

True Blue: Is it right for a police association to do what is wrong for an individual officer to do?

Dianne L. Martin

Police officers, police associations, and chiefs of police are all increasingly vocal and increasingly political. The tradition of the non-political, neutral police service enforcing the laws that are enacted by parliament without fear or favour is arguably in tatters. Sir Robert Peel, who promised that “his” police would never be political must be rolling in his grave.

The issue, which has been brewing for years, came to a head last month when the Toronto Police Association, led by Craig “You Can Call Me A Bully” Brommell, refused to obey an order of Police Chief David Boothby to stop its controversial fund-raising campaign “True Blue.” The association not only refused to obey the order, it challenged the chief’s right to issue it. A bylaw that was drafted specifically to prohibit soliciting the public for funds for political purposes, or for handing out association decals in exchange for contributions is before the courts, scheduled for consideration in June. The association is arguing, in essence, that provisions of the regulations to the *Police Services Act* that regulate which political activities police officers may engage in do not

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apply to the association. That is, what an individual police officer may *not* do, a collection of officers called a police association *may* do. A look at what is forbidden illustrates what is at stake.

The former blanket prohibition against any political activity whatsoever was eased in Ontario in 1991 by the NDP government. Police officers are now permitted to be involved in political activity and even run for office, but within fairly clear

parameters. A police officer who exercises his or her new political freedoms may *not* express views on any issue that is directly related to the police officer’s responsibilities as a police officer, and may *not* associate his or her position as a police officer with the issue, or represent his or her views as those of a police force. Another provision, which permits speaking out on issues authorized by a chief or

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police services board, specifically prohibits supporting or opposing a political party or candidate or a position taken by a particular political party or candidate.

Seems pretty clear. The people elect the government who make the laws. The police enforce the laws. The police do not, in this model, interfere in that process. Governments that (mis)use police power for political ends, and police who want that role, have a particularly bloody history.

The True Blue campaign, which tried to raise funds for the Toronto Police Association's political agenda — which initially included silencing police "enemies" through gathering "dirt" on them and actively campaigning against them — was almost universally unpopular with the public. People were either frightened by it ("Will I be in trouble with the police if I don't contribute?") or cynical ("A contribution will get me a decal and a free pass with the cops for parking and driving infractions"). It seems fairly clear that the campaign offends the rules set out in the regulations. All that is left to decide is whether there is something about an association of police officers that makes it okay to do what is clearly wrong for an individual officer to do.

Something else is going on, of course. Police and police associations have been getting more political for a long time. In the

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1970s, they actively campaigned against the mayor of Toronto, John Sewell. During the past election campaign, they actively campaigned for the Tories. They have periodically demonstrated, walked off the job, and lobbied hard. They have even voted "non-confidence" in their chief in cities like Ottawa, Niagara Falls, and Guelph. On the other side of the management structure, the incoming chief of the Toronto Service, Julian Fantino, gave an overtly political speech to the Progressive Conservative Party convention recently. What is all this about?

On the one hand, we are hiring ever-better-educated police officers and asking them to play a significant role in the well being of the communities they serve, exercising considerable discretion and judgment. In an era of ever-rising expectations about rights and freedoms, it would be very strange if these better-educated, better-trained, increasingly autonomous officers didn't insist on having a voice in the laws and processes that they use every day. The purely hierarchical, paramilitary command structure of past decades is no longer workable.

On the other hand, politicians have been playing the "crime card" for a long time now. Fuelling a fear of crime has always aided police budgets and contributed to a hands-off approach to police governance. More recently, it has also aided political careers. All of those politicians who have benefited from police political support and who have sought it out are hardly going to insist that it stop. In fact, what brought the issue to a head, it seems, is not so much that the True Blue campaign was political, but that Brommell and the association defied the chief. It would surprise me if the incoming chief, who seems to be so very political himself, would be prepared to put up with open defiance from his officers, whether individually or collectively. Perhaps that is why the politicians finally acted to stop this particular act of police political activity. Hardly reassuring, is it. ■

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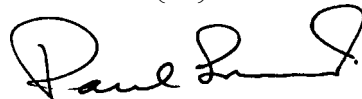
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exercises. The cost of the video is \$179 for a single site, \$350 for a multiple-site licence (loans to other campuses). Shipping and handling is \$12; GST is extra. To order the video, contact Canadian Learning Company, 95 Vansittart Avenue, Woodstock, Ont. N4S 6E3; phone 1-800-267-2977 or (519) 537-2360; fax (519) 537-1035; Internet <http://www.canlearn.com>.

Although this video is mentioned in the book, it is not the only suitable choice. The authors advise that any video that provides clear examples of body language would be appropriate. A possible alternative choice would be a taped episode of the British television program "Mr. Bean," which is widely available at low cost from video rental outlets. ■

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