

GOOD COP - BAD COP

THE DUTY OF EVERY POLICE OFFICER TO MAINTAIN HIGH MORAL GROUND

By: Kerry Morris - March 20, 2015

Today was another land-mark low for the RCMP's reputation as a pillar of the Canadian justice system. Despite this fact, and while it did receive national attention on what was a relatively slow news day, it did not receive the attention and in-depth analysis that such a fall from grace warrants. The real story that no one reported is the fact the outcome in the Monty Robinson matter surprised no one.

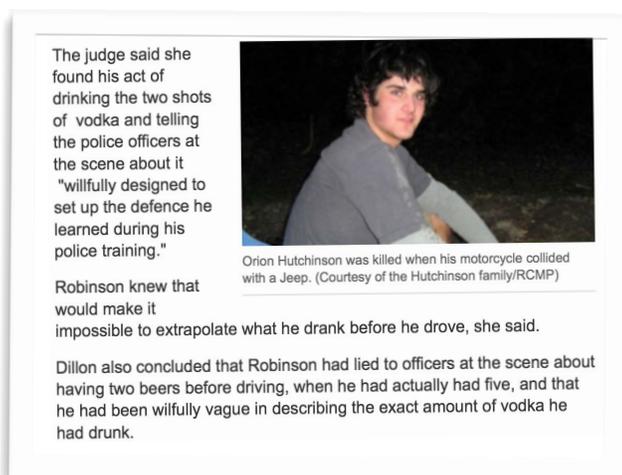
It's a widely held belief that Monty Robinson and all his fellow officers lied to Wally Opel during the investigation into the fatal YVR Airport taser death of Robert Dziekanski. Robinson, who has a previous conviction for 'Obstruction of Justice' in the fatal 2008 hit-and-run accident in which he killed Orion Hutchinson, lied to fellow officers investigating that accident in an attempt to coverup his impaired driving condition, the night he ran-down Hutchinson's motorcycle.

Robinson,
who the

RCMP have long ago admitted is the poster child for everything wrong with the organization, is reported to have sat in court today smiling, laughing and texting on his cell phone before, during and after Mr. Justice Nathan Smith rendered his guilty decision. And why wouldn't Robinson show such little respect? After all, when he was convicted in the Hutchinson matter, he was given one months house arrest and a 12 month suspended sentence with probation monitoring. That is the real story and central issue which Canadians generally must understand, come to grips with, and resolve.

It should be no surprise that Police lie, they steal, they murder, they rape, they speed, they drink and drive, and they hit-and-run. Why is it no surprise? Because they're human. The issues which confront society at large also confront the people who make up our policing agencies across the country, be they the RCMP or police by any other name. They are as equally likely to be criminal or criminally minded as any other member of society. But that is where the similarity does and must end!

The average Jane or Joe has human flaws. In fact, the criminal justice system expects this trait from them, and treats them accordingly. Have you ever been in court in a situation where an RCMP officer tells a lie? I have, on more than one occasion, in fact four occasions that I can remember. Yet when the presiding judge is compelled to rule who is telling the truth and who is not, they uphold a primary principal of the Canadian justice system, which is: 'Police Officers Don't Lie'. Their reasons for this stand are relatively simple. In a malaise of facts and law, they need to anchor their decisions in basic evidence, and the party whose job it is to acquire, witness and present that evidence must always be assumed to tell the truth. Were they presumed to be liars, the system would collapse for it would require the truthfulness of every fact presented by a police officer to be weighted on equal footing to the fact pattern as presented by the party being judged. Where would we be if the criminals shared equal credibility to the police? Unless we agree to grant the police higher moral ground, we would take what is an already complex and challenging legal system and make it completely dysfunctional. So it must be that our Police are afforded a higher level of credibility in all matters where the facts are in question. The very foundation of the legal system compels this presumption, and while I have seen it deliver bad outcome, I don't believe it can or should be altered.



With this unalterable requirement as a principle pillar in our criminal justice system, the fact that Monty Robinson and others did lie is an issue which strikes at the foundation of the system, and so it cannot be lightly passed over.

As I watch my TV and read my paper, I quickly arrive at the conclusion that in most circumstances, if someone were to kill me, the maximum sentence they would likely get is 14-20 years, and they'd probably be up for probation in about 7 years. But if they were to kill a cop, they would be locked up for the balance of their natural lives. The reason, we must send a message that our police cannot be attacked and that an attack on the police, is an attack on the foundation of society itself. So we place the maximum possible penalty on such an attack to send a message. Attack the system, and you will suffer the consequences.

So what do we do when the organizations upon which the system is anchored attack the very principles upon which the system is founded? This is the real issue that confronts us today with the outcome in the Monty Robinson case. Do we slap his wrist? Do we give him yet another suspended sentence, or a little alone time at home in front of his big-screen TV? In my opinion that would be equally egregious as a suspended sentence to a cop killer. For a cop who lies or falsifies evidence to gain or thwart a conviction strikes an equally devastating blow at the foundation of our legal system, and the survival of our society. Police must always have and hold 'High-Moral-Ground'. Anything less and the system falls apart. And we can see many examples of how this loss of morals is affecting this bedrock requirement. The problem is reaching epidemic proportions, and this fall from grace must be arrested.

So when the system deteriorates to the point where the conduct of police officers is akin to that of common criminals, it is equally important to send the message back to the Pillars of our justice system (the 'RCMP') that when they choose to forfeit high moral ground, they will be treated just like all others who fail the system. So with that I say officers like Monty Robinson should receive 'rough-justice' at the hands of our courts.



When Canada's 'Top-Cop' is able to tell our government that the RCMP has "...neglected to keep tabs on hundreds of cases of serious misconduct by Mounties across the country for years..." then it should no longer be possible for the police to police themselves.

And now we propose to complicate the matter even further. Now we propose to grant our policing agencies the ability, through Bill C-51, to spy on

us without further oversight, putting at risk the founding principles of democracy; privacy, freedom of speech and assembly. The oversight to that awesome power? A ministerial politician, which like most other ministerial powers, gets delegated to subordinate officers. No thank you!

Our policing system needs to be held accountable. It needs improved oversight. Mounties are not 'Members' as they often refer to themselves. They are 'Officers' of the court. They are not members of a club which bestows upon them special treatment. They are authorized to police and enforce the rules. They are not exempt from or above the rules. And when they willingly break those rules, as Monty Robinson has twice done, the punishment meted out to those guilty persons should not be paid leave. It should be unpaid leave. It should be on par with the treatment meted out to every other Canadian Citizen. The only club membership Officers hold should be that of Canadian citizenship, equal in all ways under the law.

