory has never been properly delineated to the satisfaction of all concerned.

So how seriously do the Americans take

our borders? I found out when I attended the Pacific Truck crossing station just south of Langley BC.

The Canada/US border in this location is roughly delineated by a small grass and weed covered ditch beside a paved road situated on the Canadian side of the border. The truck inspection station is situated about 50 metres to the south and on

land elevated higher than the Canadian side. A long line of tractor trailers snake their way from the Canadian side of the border with no visible obstructions at all.

I determined a picture of the line-up would be good for a future file photo for the magazine. I walked along the paved BC roadway snapping about four pictures of the trucks going through the customs check point when two uniformed officers came out of the building attached to the booths. As they approached me they yelled across to me to stop taking pictures. I inquired what the problem was and they said it was illegal to take pictures of the site.

Looking around I could see no signs prohibiting such activity and since there were no

WINCHESTER
AMMUNITION

THE STANDARD FROM COAST TO COAST

ATLANTIC POLICE & SECURITY SUPPLY
Head Office 99 Rocky Lake Dr., Un.11, Bedford, NS B4A 2T3 - 902-835-1819 Fax: 902-835-2470
Email: Sales@atpolice.ca Web Page: www.atpolice.ca

Nova Scotia Jamie Stone Ph: 902-835-2343 Fax: 902-835-1446 JStone@atpolice.ca	Southwestern Ontario Kevin Kehoe Ph: 519-896-7030 Fax: 519-896-7059 Kkehoe@atpolice.ca	Northern Ontario Gilles Ouellette Ph: 613-824-2975 Fax: 613-824-1565 GOuellette@atpolice.ca	New Brunswick & PEI Charles LeBlanc Ph: 902-835-2343 Fax: 902-835-1446 CLEblanc@atpolice.ca	Western Canada Chris Graham Ph: 403-288-4452 Fax: 403-288-4450 CGraham@atpolice.ca
--	---	--	--	---

For further details go to **BLUELINKS** At www.bluelinks.ca



blinds put in place to obstruct the view I asked how this could be. The officers became aggressive and asked how many pictures I had taken. I asked where the Canadian border was and if I was in the US or Canada. They became even more agitated by this question. They insisted that I could not take pictures and I pointed to a trailer park situated behind me and advised if the people living here, year round, knew of this restriction.

The level of aggression was escalating so I advised I was a journalist and was simply taking file photos for future use. They invited me across the ditch to talk further and I advised that I did not think this was prudent but if they wished to come over to the road way on my side and discuss things further I would be happy to speak with them. The supervising officer, with no hesitation, came to the road way with me and both of us returned to my car where I gave him a copy of *Blue Line Magazine*.

It was at this point I noted that the supervisor was a member of the US Department of Homeland Security. He was armed and it was clear that he had just entered Canada to discuss my activity of taking pictures.

After a more amenable conversation evolved he advised of their frustration with the Canadian border and that they would certainly

challenge any strangers wanting to take up surveillance or pictures of border crossings.

How did I feel about this obvious “breach” of Canadian sovereignty? I actually felt good. The supervisor was willing to take what action he thought was necessary and protection of his country was paramount in his mind. Indirectly he was helping Canada as well. Did the border mean anything to him? No it did not. My activity was important to him. That is what I thought he should have been concerned about. During this entire incident were there any Canadian authorities even in view? No! And that speaks volumes about Canada’s commitment to the whole issue of borders.

“Wink and a Nod” policies

As my west coast correspondent and I were quietly sipping our coffee in a Tim Hortons in Delta we were greeted by the Delta Police spokesperson who was attending to her own cup of wake-me-up. “How are things going with your investigation?” she asked. “Very well,” I answered. Then I asked if she found out anything about their officers assisting Whatcom County officers in the past. She looked at me for a brief second... “Yes it has happened... but it is very rare.”

I thanked her for her candidness. In the typical fashion of all cops on both sides of the

border she simply confirmed that cops will always make bad rules work. But why should they not have the proper support of their respective countries?

Conclusions to the illusions

When surveying the landscape on these issues there are a couple of ideas that I feel should perhaps be looked at more closely.

Why not have a unified single facility for Customs Agents at the Canada/USA border? This makes sense if we buy into the “friendly neighbours” rhetoric spoken on both sides of the border. The northern boundary of the United States is completely different than the southern boundaries. A closer cooperation under one physical roof could not only assist both countries but would help to reduce misconceptions, jurisdictional disputes and costs.

Why not have a unified border patrol? At the present time we have the US Border Patrol to the south and effectively nothing (or at most not much) north of the border.

Border patrol activities in Canada are supposed to be performed by the RCMP. A straw vote with some officers has indicated that most do not like the idea of routine patrols near the border due to border hassles. It is much easier to handle a domestic in Surrey than chase down someone bent upon zigzagging across the border with all its potential for career inhibiting political fall-out.

If anyone had doubts about the effectiveness of Canada’s border policing one need not go any further than recent events in Quebec. The last vestiges of RCMP Border Patrol was effectively abandoned in favour of a centralized anti-organized crime unit based in Montreal.

A new unified US/Canada Border Patrol unit would give these officers authority that would not be limited by a political boundary drawn between “friends.” The result would undoubtedly be a better control on border runners and a renewed confidence by citizens on both sides.

Last, but not least, get over the idea that police officers from the US are a threat to Canadian sovereignty when they are passing through. I have failed to find police officers in the US less dedicated to their duty or less qualified with firearms safety than those in Canada. If they are in fresh pursuit or simply passing through let them know we are grateful for their assistance in whatever form it comes and that we are willing to cooperate for the common good. We want informed and confident police officers on both sides of the border.

Rule the Night.

Universal Night Sight

- The only true in-line night weapons sight





- Approved for ERT applications
- Trusted by USA Special Ops



Phone (604) 461 5555
www.currentcorp.com
sales@currentcorp.com

For further details go to **BLUELINKS** At www.blueline.ca