

Rapist's claim prompts internal police probe

BY ROB SHAW
Times Colonist staff

A rapist's claims that he tried to surrender to police between attacks has sparked an internal investigation at the Victoria Police Department, chief Paul Battershill announced Tuesday.

Victoria police will try to determine whether Jacob Tree approached the front counter of the Caledonia Avenue headquarters and tried to turn himself in between Feb. 1 and Feb. 15, 2004.

Tree, 26, has pleaded guilty to raping a 17-year-old girl that Feb. 1 and to robbing and raping a 19-year-old female worker at Booster Juice in the Cook Street Village on Feb. 15.

At Tree's sentencing hearing last week in Victoria, Tree's psychiatrist, Dr.

Shabehram Lohrasbe, said Tree said he tried to surrender at the station before the Booster Juice attack but was turned away because there was no warrant for his arrest.

"It's very troubling," Justice L. Paul Williamson said during the court hearing in response to the claim. "Surely a police officer would have questioned him."

However, Lohrasbe also appeared skeptical of Tree's claim and questioned why he didn't simply confess. At the time, police did not have access to DNA evidence that would later link Tree to the rapes. Therefore, it was unlikely police at the front counter would have had a warrant or considered him a suspect, Battershill said.

Williamson's comment spurred Battershill to call for the internal review late last week.

In effect, the department filed a complaint against itself under the provincial Police Act. That sets in motion an internal investigation overseen by the B.C. Police Complaint Commissioner and the Victoria Police Board.

"Victoria police actually are very forthcoming in these types of internal reviews," said Bruce Brown, deputy police complaint commissioner. "If they identify for themselves perceived or possible problems, they will report it to us."

The complaint commissioner's office will have full access into the department's file and approve any findings, Brown said.

"The troubling part, I suppose, might be he tried to turn himself in between the two assaults," Battershill said. "I suspect that didn't happen. But we'll have to check to see whether he did in fact come into the



Battershill: 'Troubling' aspects

station or not. I think we can probably determine that with some... certainty." Investigators will review footage from

security cameras at the front counter, he said. The cameras do not record audio. As well, the computer systems will show whether anyone searched for a warrant in Tree's name, Battershill said.

"The point is that if he came in and said, 'I did a sexual assault and I want to confess to that,' there'd be a huge problem," Battershill said. "There's a number of possibilities that could be a problem. I don't think they are. They are small chances. But I think you have to look at those and make sure, because subsequently, a violent offence did occur."

Police should be able to determine within a couple of weeks whether Tree entered the station, Battershill said the full investigation will take two or three months.

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With files from Richard Watts

Death at lake blamed on alcohol, cold water

BY SANDRA McCULLOCH
Times Colonist staff

The death of a Duncan man on the weekend at Fairy Lake near Port Renfrew has the RCMP cautioning backwoods campers that alcohol and large bodies of water don't mix.

Patrick Doherty, 50, of Duncan was camping with friends at a B.C. Forestry campground five kilometres northeast of Port Renfrew on Saturday evening when he went into the lake to wash his hair and disappeared under the surface.

"It appears he may have had a heart attack," said Cpl. Laurie Jalbert of Sooke RCMP, adding that Doherty had con-

sumed alcohol. Heart attacks "are quite common when you hit cold water," said Jalbert.

The lake covers 33 hectares and has a maximum depth of six metres. The water in area lakes is quite cold right now, said Jalbert.

"Generally they do heat up in the summertime but we're still early in the season."

Summer is a busy time for police divers like Jalbert who are called in to recover bodies.

"We generally get increased deaths especially around water," said Jalbert.

"People are out at the water, out camping, out doing crazy things like trying to

swim across the lake. People end up drinking or they eat too much or they just overestimate their swimming abilities.

"It's common-sense decisions, right? Don't go swimming until an hour after you've eaten. Anytime you're consuming alcohol, whether you're thinking about driving or thinking about walking down a road or going on a bike, your judgment is going to be impaired."

Bill Meikle of Juan de Fuca search and rescue said he got the call for assistance at about 10 p.m. Saturday.

"It was too dark to try and look for anything that night," said Meikle.

He gathered searchers at the site early the next morning to begin a search.

"We put two people in water, and had them looking along shoreline near the beach," Meikle said.

"After the sun came up, it seemed to penetrate the water. Somebody in a boat we had patrolling spotted him."

The body was in four or five feet of water, not deep enough for Doherty to be over his head.

The searchers recovered the body under the direction of the coroner and RCMP.

The call-outs during the summer can go from none to a dozen and include drownings and people getting into trouble in the bush, Meikle said.

"We do a few medical evacuations off the Juan de Fuca Trail."

Downtown Canada Day celebration, policing 'a success'

BY ROB SHAW
Times Colonist Staff

After pouring out thousands of alcoholic drinks, breaking up a fight on a bus and making dozens of arrests, Victoria police say they're happy with how safely Canada Day was celebrated in the downtown core.

"We consider Canada Day to have been a success," acting Insp. Les Sylven said. "We were busy, no doubt about it. Our police officers were very busy down there."

"We were very happy with the fact by the end of it, we had no one in the hospital, we had no major swarms, no major assaults. In fact, we didn't end up with anyone facing any serious criminal charges."

Police nabbed 57 people for alcohol-related offences — six youths, six women and 45 men. One large fight on the top floor of a bus was handled by both Victoria and Saanich police, he said.

Sylven credited the success to an expanded no-alcohol red zone, extensive planning, bike squads and a borrowed RCMP helicopter.

More than 50,000 people were expected to crowd into the red zone area during the July 1 celebration. B.C. Transit anticipated a ridership of 60,000 to 65,000.

Police were criticized for the practice of boarding buses and pouring out alcohol at last year's celebrations. They continued the practice this year, but maintained that only buses whose drivers called for help were searched.

Anne Graves, operators supervisor for B.C. Transit, said 13 drivers phoned for help due to rowdy passengers or alcohol-related problems. "That's way down from last year," she said. It was about three times that amount last year, she said.

"We had a couple of buses with broken windows, but considering the number of buses on the road and the number of people... we're very happy," she said.

Sylven said police will examine their successes and plan for next year.

"We're going to have a full debrief," he said. "We'll sit down and we'll analyze everything. There's nothing jumping out at us right now [to change]. Like I say, I think it was a good event. In fact, some people were mentioning it was almost a non-event."

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Man faces charges after 5-hour standoff at Nanaimo home

Nanaimo RCMP officers and a unit of armed tactical response members surrounded a house in south Nanaimo Monday morning after reports of an armed man uttering threats.

The man's common-law wife called police for help at 1 a.m. after she was allegedly threatened. Const. En Allan said. The woman fled the house on the 1500-block of Rug Road in the Cedar neighbourhood and waited for police, she said.

Police believed guns were inside the house, so officers called in the South Island Emergency Response Team, whose armed and armoured members are the equivalent of a SWAT team.

After a standoff of about five hours, the man came out of the house and was arrested, Allan said.

The woman was not injured. Police believe drug use might have been a factor in the incident, Allan said.

Carmine Dentine, 46, appeared in court Tuesday to face seven charges, including uttering threats, possession of a restricted weapon (handgun), possession of a loaded firearm, and three counts of possession of a controlled substance, including cocaine, crack cocaine and crystal methamphetamine.

— Times Colonist staff

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NOTICE OF AMENDMENT TO STREET VENDORS BYLAW

TAKE NOTICE that pursuant to section 59(2) and (3) of the Community Charter, the Council of the City of Victoria intends to adopt Street Vendors Bylaw, Amendment Bylaw (No. 14) – Bylaw No. 06-047.

The purpose of this Bylaw is to add a new vending location at Reeson Park.

Any person who considers they are affected by this bylaw may make representations to Council or to review a copy of the proposed Street Vendors Bylaw, Amendment Bylaw (No. 14) please contact:

Corporate Administrator
City of Victoria
#1 Centennial Square
Victoria, BC V8W 1P6

Telephone
(250) 361-0571

Public Consultation on City of Victoria 2005 Annual Report

will take place at the

COMMITTEE OF THE WHOLE MEETING

Thursday, July 6, 2006
9:00 a.m.

in the Council Chambers, Victoria City Hall
No. 1 Centennial Square, Victoria, B.C.

Members of the public are invited to attend this meeting, where Council will consider submissions and questions.

The Annual Report is available for public inspection at Victoria City Hall beginning June 30, 2006.

Butcher knife used in slaying proves elusive

Victoria police still have not found the bloody knife used in the city's second homicide of the year.

The black-handled, eight-inch, curved kitchen butcher knife was used by an attacker to stab 20-year-old Bruk Abera to death, and injure two other men, during a fight at an apartment building on June 20, police say.

A man was seen fleeing the building, at 2647 Graham St., and heading toward Hillside Avenue about 3:30 a.m.

Police issued a plea June 26 for residents to check their property for the knife.

"We haven't had any information, from what I understand, coming back," acting Insp. Les Sylven said Tuesday. "So it's still out there."

Randal James Bailey, 22, has been charged with one count of second-degree murder and two counts of aggravated assault.

Sylven said the investigation is not in jeopardy if the knife remains missing.

"We're still looking for it, we're still trying to get a hold of it but I wouldn't say the case depends on us recovering that."

Anyone who finds the knife is asked to call police at 995-7254.

— Times Colonist staff

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PUBLIC HEARINGS IN BRITISH COLUMBIA OF THE EXPERT PANEL ON SAFE DRINKING WATER FOR FIRST NATIONS

On May 31, 2006, the Honourable Jim Prentice, Minister of Indian and Northern Affairs Canada, in collaboration with Phil Fontaine, the National Chief of the Assembly of First Nations, announced the creation of an expert panel to advise on options for a regulatory framework to ensure safe drinking water in First Nations communities.

The panel is holding a series of public hearings across Canada to gather the views and suggestions of First Nations and other interested parties. The panel will hold hearings in British Columbia as follows:

9:00 am July 12 and July 13, 2006 The Fairmont Waterfront 900 Canada Place Way Vancouver	9:00 am July 17 and July 18, 2006 Ramada Hotel 444 George Street Prince George
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On the second day of each hearing there will be an open forum session, at which any organization or individual may speak. Written submissions may also be mailed to:

P.O. Box 28001
Bagot Post Office
Kingston, ON K7L 5R2
Or by email to:
clk@groupe-eps-sdw-panel.org.

Those who wish to provide their views may address any aspect of the following questions:

What should be regulated:
source water protection, training and certification of operators, drinking water quality, effluents, treatment, testing, wells, health protection, emergency preparedness, plant and system design, other aspects? What standards should be used?

What legal framework should be used:
First Nations, federal, provincial, territorial – and what roles should various governments play in implementation?

If you wish to participate in the open forum, or would like more information on the work of the panel, please visit its website at **www.eps-sdw.gc.ca**. You may also contact the Secretary of the panel, Catharine Lyons-King, at **1-866-677-2635**.

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