

Chapter Four

PROFESIONALIZATION OF SMALL TOWN POLICING IN THE VALLEY

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TOWARDS A POLICE ACT

From the point of view of the chiefs of police, the crucial issues were security of tenure and conditions of work. While the constables pursued unionization, the Chiefs sought legislative change in their conditions of employment through a Police Act. In 1962, Chief Holt of Middleton became a member of the Nova Scotia Police Act Committee, which was formed to advise the government on revisions to the Police Act; he later became Chairman of this organization (*Middleton Mirror* 6 April 1977:1). Although he was Chief of a small force, Holt developed a regional presence. In 1967, at the conclusion of the 16th annual conference in Yarmouth, he became President of the Maritime Association of Chiefs of Police. The most notable achievement, however, was his work for a Police Act. The question of the legal status of the policeman had been specifically addressed by a 1955 decision of the New Brunswick labour Relations Board, which found that:

The relationship between a policeman and the authority which employs him is not that of servant and master. A policeman is an officer appointed to perform public duties of an executive character in the general administration of Justice. His authority is original, not delegated, and is exercised at his own discretion by virtue of his office; he is a ministerial officer exercising statutory right independently of contract. The essential difference is recognized by the fact that his relationship to the Government is not in ordinary parlance described as that of servant and master (Holt 1973: 1)."¹

The aim of the Nova Scotia Police Act Committee was to have the House of Assembly pass a Police Act for the province that would enshrine the principle of police independence enunciated in the New Brunswick decision. In the words of Stanley Holt, who served as Chairman of the Police Act Committee, "The idea of a Police Act had been forced upon the Chiefs of Police by the continued interference in the enforcement of law in the towns by the Town Councillors" (Holt 1973: 1). The Maritime Association of Chiefs of Police took the first step in 1962 to bring a Police Act into being. On 11 June, 1962, thirteen chiefs of police met, for the first time with R. A. Donahoe, the Attorney General, to discuss in detail a proposed Police Act. According to Holt, while Donahoe believed the draft Act had a great deal of merit, it was not the "Government's

¹ Holt cites: "The Legal Status of a Policeman" (1955) 19 Journ. Of Cr. Law 266 and in R. vs. Labour Relations Board, exp. Fredericton (1955), 38 M>P>R> 26 (NB).

intention at the moment to force this type of Legislation on the Municipalities." He agreed to place the proposal before the Municipalities, as a request for comments and not as a recommendation, and his government would act only they gave it "a measure of support". The Municipalities had to support the Act before the government would take action (Holt 1973: 2). The executive of the Union of Nova Scotia Municipalities unanimously agreed to defer any action on the proposed legislation, Holt quoted one Mayor as stating that they felt "we would be losing our autonomy" (Holt 1973: 2-3).

In Holt's view, the lack of interest the Municipalities had in a Police Act was caused by their desire to maintain the low standards of policing in the province (Holt 1973: 4). Their stand was likely dictated by the desire not to lose local control over policing in their communities. A second part of the Police Act Committee's strategy was to obtain an amendment to Section 208 of the Towns' Act "which would allow police officers to hold office during good behavior, but could be dismissed at anytime for cause." As we have seen above, the concern about being fired at the discretion of Town Council was a driving motivation behind the demand for a Police Act. In his words: "Let us not delude ourselves that the people with whom we are dealing are not willing to give up one iota of their power and if we don't start pulling together, we are going to remain the most underpaid and overworked body of men to be found anywhere.... [L]et us add our voice to the clamour for better conditions in our chosen profession" (Holt 1968: 3).

In 1964, the Town of Louisbourg sought to pass a Bill in the House of Assembly establishing a Police Commission for the town and providing that policemen would be employed during "good behaviour", proposals consistent with the draft Police Act. The Law Amendments Committee turned down the Bill, which they saw as a bad precedent. Holt commented, "When this bill was being debated by the members, it was the opinion of some that it seemed rather ridiculous to have a three-man Commission running a one-man Police Force" (Holt 1973: 4). This effort, Holt claims, was thwarted by the Law Amendment's Committee (Holt 1973: 4). The difference between a Police Committee and a Police Commission, Holt declared, was "the fact that if a councillor had an axe to grind, it would have to be done through the Commission."

In 1965, the Police Act Committee was unable to amend the Towns' Incorporation Act to include a provision that police officers would be employed during good behaviour. The Executive of the Union of Municipalities (NSUM), similarly, would not endorse the principle. In preparation, the Committee had sent notice of the proposed amendment to 36 Town Councils. Of the 25 replies, Holt commented, only 7 turned the amendment down flatly; 15 approved and 3 gave no decision. Nevertheless, in 1967, a resolution on job security that would give police the same security as enjoyed by the town clerk, was tabled by the NSUM (Holt 1973: 5-6). By this time, it was too late to get legislation through the House, and the matter was not raised at the N.S. Union of Municipalities meeting because it was not put forward by a delegate from a town.

Although the Municipal Services Act was passed in 1966, under which the province made a grant to the towns "based on the percentage paid the towns under the foundation scale for Education", nothing in the act affected the conditions of

employment of police officers. It did, however, make more money available to the towns which could be used to improve policing (Holt 1973: 5) at the towns' discretion, but it did not address the salary, security, or working conditions of police officers. The newly appointed Conservative Premier in Nova Scotia, G. I. Smith, similarly failed to take action on the matter of a new Police Act (Holt 1973: 5-6).

THE 1974-76 N.S. POLICE ACT

It took nearly another decade and a change to a Liberal government to bring about the legislative framework necessary for the modernization of policing. Assent was given to the Police Act in Nova Scotia on 15 October 1976, the Act finally having been passed by the Legislature in 1974. The Act established a three-man Nova Scotia Police Commission, established a staff and detailed the powers of the Board. Basically, the N.S.P.C. was established as an advisory body to assist police forces in the province. It could establish inquiries or investigations into police conduct, administration, or "the system of policing any municipality". Developing a police training program was an important part of its mandate. It also set out a procedure for handling complaints and discipline (R.S.N.S. 1974, "Police Act", Section 22 pp. 14-17, pp. 3-6).

The provincial government staked out considerable territory in the regulations governing policing in the province. These included regulations "governing the conduct, duties, suspension and dismissal" of police officers, qualifications of police, minimal remuneration, providing for a police training school, minimal standards for selection and training, procedures for dealing with complaints, establishing a minimum discipline code requirements respecting clothing, uniforms and equipment, and prescribing the records and accounts to be kept (R.S.N.S. 1974, Section 37: 21-23). While the Act specified that the government "may" make such regulations, they were not spelled out in the Act.

Under the Act, every municipality was responsible for policing in the municipality. A police force could be established by the municipality in its own right (Section 15), "secondly, by entering into an agreement or contract with the Government of Canada, the Province or another municipality, e.g. an R.C.M.P. contract; and thirdly, by the Province providing and maintaining police services under the provincial contract with the R.C.M.P. This last referred to the 1966 agreement between the governments of Canada and Nova Scotia, which was confirmed by the Police Act (N.S.P.C., "Guidelines for Police Governing Authorities, August 1982: 6).

The Maritime Association of Chiefs of Police was not successful in changing the terms of employment under the Police Act. According to Section 15 (2), "The Chief Officer of a municipal police force shall serve at the pleasure of the council or according to the terms of the resolution by which he was appointed and his services may be terminated only by a written resolution presented to council and passed by council at a meeting open to the public by an affirmative majority vote of the total membership of council" (¹ R.S.N.S. Police Act: 9). Police officers could be "appointed, promoted, suspended, dismissed or reinstated" by any two of the council, the board [of police commissioners] or the chief of police (R.S.N.S. Police Act, Section 15 (3): 10). Under Bill 72, the Legislature made significant amendments to the Police Act in 1985. In

particular, section 15 (2) was re-written to state that the chief officer would hold office for one year after appointment at the pleasure of the council but, thereafter, may be dismissed by council only for "just cause". Furthermore, the power of council to discipline or dismiss other employees of the police department was also curtailed in 1985. Appointment, promotion, suspension, dismissal, and reinstatement was, henceforth, to be enacted by the municipal board on the recommendation of the Chief of Police, or by the Chief directly if the town passed a by-law to that effect (A. William Cox to Sherman Zwicker, Executive Director U.N.S.M., 31 May 1985: 2).²

While any collective agreement which had been in force prior to the proclamation of the Police Act was not affected by the Act, any subsequent agreement was subject to the provisions of the Police Act (R.S.N.S. Police Act, Section 40 (3): 23-24).

Each municipality of 1,500 persons or more was required to provide a Board of Police Commissioners (R.S.N.S. Police Act, Section 19 (1): 11). The Board was to consist of at least three members, two of whom would be appointed by the Council and one by the Attorney General (R.S.N.S. Police Act: 13). According to the N.S.P.C.: "Experience has shown that small boards are better able to take the time to establish a close working relationship with chiefs of police and their senior officers and this is important for the effectiveness of the force in meeting community aspirations and needs for police services and in establishing modern management methods.

"Some of the most effective boards in Nova Scotia have three to five members with the ideal probably being two members of council, two citizens at large appointed by council, and the appointee of the Attorney General" (NSPC, August 1982: 7).

"In the creation of boards of police commissioners there is an expectation that they will act as a responsive monitor of police activities and as an initiator of policies which reflect community needs. It is also envisaged that a board of police commissioners should increase the communications of community needs and political priorities to police leadership" (NSPC, 1982: 8).

The Act empowered municipalities to pass by-laws prescribing the powers and duties of the Police Commission. Municipalities, then, could "direct its own police operations". However, as spelled out in the Act, "the function of any board shall primarily relate to the administrative direction, organization and policy required to maintain an efficient and adequate police force" (R.S.N.S. Police Act, Section 20 (2): 13). No member of the Board of Police Commissioners could "issue and order, direction or instruction to any member of the municipal police force relative to his duties as a member of the force" (R.S.N.S. Police Act, Section 19 (11): 13). The Chief was responsible for the "day to day direction of the police force with respect to the enforcement of law and the maintenance of discipline within the force" (R.S.N.S. Police Act, Section 15 (5): 10).

The principle that day-to-day operations were to remain with the police chief was to be written into town by-laws, as should rules and regulations of the police force, including the responsibility of the chief and other members. The chief should issue standing orders, "a semi-permanent set of rules governing the force entrusted to him"

² Cox refers to S.N.S., 1885, c.33.

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(NSPC, 1982: 8). "It is important that the chief should not burden the governing authority with decisions lying within his responsibility such as the discipline of the force" (NSPC, 1982: 9).

The N.S.P.C. drew a sharp distinction between the management and control of the police department, which had been considered in the measures above, and "*the role of the police in law enforcement*". The police are "sworn servants of the Crown and the superior courts have held on numerous occasions that in enforcing the law, a Master-Servant relationship between the governing authority and the chief of police and other officers of the force does not exist in this context." Failure on the part of the police to enforce the law makes them answerable to the law and: "Redress may be sought through the courts for such failure."

"It therefore follows that the governing authority of a police force must refrain from ordering the chief of police not to proceed with a criminal or quasi-criminal charge or not to enforce a particular statute." On the other hand, the governing authority could "offer advice to the chief of police as to what [it]... perceives [] to be enforcement priorities in their particular community. This should produce the kind of enforcement policies earlier referred to as the blend of political and executive philosophy which reflects community needs" (NSPC, 1982: 9-10. Underscored in original). The Police Act attempted to delineate the roles of the municipality, the Board of Commissioners and the Police Chief. In the words of the Act [Subsection 20 (2)]: "Notwithstanding the right of a municipality to direct its own police operations, the function of any board shall primarily relate to the administrative direction, organization and policy required to maintain an efficient and adequate police force." The Chief was responsible for the "actual day to day direction of the police force with respect to the enforcement of law and the maintenance of discipline within the force" [Subsection 15 (2)]. "The [Nova Scotia Police] Commission interprets the intention of the Police Act to be that the Chief of Police is responsible for the general administration, direction, and discipline of the force, subject to the authority of the Board" (NSPC, 1977: 1).

One key aspect of council control was money. According to section 19 (12), the Board of Police Commissioners was to submit an annual estimate of expenditures required for remuneration as well as the operation of the force (R.S.N.S. Police Act: 13).

Considerable attention in the 1974 Police Act was given to complaints and discipline. The person against whom the complaint is made was given the right to be informed and to be represented by counsel (R.S.N.S. Police Act, Section 22 (3): 14).

Under the regulations of the Police Act, a code of internal discipline is set forth. The Chief is responsible for maintaining discipline. Under sections 35 to 38 of the Regulations, the police governing authority was to act as an appeal body. Section 39 of the Regulations was declared *ultra vires* by the Supreme Court of Nova Scotia (NSPC, 1982: 10).

Sections 22, 26 and 27, and Regulations, Sections 51 to 62 of the Police Act dealt with complaints against the police. The Chief must first attempt to resolve the complaint informally. If the matter is not resolved, he must investigate it thoroughly and decide on appropriate action, one of invoking a disciplinary measure, advising the officer of future conduct, or taking no further action. The member and complainant

must be informed of his decision. An appeal procedure is set forth in the Regulations. No procedure was in place for a complainant to appeal the decision of the chief. If the board or council believes that a citizen has a legitimate appeal, they could request the N.S.P.C. to investigate (Section 9 (2) cited in NSPC, 1982: 11-12).

INSTITUTIONALIZING MODERN POLICING

After the proclamation of the Police Act in Nova Scotia, the training of municipal police was a priority item for the N.S.P.C. The training of police reflected the type of police which society wanted. According to a member of the Police Commission (Address 1977), "a civil police is comprised of persons employed in the public service who are an integrated part of the citizenry they serve, and who participate fully and equally as individuals in the common society. It is, and should see itself, as a social service deriving its power from the people and answering to the people for the quality of its performance." The Commissioner said that there was no longer a place for the officer who used excessive force. Arrest techniques for the "correct arrest" could be easily "taught to a person hired off the street" (Address 1977: 3). Contemporary police officers "must now have a good understanding of why a particular individual acts in the way he does and to respond to these actions in ways that hopefully will preclude violence. A police officer needs to understand mob psychology and use this understanding to defuse a potentially volatile situation rather than simply calling out the troops to arrest everyone in sight." He then went on to list what he regarded as the traits effective police officers required (Address 1977: 4).

The first issue was selection. The Commissioner praised the two metro city police forces for their "sophisticated procedures". Candidates were screened, underwent tests and interviews to assess their "physical, mental and psychological ability to do the job." They hire one out of every five or six applicants.

In the towns, however, "limited standards and criteria are applied. In some cases, men are hired directly off the street. Sometimes, no tests or investigations are carried out to determine the suitability of the person for the job." Consequently, mistakes have been made. The N.S.P.C. believed that "all prospective police officers should be subjected to tests [/] investigations and interviews so that only the best applicants will be selected objectively and fairly" (Address 1977: 5-6).

With respect to initial training, the N.S.P.C. noted that "there is no standard in the province and methods vary tremendously." Some municipal police officers received training in the R.C.M.P. or police colleges in other provinces.

Halifax P.D. had operated a recruit training school since 1950. The recruits spend 24 weeks in training, with 15 weeks of classroom instruction provided by a selected staff, interspersed with" 9 weeks of understudy training with experienced personnel". Since about 1973, Dartmouth city police offered recruits "a loosely structured" school of 16 weeks duration "as and when the need arises" (Address 1977: 6).

The Atlantic Police Academy was established as a department of Holland College, Charlottetown, in 1972. The training in this facility is about 11 months long. 34 weeks are spent in classroom training. Between June and August, recruits work as "extra

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constables" in the municipalities. "There are no guidelines for this summer field employment and the training value varies greatly." The N.S.P.C. concluded that, despite shortcomings, the Academy is a source of "partially trained recruits". Of 700 municipal police officers in Nova Scotia (25 cities and towns; 61% of total in metro), 59 were graduates of the A.P.C. (Address 1977: 5-6).

The N.S.P.C. also believed that police needed refresher training to bring officers up to date and provide an opportunity for learning from each other. Refresher training was conducted by the Maritime Police School run by H.P.D. since 1952. Two weeks in duration, this annual course had trained 948 municipal officers. The A.P.C. offered two similar courses, one two-weeks long and the other four weeks in duration (Address 1977: 7).

Specialized training in the use of the breathalyser, radar, identification methods, drug investigation, criminal intelligence, explosives and polygraph is available through the R.C.M.P., or the Canadian Police College. Halifax P.D. has utilized this training; Dartmouth P.D. has done so to a lesser extent, and generally, use varies by the size of the municipal unit. In many cases, municipal police units are too small and cannot spare the officer for this training, and often municipalities are unwilling to pay the cost of this training (Address 1977: 8). Supervisory training also varies by force size. H.P.D. trains internally for junior supervisors. The A.P.C. established a two-week course offered three times a year. By 1977, 22 officers had received this training.

Senior supervisory courses were available at the Canadian Police College. "This college was formerly the Royal Canadian Mounted Police College. In 1971 this college began the transition which when completed will make it a Canadian Police College which, although financed by the R.C.M.P., will have a staff made up of instructors with federal, provincial and municipal police experience and students drawn from all three levels of police forces roughly on a per capita basis of police officers" (Address 1977: 9).

The N.S.P.C. initiated a municipal police training plan for Nova Scotia consisting of guidelines for selection, a training program for probationary constables and refresher training. In 1977 the study to establish this program was underway. The N.S.P.C. hoped that the cost of this training would be borne by the province (Address 1977: 9-11).

During this era, Murphy argues, policing in Nova Scotia was characterized by rapid structural change caused by dramatic changes in socio-economic conditions (Murphy 1986: 114). Consequently, police interest groups demanded a more professional style of policing. In some cases, modernization of existing municipal police departments occurred. In other cases, "internal organizational change" was perceived by some communities "as either organizationally impossible or politically hazardous" and, consequently, they chose to replace the existing municipal force by contracting directly with the R.C.M.P. (Murphy 1986: 115). This change was facilitated by two developments: the R.C.M.P. was undergoing a period of sustained growth, and the federal government made the option financially attractive.

By 1990, the R.C.M.P. provided policing to ten municipalities in Nova Scotia under contracts negotiated between the Municipal government and the Solicitor General of Canada. Such agreements were in force for the following towns: Port Hawkesbury,

Pictou, Parrsboro, Oxford, Antigonish, Windsor, Yarmouth, Shelburne, Liverpool and Digby. Initially, the amount billed to the municipality for policing services amounted to about 50% of the total contract cost. R.C.M.P. policing, then, was heavily subsidized by the provincial government. Under the terms of the 1981-1991 agreement, however, the proportion increased by 2% per annum, reaching a total of 70% by the expiration of the contract, in March 1991 (Apostle and Stenning 1988: 14n). This agreement is currently under negotiation and it is expected that the proportion billed to the municipality will again be increased. Funding formulas are complicated; furthermore, not all services are reported in municipal policing budgets which include a variety of costs. Cross-jurisdictional comparisons, then, are difficult to make (Apostle and Stenning, 1988: 14).

The R.C.M.P. also provided provincial policing under the terms of the Provincial Policing Agreement, negotiated between the federal and provincial governments. In 1990 there were 41 rural detachments in Nova Scotia, of which New Minas was the third largest (following Cole Harbour and Lower Sackville, both in Halifax County). The cost of provincial policing was borne by general provincial revenues, unlike municipalities which also assess a direct cost for policing services.

By 1977, four important steps had been taken to professionalize municipal police forces in Nova Scotia: the establishment of the Atlantic Police Academy, the passing of the Police Act, the establishment of the Nova Scotia Police Commission as a province-wide body to set and assess standards, and the creation in the towns of Boards of Police Commissioners that were independent (other than over budgetary matters) of town councils. None of these factors caused police-council conflict in the towns to disappear. In the Valley, of the six MPDs that operated in 1990, four would revert to RCMP contracts by 2001. Many factors shaped this movement towards regionalization, a process that will be discussed in more detail below. In most of the towns, the movement towards modernization was decidedly rocky. In the towns of Kentville, Berwick, and Middleton, four chiefs would be forced out of office in the late 1970s and early 1980s.

VALLEY POLICING IN THE 1970s AND 1980s: OUT WITH THE OLD

On 22 March 1978, after 13 years on the Kentville force and 10 as Chief, Town Council fired "Lefty" Graves. The decision of Council, which was based on a recommendation from the Police Commission, was unanimous. While Council assured those present at the public meeting that the decision was reached "only after deep soul-searching by the board and council", no reasons for the dismissal were given, aside from the prepared statement by Councillor Gordon Lowe, which stated the board had "concluded that Chief Graves was not capable of discharging the duties of chief in an efficient manner". To soften the blow, and because of his "dedication" to the Town, Council offered Graves another position in the town, as By-law enforcement officer. This, however, was refused by Graves' lawyer, Walter Newton, on his client's behalf. Newton responded to the firing by stating that the case would be appealed to the Supreme Court if necessary, and he alluded to the popularity of the chief in Kentville

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(Halifax *Chronicle Herald*, 24 March 1978: 17). "Lefty was Chief for six or eight years", a senior member who was interviewed recalled, "then a new Mayor came into office. The Mayor didn't like Lefty. It took them two years to get anything on Lefty they could, and then they fired him. There was a big court battle over this, over 'just cause'."

This informant believed that part of the difficulties between Chief Graves and the new Mayor was that they grew up on opposite sides of the tracks in the small town. "Graves was a Yo Ho boy," he said, who did not have a high school education. The Mayor, he said, had "inherited his business from his father. He didn't like Graves. He did everything in his power to get rid of Lefty and he did. I would go into Lefty's office and say: 'You can't handle the administrative stuff.'" According to this member, Graves asked his constables to do a lot of the paper work for him. Either his wife or a constable wrote most of his reports. This made relationships in the police department difficult because it created the perception that people below Graves were angling for his job. One senior constable stated, Graves "was always suspicious that I was out to get his job."

According to one senior member of the force, some members of Town Council who were out to have Graves fired, engaged in underhanded "skulduggery."

"Bills and accounts would be sent over for a month. The town would re-copy them, and send him the same bills, and he would sign them again. All this was to prove he didn't have the education to run the department. It was an underhanded way to get rid of him. Lefty was a hard man to talk to. He was a guy who wasn't supposed to amount to anything. He became a little celebrity for his friends from Yo Ho. He would drive through in a new car saying 'I made good'. But police work really started to progress by leaps and bounds. He did a good job for his education. He was proud and reluctant to get someone to do something for him, but he was very scared someone would find out that he didn't do the paper work. They brought him reports to sign and asked him: 'Did you ever see that report?'"

Another senior constable, who had been hired just prior to Graves' dismissal, also said that the Chief did not know much about the administrative side of the work. However, he added that, after the Town complained that he was not qualified for his job, the Town "sent him off on an administrative course and he passed it with flying colours. But they still said he wasn't qualified." Dunfee suggested that the root of Graves' difficulty with the town was alcohol, although this appears to have been part of the small town police culture.

The case was appealed by lawyer Newton to the Department of Labour Standards Board. In the hearing, the Town argued that, "According to the Police Act, the chief of police serves at the pleasure of council and may be terminated at the pleasure of council without having just cause." On the other hand, the Labour Standards Act requires an employer "to show just cause for firing an employee with over ten years experience". Although the Police Act included a provision that, should it

conflict with any other statute, the Police Act would supersede the other legislation, the Director of Labour Standards ruled in Graves' favour and "ordered the Council to reinstate Mr. Graves as chief of police at the same rate of pay . . . effective immediately". In a Town Council meeting, which was "overflowing" with citizens, the town decided to appeal this ruling. Deputy town solicitor, Jack Buntain said that the Director had exceeded his jurisdiction, had not made adequate enquiries, had made no attempt to settle the matter, and Council had had "just cause" to fire Graves. Buntain added that the town was in a position to hire a new police chief (*Halifax Chronicle Herald*, 11 May 1978: 25).

Town Council, accordingly, refused to reinstate Graves. In the end, the Supreme Court ruled against the town. The three-member court ruled unanimously that Graves was a town employee and, under the Labour Standards Code, the town could not dismiss him without just cause. The court ruled against the clause in the Police Act that declared that the Chief served at the pleasure of the Council (*Halifax Chronicle Herald*, 4 January 1979: 17). McRae was retained as Chief, and Graves agreed to a cash settlement for wrongful dismissal. A senior member who was employed at the time said that "Lefty won his case and got a settlement but he wasn't allowed to divulge it. The Town hired another chief and hired Lefty back on as By-law enforcement officer. Graves died a few years after being fired."

While waiting for the Supreme Court to hear its appeal, the Town had hired a new Chief of Police. According to one senior member of the department, at the time the town fired Graves, they promoted Fred Young to corporal and made him Acting Chief. Internal dissension in the department continued during Young's half-year as Acting Chief. This was partly because, one senior member alleged, after Graves' dismissal, important records could not be located. A second constable had been promoted to Corporal after less than six months on the force, but the Police Commission demanded another period of probation because of the missing records. In the ensuing turmoil, the informant says, the Acting Chief then demoted the junior corporal. There was some implication that these moves had to do with jockeying for position and power within the small department. The Police Commission, however, took an important step towards modernizing the force by hiring from outside the local force. On 1 August, 1978, Alan McRae from Wawa, Ontario was appointed Chief in Kentville. He was a 28-year veteran of police work and had served as a Chief in Ontario. Under McRae, the force began to expand and the rank structure was expanded. Corporal Young took the SPAT course and was promoted to Sergeant. During the late 1970s, the Department continued to have high turnover, including hiring the first female constable in the valley, Cheryl McDonald

The stability of the Kentville force up until this time was dependent on the relationship between the Chief and the Town Council. In some cases, for example with Archibald Strong, the Chief's tenure had been brief. While Graves was Chief for over ten years, he did not outlast conflict with municipal authorities. Following the Supreme Court decision on the Graves case, the Chief's position became more secure, although this did not invariably result in stability. Another Chief would be removed from office, but only as the culmination of a controversial public inquiry.

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In Middleton, a period of controversy over the position of police of chief, and the relations among the Mayor, Council, Chairman of the Police Commission, and the Chief took a few years to be resolved, and not before a new Chief of Police was forced to resign following a criminal offence. Before this event, however, with the help of the Nova Scotia Police Commission, Middleton appeared to be a model of small town professionalism.

In 1977, Middleton Town Council requested that the Nova Scotia Police Commission undertake an assessment of the town's police department. Accordingly, Ronald Bedgood, N.S.P.C. Director of Personnel Development, was authorized by the N.S.P.C. to conduct the assessment, which was done between October and November 1977 (NSPC 1977: iii). According to the N.S.P.C., "The changing social outlook and freedoms have increased the burden on the police services tremendously, and the services are hard pressed to keep up and abreast of these changes. If the public wants protection, they must "be prepared to support this most important service" (NSPC 1977: 23).

As the NSPC assessment noted, many changes had taken place in the department between 1975 and 1977. A "long time chief" [Stan Holt] had retired in 1975, and "a new chief" [Donald Wells] appointed who "served to the apparent satisfaction of the Council and citizens at large. However, he resigned along with his staff suddenly during the early months of 1977. This followed a decision by the Chief of Police to go into private business and the appointment of the former Chief of Police to the Municipal Board of Police Commissioners". The main source of this conflict was the "breakdown of communications between the Mayor [Garnet Wales] and the Chairman of the Municipal Board of Police Commissioners [Stan Holt]" (NSPC 1977: v-vi). The "Assessment" said that the absence of communication between the Board of Police Commissioners and the Mayor and Council placed the Chief in a difficult problem, "adversely affecting the morale of the Chief and the Members of the department" (NSPC 1977: 3).

Between 1977 and 1980, the N.S.P.C. noted, "many of the elected officials and Municipal Board members have changed and the effect of this", as well as the adoption of recommended changes in communication among the parties, "have created a more favourable atmosphere." In 1980, the Mayor was Furber Marshall and the Chairman of the Municipal Board of Police Commissioners was Elizabeth Johnson (NSPC 1977: iii). The 1980 assessment team reported that they were "impressed with the public response and favourable attitude expressed towards the Department." The Board of Police Commissioners and Town Council had adopted the great majority of the recommendations. The Middleton Department was declared to be "an effective, efficient Town Police Service."

The incidents of crime have been reduced and the clearance rate of offences is high. They are housed in modern quarters and have most of the equipment necessary to perform their duties adequately" (NSPC 1980: 25). According to the N.S.P.C., these recommendations were put into effect. The original problem of the role of the Board of Police Commissioners had "disappeared", and the Chief "zealously guards his area of responsibility" and implements Board policy (NSPC 1980: 1). Directions to the Police come from the Chairman of the Board of Police Commissioners "and the previous problem of having various other Council or Board members giving direction has been eliminated." The

NSPC concluded that "the Town of Middleton . . . now has one of the finest police services in the Province" (NSPC 19780: 2, 26).

A new chief, Robert Boutlier, was hired in June, 1977. In the view of the NSPC, he was held in high regard by the other members of the department. Boutlier had extensive experience, serving for 22 years as Chief of Police in Mahone Bay, as well as serving a period of time with the Police Department in Truro. In the view of the NSPC, Boutlier "availed himself of training whenever the opportunity arose", and related "well with his subordinates". He was a "capable and respected police officer". The primary short-coming of Boutlier's tenure, according to the NSPC's Assessment, was that he should "give more personal time to street duty and less to office duties", thereby giving citizens "an opportunity of meeting their chief". Town officials wanted the Chief to become town Traffic Authority and become involved in the Emergency Measures Organization. (NSPC 1977: 4). Chief Boutlier resisted these directions, believing that "the need to meet and be in the public eye was not necessary." Writing in 1980, the NSPC noted that the chief's "feelings [\] on 'main-streeting' have not changed." In the view of the NSPC, this was a matter of policy, not day-to-day policing, and they noted that "the Board must set policy for the Chief of Police in areas where they wish change and take the necessary action to bring about implementation of these changes" (NSPC 1980: 2-3). It was up to the Board of Police Commissioners to set policy and see that the chief carried it out.

The 1977 "Assessment" recommended that the town hire two additional police officers, increasing the staff from four (one chief, three constables) to six. This would allow for 24-hour coverage, since 5.3 officers are required for complete coverage, based on a 40-hour week. This would also eliminate much of the overtime. The basic justification of this increase in personnel was to increase the efficiency of the department in solving criminal code offences. The 1977 NSPC Assessment had stated: "Middleton has had numerous breaks into places of business. As the Town's Police are not on full duty during the early morning hours, it is believed that many of these breaks occur during that time. Some success in apprehending those responsible has been made but the manpower situation continues to plague the efficiency of the Department" (NSPC 1977: 5). Furthermore, the "Assessment" pointed out, although the population of Middleton was 1,823 persons, "It is the community centre for the surrounding rural area and attracts a large influx of shoppers, employees and visitors from outside its perimeter." In addition, a Vocational School, Regional High School and Hospital also causes an influx of persons, so that "the daytime population exceeds the three thousand mark" (NSPC 1977: v). Two constables had been hired from the Police Academy to replace the members who had resigned in 1977. One additional constable was hired following the 1977 assessment, and in 1979 a fifth constable was added to the department.

The N.S.P.C. indicated that it was aware that, at a ratio of one policeman for every 304 citizens, the ratio was high compared with most other towns. Citing potential growth of the town caused by changes at CFB Greenwood and the establishment of a Michelin Tire plant in Kings County, the N.S.P.C. argued that it would be a mistake to reduce the strength of the department because the town had "an efficient and capable

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police service which is capable of handling the potential growth" which may occur (NSPC 2980: 6). Comparing Middleton with five other towns (Wolfville, Berwick, Lunenburg, Stellarton and Trenton), the commission found that Middleton spent the highest proportion, 10.56%, of the town budget on the police. While the Commission noted that the ratio of police to population in the town is of concern to some council members, their report suggested that "the ratio appears to be justified by the efficiency of the department. . . . The report recommended that, in the interests of `the peace and good order that presently exists,' the town not consider reducing the strength of the police department" (*Halifax Chronicle Herald*, Clipping, Collection of S. Holt, n.d).

The hours of service were increased from 17 hours daily to 20 hours, with only four hours on stand-by. Overtime had been cut by 50% "but this is being offset by increasing court attendance, because, as the efficiency of the Department increases better enforcement results and court attendance increases." The NSPC indicted that there was an increase in motor vehicle violations, between 1977 and 1980, from 100 to 486, and a decrease in criminal code offences, from 247 (1978) to 147 (1979), "a remarkable decrease for a one year period." The NSPC concluded that: "The increased strength has also had a high impact in crime prevention" (NSPC 1980: 5).

By the above, as well as other measures, Middleton was embarked on the road to a relatively large, professional police department by 1980. Nevertheless, the size of the Middleton force continued to be an issue of contention for Town Councillors and Boutilier had to defend his force against the wishes of several councillors to reduce the size of the department and thereby cut town expenditure. In April 1980, about 200 residents confronted Town Council following an announcement that the Municipal Rates would rise again. At the April meeting, these rates were rescinded and the Town Council agreed to seek assistance in meeting the budget from the Provincial Department of Municipal Affairs (*Middleton Mirror*, 23 April 1980: 1) As McGahan noted, members of the Board of Commissioners periodically queried whether the police force was "overstaffed" or whether it would be advantageous to contract with the RCMP. (McGahan 1989, #13: 5).³

At this meeting of citizens, suggestions were made that the Police Department cut back on manpower. Chief Boutilier reacted to this by claiming that "cutting back the department would leave residents without a substantial decrease in taxes and would place the department in jeopardy." The town could return to the service of 1977, Boutilier said, when people had complained of the level of police service and "when residents wanted the service upgraded", but if one officer is cut, he said, the "resulting problem and lessening of service may not be worth the saving." He stressed the lowering of overtime costs as one of his argument. In 1977, he said, 690 hours of overtime were worked; this dropped to 222 in 1978 and to 157 in 1979. To cut back would again increase the amount of overtime worked, and the "net saving would be minimal". In addition, he supported his arguments by pointing to the drop in the crime rate and the rise in the clearance rate. "Chief Boutilier said the performance of the department speaks for itself and `all this talk of cutbacks only serves to hurt moral. . . . I don't mind people wanting their taxes

³ McGahan cites Middleton Board of Police Commission Minutes, 17 November 1982.

decreased but they should make sure they know what they are talking about before making suggestions to Council" (*Middleton Mirror*, 23 April 1980: 3).

Chief Boutilier released figures to the press during the controversy over police expenditures and the threat of loss of police manpower comparing the success of the police in 1979 as opposed to 1978. Criminal code offences had dropped by 35.6%, break and enters 73.68% (from 57 to 15), and the clearance rate had risen from 24.6% to 60%. Frauds had dropped from nine to two, both of which in 1979 were cleared. Drug Offences had doubled, from 7 to 14; Liquor Control Act Charges had gone up substantially, from 68 to 50, and the amount of money raised by fines for the Town increased from \$5970 to \$14315 (*Middleton Mirror*, 23 April 1980: 3). These were all measures of modernization.

Within a year of the 1980 NSPC assessment, however, Boutilier would resign from his position. In the end it was personal scandal that brought about another change at the top. In 1981 Chief Boutilier was charged with what a senior member of the department called "a breach of trust offence", for which he was fined \$500 and placed on two years probation. Members of the department at that time report that they were "devastated" and that the department had been unaware of the situation. Ken Cook, who had been successful in the promotional routine and had become Corporal, was appointed acting-Chief. There were 17 to 20 applicants for the Chief's position, from as far away as B.C. This was narrowed down to six, and Cook was offered the appointment. At the time the Department was youthful and Cook was the youngest chief in the province. He chose to hire older, experienced men to bring balance to the department, giving these the opportunity to work as full-time, professional police officers. Chief Cook ruled a successful, professional small-town force until 2000, when the town opted for RCMP coverage.

VALLEY POLICING: THE CHALLENGES OF MODERNIZATION

Prior to the resolution of "Graves versus the Town of Kentville", Allan McRae had been appointed Chief of the Kentville Police Department.⁴ By 1981 the Kentville Police Department had evolved into a 12-member force. An Animal Control Officer, a By-law enforcement officer and school crossing guards also fell under the auspices of the police department. With a population of 5,056 the per capita ratio of police to public was one police officer per 421 persons (Kentville Police Department Annual Report, 1981). This police/population ratio has altered modestly.⁵ At the same time, of 618 civilian offences reported, 3% were violent crimes and 83% were liquor and property offences (Ellis 1987: 119). The pattern of offences in Kentville remained the same as it had under Chiefs Brown and Graves.

According to one member of the department, McRae spent most of his life in Ontario. He brought an independent attitude and a strong emphasis on police professionalism and autonomy to the small town. McRae began his policing career with

⁴ McRae was retained as Chief, and Graves, a senior member of the Kentville force reported, agreed to an undisclosed cash settlement for wrongful dismissal.

⁵ For example, between 1982 and 1985 the ratio was 1 officer per 452 citizens, 1:414 in 1986 and 1:434 in 1987.

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the RCMP but, after 11 years and one year prior to the time he had undertaken to serve, he purchased his discharge from the force. He claimed that he retired early from the force because of a disagreement with his Staff Sergeant. After seven years, MacRae returned to police work in Wawa, Ontario, moving from constable to Chief of Police, in which position he served 10 years (NSPC 1984: 130-31). With his RCMP experience, MacRae initiated the implementation of many elements of police modernisation to Kentville. One member said, "McRae knew how to set up a file system. Only two or three people know how to look after our file system." He also created "a type of C.P.I.C. system. We had to use the RCMP CPIC in New Minas then."

Although hiring an "outsider" as Chief was a clear move to professional, independent policing, politics in a small town are often divisive. Personality conflicts are sometimes magnified because a few people carry an inordinate amount of responsibility. Not all town councillors were prepared to give up their influence over the policing of their town and not all who supported professionalization were prepared to endorse the actual consequences of allowing the police chief to run his own show. During MacRae's tenure as Chief, sharp conflicts continued with the Town Council and particularly with the Mayor. One senior member said, simply, that, "Nobody told McRae what to do. Things had to be his way. He stood up to Council so they fired him." At the same time, another senior constable said that he had an ambiguous attitude towards the new Chief. On the one hand, he agreed that McRae "would stick up for us with the Mayor". While he "knew how to discipline [the officers], he didn't do it to many fellows. He would say: 'Look at the Police Act. You could be charged for this' and leave it at that." In his view, the Chief's relationship with the constables reflected a "you scratch my back, I'll scratch yours attitude." He said that he could get time-off when necessary, but that McRae didn't get along well with all the members. The Chief was a good administrator, he added, but "he didn't socialise with the public. He was distant, even with the public."

Like Tennant in Berwick, Chief McRae introduced some features of bigger city policing that were not welcome by some members of Town Council who wanted a personable, friendly, close relationship with the Chief—such as they remembered having with Chief Brown. MacRae brought a different style of policing, emphasizing independence from the Council. There was a clear distinction between the professional model of legalistic policing that MacRae championed and the small town ideal of community policing that was being replaced. In the Kentville Police Inquiry, for example, MacRae said that he had resisted when councillors asked him to "fix" tickets. During the Inquiry, the Chairman of the Board of Commissioners was quoted as asserting he not been asked to fix a ticket: "The Mayor has discussed a situation with him occasionally and to my mind that's not asking anybody to fix a ticket. It's just a discussion." A more serious breach occurred between the Chief and the Mayor after Constable Murphy (a close friend of the Chief) read a breathalyser demand to the mayor following a Christmas party. The Chief refused to intervene in the matter (NSPC 1984: 131, 137-8).

In the towns of Kentville and Berwick, that had hired modernizing chiefs from "away", the new force did not live up to its billing. In both towns, more dramatically in Kentville than in Berwick, problems in the transition from the old- to the new-style of

policing persisted. In Kentville, a full-scale police inquiry precipitated the end of Chief MacRae's tenure. In Berwick, new chief, Richard Tennant, like Boutilier in Middleton, resigned under a cloud.

Not all aspects of modern policing were appreciated in Kentville. One of these was the purchase of a police van. Several senior members who were interviewed commented positively on the van, which they used as a paddy wagon. "It was comfortable, you sat way up high, and it was easy to throw guys in the back", one member recalled. "But a lot of people looked at the van and said that Kentville didn't need it. . . . McRae said they had a van in Petawawa, so he had to have one here."

McRae enhanced the modernisation of the force by sending the officers away on courses and up-grading the training. One constable was sent away for an eight-week Identification course. He had a dark room in the old Town Hall building and said that he "made a bunch of idents, four or five in the first year. That wasn't bad. . . . If there was an accident they would call me out to take the pictures even though I was still working the regular 12-hour shift".

Increasing professional standards for policing, a more politically aware citizenry, and conflict between a traditional Town which still believed that Police Chiefs ought to serve at the "pleasure of the town", and an independent-minded, militaristic Police Chief, were some of the elements present during McRae's stormy term as Chief.

Ellis discusses the "dark side" of policing in Kentville and other Canadian communities. Certainly this "dark side" was evident during Chief McRae's term in office. The culmination of the "dark side" of the Kentville Police Department was the Nova Scotia Police Commission's (N.S.P.C.) Inquiry into approximately 30 complaints against the Kentville Police Department. The Inquiry was conducted between July, 1983 and February 1984. Most of the complaints dealt with ineffective management, "racist remarks, assaults and entrapment" (Ellis 1987: 120).

The N.S.P.C. found that the department suffered several shortcomings, not the least of which was poor leadership. A Commission-appointed doctor, J. Rafferty, described McRae as "a complex personality" with non-functional communication skills. The Commission found that McRae was, "Knowledgeable in the law and duties of police officers, very strongly opinionated, very defensive when criticised, disloyal to his superiors, prone to blame his juniors for departmental problems and some of his shortcomings, with a tendency to strive to dominate any meeting he attends, who has difficulty in controlling his emotions, who is reluctant to discipline his officers, and, who has difficulty in realising that he cannot manufacture the truth". (NSPC 1984: 139-140).

The Commission found the Chief either did not or was incapable of performing his duties adequately and recommended his dismissal (NSPC 1984: 174-5). In addition, the Inquiry report recommended the dismissal or demotion of other department personnel. However, the Commission noted: "There is a nucleus of policemen in the Town of Kentville to make up one of the better municipal police forces in the Province of Nova Scotia" (NSPC 1984: 174). The N.S.P.C. also called for a closer, more co-operative working relationship between the local Police Commission, Town Council, the Chief of Police and the Police Department as a whole. According to the N.S.P.C., "The team that makes up the Kentville Police Department -- the Board, the Chief of Police, and the members of the

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force -- must work together to ensure that ultimately the policing services in Kentville are provided by a loyal, dedicated group of police officers". In the final analysis, however, the Commission stated "forceful measures need to be taken to make improvements" (NSPC 1984: 178). Clearly under Chief McRae, the police force was aloof from the community, certainly not the stereotypical, service-oriented, policing style that is the common image of the small town.

McRae also created tension within the Department. He had inherited a typical small-town department, rife with small-scale political interference and inefficient officers. Fred Young was sent to take a Police Administrator's course as was promoted to Sergeant, but he did not get along well with Chief McRae. As the senior member and a local officer, Young had some support from local politicians. Although he had been passed over as Chief, Young had twice filled in as Acting Chief and some members of Council had assured him that he would inherit the job. His loyalty, then, was initially to the Town. Eventually, the gulf between McRae and the Town, as well as with Sergeant Young, grew. Increasingly, McRae came to rely on a younger, officer, Dave Murphy, who had a reputation as being a good investigator. One constable interviewed said that Murphy was "a good policeman, investigation-wise. He was a real digger. He had the highest charges; he was good at concluding files, doing a first-rate job. The boys got jealous of him." Unfortunately, he also had a reputation for continuing the long-standing practice of informal, curbside justice in the Town. McRae by-passed the normal chain of command in the department, ignoring Sergeant Young and Corporal Cooper. This made "Murphy, the head of the local union, the unofficial second-in-command in the force." Another senior member said that the problem lay in the relationship between McRae and the Council. "He gave Council a hard time." He said and, as a result, "Council and the Police Commission hated both of them. The Police Commission wanted to keep their thumb on their police department. McRae wouldn't take the bull shit from them." The Inquiry was actually initiated by Chief McRae who asked the Nova Scotia Police Commission to investigate Sergeant Young. The N.S.P.C. subsequently widened the Inquiry in the face of many public allegations of police wrongdoing.

The union (P.A.N.S.) provided lawyers to defend the constables. Sergeant Young and Corporal Cooper hired a private lawyer, Derrick Kimball, to defend their interests. McRae's lawyer was Joel Pink. PANS instructed its members to refuse to discuss the issues, a matter of great concern to the three-member Inquiry Board. Overall, the Inquiry members said they were "disappointed in the quality of the evidence given by the police officers", and they questioned the personal integrity of the evidence they heard (NSPC 1984: 177).

As the Inquiry continued, citizens brought their complaints directly and Police Commission members testified about their dealings with the police force and the Chief. A breach of confidentiality illustrates the problems of unprofessional conduct and lack of supervision that plagued the department. In order to provide their lawyer with background information on those who appeared before the Inquiry, including members of the Police Commission, Constable Morrison entered their names into the police information system (C.P.I.C.) and then provided the lawyer with a copy of the results. Chief McRae said that he had given Morrison permission to provide the lawyer with the

information, but said he had not authorised giving actual documents. The N.S.P.C. was highly critical of this casual attitude and evident poor leadership.

In addition to recommending the firing of Chief Allen McRae and Constable David Murphy, Sergeant Fred Young was demoted to Corporal and Brian Morrison to Constable. Despite the charges of poor leadership, after McRae Fred Young was again Acting Chief in Kentville for about half a year, although by that time his chances of becoming Chief were very slim. Instead, the Police Commission again looked outside the town, once again to Ontario, for professional leadership and, they hoped, strong discipline. They found what they wanted in Robert Innes, described in 1997 by the then Chairman of the Police Commission as the best Chief Kentville had had.

The town of Berwick hired its first (and only) chief from Ontario in 1981. At its regular monthly meeting in December, 1980, Town Council announced that Richard Tennant would be the new Chief. Chosen "from a field of 12 candidates to lead the force", Tennant was 34 years of age. From Kemptville, Ontario, he was a 12-year veteran of police work with patrol and detective experience, who was then on the Nepean Township police force (*Halifax Chronicle Herald*, 11 December 1980: 29). Tennant had been trained at the Ontario Police College and worked in Nepean as a detective for three years. He left police work for a year, the *Berwick Register* reported, to work in his own business, but re-joined when he "soon decided he missed policing" (14 January 1981: 1).

Tennant held his first meeting with the Police Commission on January 14. At this meeting he raised the issue of hiring the third policeman, the issue that his predecessor had fought over with the Council and had led to his resignation as Chief (*Berwick Register*, 14 January 1981: 1). The *Berwick Register* provides some indication of the type of policing which Tennant publicly intended to implement. According to the *Register*, "Although Tennant has always worked in cities he was raised in a small town and said he prefers them. 'In large cities police tend to be considered a necessary evil' he explained 'while in towns you have the ability to be part of the community.'" He also explained that he had wanted to work in the area for a number of years; over the past four years his family had spent holidays in the area.

It appeared that Tennant planned to run an open police department that was responsive to community concerns. He "said he would be interested to hear suggestions from the town and added 'I would like the people to know my door's open to talk anytime'" (*Berwick Register*, 14 January 1981: 1). A further indication of the type of policing promised was given by Tennant when he spoke to the local PTA. "Chief Tennant emphasized that the function of the Police Department is not only to arrest and prosecute, but also to help. Children should learn that the policeman is their friend and a source of help. He hopes that the police department and the community will be able to work together and thus help to solve any problems our community might encounter." He supported the setting up of a Block Parent's programme in Berwick. He also described to parents the signs of drug abuse among their children. The police department was "most eager to help parents and young people so that drug abuse may be detected early" (*Berwick Register*, 18 February 1981: 3). Tennant's public role, then, was diametrically opposed to the way MacRae had handled public relations in Kentville, and he was more aware of the needs of balancing professional policing with community approval.

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At first, it was an up-hill battle in Berwick. Many of the problems the police encountered concerned public attitudes to the force. There was considerable anti-police feeling in Berwick, one senior member said, which went back at least to the end of Backman's tenure. A further indication of Tennant's perception of town policing can be found in his public reply to a letter to the editor (*Berwick Register*, 7 January 1981), which criticised the police. Apparently, the author of the complaint had had difficulty getting an ambulance to the hospital at about 2 a.m. on the 17th of December. He called the Police Department and the answering service told him that the "Berwick Police were in for the night and had gone to bed".

Tennant replied to the letter in order, he said, to "clarify the services provided by the Police Department." In his letter he stated that the "Berwick Police provide 24-hour coverage . . . but it must be remembered that an answering service as employed by this Department, is necessary due to manpower capabilities, and cost to taxpayers. All calls of an emergency nature are handled, but officers will not be called out after hours for situations not considered as such.

"The Police Department is not an ambulance or taxi service and I do not feel the tax payers would wish us to assume that responsibility." The police were untrained for medical emergencies, he explained, and they, as well as the town, would be legally responsible. In a more conciliatory fashion, he continued:

This department will, however, should emergencies arise, assist citizens in obtaining suitable transportation whenever possible.

Police officers are human beings as well as your neighbours and friends and wish no hardship on any citizen. It appears when people become annoyed with government policies the Police take the brunt of the conflict. We enforce the laws and rules of the land, we do not make them. The laws and rules are made by 'YOU' the public.

In summation . . . [we] will assist with the best of our facilities and knowledge. Should any person need advice, assistance, complaints or commendations, please feel free at any time to contact the undersigned or members of the Police Force.

"This is 'Your Police Force' let's work together (*Berwick Register*, 14 January 1981: 4).

From the start of his tenure, then, Tennant seemed to be concerned about police-community relations. This was not an entirely new initiative. Police Community relations programs had also been provided under Backman. For example, Backman and Constable McGowan had assisted in a bicycle test at Berwick School (*Berwick Register*, 25 June 1980: 4). In addition, the bomb squad at Greenwood, along with the Berwick Police Department, had made a yearly presentation to school students in the town about the dangers of explosives. This program was credited by the *Register* with saving the life of a 9 year-old who found 106 blasting caps and immediately told the police about them (*Berwick Register*, 23 July 1980: 1).

Tennant initiated or supported additional programs, perhaps in keeping with his city experience. These included Block Parents, which was initiated in April 1981 (*Berwick Register*, 1 April 1981: 1) and set up in May 1981. According to Churchill, the Block Parents program in Berwick was begun by a new constable, who knew personally the member in Dartmouth who had set up the programme in that city. Tennant also gave public talks and supported activities during police week (*Berwick Register*, 27 May 1981: 3).

Another initiative that was begun under Tennant's authority was the Auxiliary Programme. In 1982 it consisted of four Specials: Roy Fancy, Lawrence Bent, Thomas Small and Preston Illsley. Constable Churchill initiated the program, according to another member interviewed, because there weren't enough policemen. The Specials who worked in this "ride-along" program were security cleared, wrote exams, and received a good training program, a senior member of the department said. Crown Prosecutor Jack Buntain and the R.C.M.P. Identification Unit in New Minas conducted seminars for the members. "There were some good people sworn in as special constables", he commented. The auxiliary program was closely patterned after a similar program begun in the RCMP. In general, the specials decided when they would work and then accompanied a regular officer on patrol. The Specials were not paid a salary, although the town paid them a small annual honorarium. In 1984, however, a new Chief, Allan DeWolfe abandoned the ride-along program.

According to a senior member interviewed, Tennant did not bring many other changes to the police department. There were some administrative changes, but there was nothing like the introduction of a "spy sheet" to make constables more accountable, as Cook was accused of doing in Middleton. During his regime, the officer said, Tennant got along with everyone. This was partly because he was Chief for such a short time and partly because he was much more sociable than Backman had been.

One change that Tennant made, which was not consistent with small town community policing, the officer noted, was to mount the shotgun in the car. Apparently it protruded above the dash, half way up the window. A senior officer said that members of Town Council were not happy having the car leading the children's parade with the shotgun so clearly visible. A member of the R.C.M.P. recalled an incident when the shotgun was used improperly. In his version of events, a Berwick officer responded to a disturbance call at a local tavern. Finding it impossible to calm the situation quickly, he retrieved the shotgun from the car and carried it into the bar. The officer may have expected that the shotgun would give him immediate respect, but he found he could not use it. His bluff was pulled and, according to the RCMP member interviewed, the Mounties had to act as mediators between irate citizens and the police; the Berwick police had lost all credibility. In recalling this incident, a member of the Berwick force commented that he wouldn't want to give back-up to any officer who pulled a shotgun in such a situation, although he would take the weapon with him fast enough if he thought the situation warranted it.

With the exception of this breach of community norms, it appears that Tennant brought a few new ideas to the Berwick force, although in many cases the implementation and even the initial idea were local in origin. There was an increased

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emphasis on public relations and Tennant said that he wanted to run an open department. This was in tune with the growing popularity of community-based policing in the 1980s. At the same time, Tennant represented a second thrust in contemporary policing with the display of weapons. In the end, however, Tennant did not last long in the town and the department suffered further blows to its public image.

One member of the Berwick force described Tennant as having been a very successful street policeman in a town the size of Napean, which was "really city policing" with a force of about 20 or 30 members. That experience had not prepared him for administration, particularly in a small town. He also tried to handle both the chief's job and do enforcement work as well, a senior member added. He worked many weekends and nights "because the town really needed more policemen". "Dick did a lot of extra work", explained the officer. "He also had only three constables. There was a lot of turn-over; guys were in and out in a year. It was a real screw up." Sometimes, then, Tennant "wouldn't be in his office at 8 a. m. the next morning. He didn't have to explain," the officer said, "but someone was bound to ask: 'Where were you?' and this became a problem for him."

If Tennant had a reputation as a good "street policeman, he wasn't known as a very capable administrator, a senior member said, and didn't like that aspect of the work. He started some good programs here, the officer said, but didn't keep them, going. "When I arrived," he said, "there were two systems here: what was left of Ed Backman's and bits and pieces of Tennant's. It was a mess. He didn't keep good records and he didn't have a good secretary." Several members thought that Tennant was unable to make the adjustment to small town policing. He was trying to set the tone for the public perception of the police department, but found it difficult because he took orders from no one.

Another officer recalled, however, that when Tennant took over the department the members thought very highly of him: "They thought that he was a great guy." In one member's view, "he was out to live life to the fullest." This would have been a lifestyle that was difficult to maintain in the fish-bowl of a small town, especially as Chief of Police. Tennant was described by one constable as the type of guy who would give you the shirt off your back, although he qualified this comment by adding that, at the same time, Tennant could be very moody and quite rough around the edges.

Tennant was only Chief in Berwick for about 15 months. He resigned effective the end of May 1982, but may already have decided that he would not be staying in Berwick, according to one member who recalled a telephone conversation with the Chief in January or February of 1982. The final straw for Tennant happened in March 1982, a senior member in the department said. "There was a big street brawl in the town. The police car received some damage and a crowd of young people was in the police station." The next day, he said. one youth was walking around sporting a black eye and alleging that the Chief had assaulted him. This was investigated by the RCMP in New Minas at the request of the Police Commission and the Attorney General's department. Tennant was charged with assault. Later, another Berwick constable alleged, the youth admitted to causing the damage to himself. While the charge against Tennant was dismissed, he resigned as Chief.

After Tennant's departure, Harvey Churchill became, for a second time, acting chief. While he did not apply for the Chief's position, he said, the town promised him that in return for this service he would be promoted to corporal. This promotion did not come until more than a decade later. The town then hired Allan DeWolfe, who began a successful period as Police Chief until the town signed a contract with the RCMP, at which time DeWolfe was brought into the federal force as a corporal.

NEW BROOMS

By the early 1980s, four of the five main valley towns had hired new police chiefs; each inherited a troubled department in which the previous Chief's efforts to move the police department in the direction of modernization had met substantial resistance. Town Councils resisted the costs that professionalism ensued, and some police officers had abused their relative autonomy and discretion. In Kentville in the aftermath of the Police Commission Inquiry, Town Council hired a new Chief, Robert Innes. Innes's mandate was to "turn the department around" and repair its damaged credibility. At the conclusion of his first year Innes optimistically reported: "The force is generally operating quite efficiently and effectively. Morale, after sinking to an expected low, appears to be on the upswing and will hopefully keep going in that direction" (Kentville Police Department, Annual Report, 1985: 12).

During his term, Innes worked vigorously to revamp the department. He began by upgrading equipment and training, instituting formal, equitable discipline and formalising the department's commitment to proactive policing. He decided that the investigative workload did not warrant an Ident section, and closed down the unit. The local R.C.M.P. detachment would then supply Identification services to the Town. Innes appointed a Community Relations Officer in 1985 who set in motion a series of community relations programs including Block Parents, Neighbourhood Watch, Operation Identification, property tagging, Seniors Taking Extra Precautions and bicycle safety rodeos. Several department members actively supported the Kentville Police Boys Club that was established at this time. Chief Innes was also the driving force behind the development of a co-operative crime prevention unit consolidating the six municipal departments in the Valley. In 1985 Chief Innes stated "All of the aforementioned programs are quite taxing in man hours on the force but I believe the benefits received are almost immeasurable". His purpose was two-fold, encompassing both crime prevention and improved public relations. His motives were clearly demonstrated in the following excerpt: "They [community relations programs] hopefully have some effect on drug abuse and criminal activity within the community and certainly create better liaison with the citizens and their police force" (Kentville Police Department, Annual Report, 1985: 12). As one member of the force stated, "With Innes, we were back at foot patrol again."

Another constable recalls that Innes imposed different patrols, bringing back foot patrol on the "block" (downtown) and having the officers work one-member patrols instead of doubling up. There were to be no more coffee breaks together in the town. In order to maintain administrative control over the work of the constables, Innes introduced Unit Sheets. They were "called scandal sheets", the officer said. "They were

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divided up into fifteen-minute blocks and you have to account for your time. They had to be passed in on the 31st of every month. Guys would work a couple of hours on them when they were due. . . . I thought they were ridiculous." At one point in the Department, a number of Unit Sheets were shredded by dissatisfied officers, ostensibly as a practical joke.

By 1988, the Department's credibility had been significantly enhanced. Unfortunately, Chief Innes died prior to the actualization of many of his objectives. Del Crowell, previously Police Chief in Hantsport, was appointed as Kentville's next Chief of Police in November 1988. He further modernised the department and explicitly adopted the perspective of community-based policing for Kentville. Specifically, he modified administrative and operational procedures, reorganised the filing and statistical systems, created new policy, evaluated equipment, manpower and training, completed a Rules & Regulations guide, furthered the completion of an on-site gym facility and formulated a five-year Plan for the department's growth. Chief Crowell modified the department's basic organisation and rank structure, through promotion routines and a modest redeployment of manpower. The result was a modern police force emphasising crime control and order maintenance within a community-based policing model. Unfortunately, when, in 1994, Crowell was charged with several counts of theft and fraud, it seemed all too familiar to a town which had seen too much controversy in its Police Service, as it became known under Crowell's leadership.

The town of Berwick was fortunate in its choice of a "new broom". The year 1982 had been a low-water mark for the Berwick Police Department. Like other Valley towns in the late 1970s and early 1980s, the police in Berwick were low in public esteem. Not only was the Kentville Department approaching a major public Inquiry, but the Middleton Police Force was similarly undergoing a public scrutiny which would lead to the firing of the Police Chief. It is significant to note that major changes in these three towns occurred around the same time. With the hiring of DeWolfe in Berwick and Innis in Kentville, there was a considerable change, not just in the professionalization of the police forces, but in the implementation of community-based policing.

DeWolfe arrived in Berwick in early April 1982, starting as Chief on 17 May 1982. For the next year, Tennant was back and forth for the trials, and it was early 1983 before they were concluded. In the end, DeWolfe said, the youth acknowledged his fault and Tennant was found not guilty. "There was no big deal in the town about the incident," DeWolfe said, "No animosity, but there was a lot of talk." When he arrived, DeWolfe indicated, the Berwick Department was "in an upheaval". Having taken over the Department on the 17th of May, 1982, the Chief was faced with negative attitudes on the part of both the public and the police officers. As the Chief summed it up in his year-end Annual Report, the preceding "eventful twelve months" had included "major staff changes, investigations, [and] court appearances".

DeWolfe was also explicit about the type of policing he would do in the town. The Chief noted that "police officers, because of the nature of their duties, were employed in a highly visible and at times unpopular profession. One mistake can undermine years of solid police work." Consequently, members had to realise "that they must be answerable [for] their actions". Because the approach to policing in Berwick had led to a lack of

accountability, the relations with the public in 1982 were poor. The Chief, in his first Annual Report, stressed that the interests of the police and the public were the same: protection of property and civil rights. Consequently, citizens should "realize they can go to their local force for both protection and advice" (Berwick Police Department, Annual Report, 1982). In his 1983 Report, following a full year and a half as Chief, DeWolfe reported that the public attitude had become "very supportive", communication was open and relations with the public were "steadily improving" (Annual Report, 1983).

The personnel of the police department settled down after 1982 and there was virtually no turn-over of full-time staff for more than a decade. At the same time, however, the demands on the police force began to change. In his 1984 Report, DeWolfe noted an increase in vandalism, which had always been a problem in the town. Mischief, he said, is very hard to investigate. "People would often not notice the damage for months and then, in the spring, you would get calls about things that happened a long time before. We had a problem -- we were not getting our investigations done." That year DeWolfe installed Constable Churchill in a modified G.I.S. position to over-see the investigations.

This position was confirmed in 1986 when, as his Annual Report indicates, Berwick began to experience a number of break-and-enters. "We had six in 1985 and 18 in 1986. They weren't getting cleaned up and this tied down our investigations." Not only the number of breaks increased, but they were of a more serious nature and not done by locals. "That is why [Churchill's] role was changed", said the chief. As DeWolfe wrote to the police commission, 1986 "brought the first major shift in policing. Our officers were increasingly involved in investigative complaints which reflected a decrease in patrol activity. This in turn led to a lowering of our presence on patrol, which gave more chance for criminal activity and thus, even more investigation. This trend has continued to the present" (Chief DeWolfe to Howard Arsenault, Chairman, Board of Police Commissioners. 2 June 1989).

Despite the community-oriented nature of the department, then, the response to an increase in criminal code violations was to turn to the professional model. This meant, first, creating within the bounds of a small force, a GIS capability and, second, seeking to increase the size of the police force. Middleton, a town that had stagnated in population, had a six-member force but the town of Berwick soon overtook its neighbour in size.

In 1989, DeWolfe made a formal, written request to the Board of Police Commissioners for a fifth constable. In addition to the increased number of investigations which reduced patrol (thereby increasing criminal activity), DeWolfe listed several other reasons for his request for an additional constable. The population of the town had increased from 1,700 to 2,035 and the ratio of officers per population had increased correspondingly from 1/340 to 1/407. Since Berwick is a "business center", this increases the amount of "shoppers, visitors and traffic" meaning that the responsibility of the police force extends beyond the citizens of the town and "includes all the people who pass through our jurisdiction".

Both the number of criminal code offences had increased and, since many were more complicated, the time necessary to investigate them had increased. At the same time, there had been additional requests or complaints from the public seeking more

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active patrols and greater involvement in community programs. Creating an investigative position enabled the Department to keep up with its investigations, but there were now fewer uniformed constables. Consequently, police patrols Thursday through Saturday night did not allow adequate coverage. The Department, however, could not meet all these increased demands. "We are unable to provide a consistent level of policing with the manpower now employed. At best, we are staying even with our current investigations." The town had sought, and the police department had tried to provide, "competent, progressive and pro-active policing within the Town of Berwick", but the department was only re-acting, DeWolfe said, predicting "increased difficulties within our scope of responsibilities" if the town did not act to reverse the direction of the department.

Perhaps ironically, the Chief had chosen to take the Department in the direction of a more professional, urban-style structure (necessarily on a small scale) rather than seek community-based solutions to the problems enumerated. For a variety of reasons, which the Chief elaborated in his Reports and in an interview, he had disbanded the Auxiliary Constable programme that might have helped with patrolling the town and enhanced the community nature of the police force.

In all of these towns, new brooms were still built to the same basic dimensions as the old and had much the same dust to sweep. While the details of the tribulations of each town's police force are singular and reflect the specific nature of each town, its police force, and the personalities involved, the various incidents also reflect the conflict between modes of policing and the difficulty of blending professional and community styles. In fact, the traditional/modern dichotomy is too simplistic a scheme to apply in concrete circumstances. Traditional town policing was also highly discretionary and informal—for better or worse. In the older model, police partiality was shaped by the dependency of the police on the favour of powerful people in the community. In the space between older-style discretion and modern professionalism, small town departments sometimes exercised an arbitrary style that was characterized by an autonomous police culture that appeared, to use a contemporary colloquialism, overly "in-your-face" to town citizens and councillors alike. It was not simply that professional policing was more alienating than the traditional style; the problem was that the community did not exercise enough direction over day-to-day policing. Of course, that was one of the points of the establishment of Boards of Commissioners to set policy and allow routine matters of policing to be handled by a Chief. In a small town, however, this demanded of chiefs a considerable degree of inter-personal skill and astuteness as to the needs and desires of the community they policed. At least in the case of Kentville and Berwick, they did not, at first, find chiefs who were able to strike the correct balance between professional autonomy and community relations. Even when they did, the demands of professional policing often contradicted the move to becoming community-based.