Pacific Gateway:
State Surveillance and Interdiction of Criminal Activity on Vancouver’s Waterfront

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ABSTRACT
Unionised work environments within large seaports attract transnational organised crime, and this presents a challenge for law enforcement agencies. If media stories are true, a motorcycle club called the Hells Angels has established a presence on Vancouver area waterfronts since coming to the province of British Columbia. Associations between longshore union locals, club members, and known contacts are implied and presented as evidence of participation in criminality. This paper revisits the perception that criminal activity is endemic in the Port of Vancouver because of a lack of policing, adequate resources, and indifference from port authorities, employer bodies, as well as union leadership. In an era of heightened concerns about public safety and national security, federal and provincial governments understand the importance of seaports, especially in Vancouver and up the Fraser River. These port facilities are important to international trade that flows through them as part of Asia-Pacific Gateway and Corridor initiatives. Therefore, targeted investments, close coordination amongst government departments and agencies, and engagement with waterfront stakeholders promote secure places hard for organised criminals to operate freely.

Keywords: Port policing, Royal Canadian Mounted Police, Canada Border Services Agency, International Longshore and Warehouse Union, Hells Angels, Vancouver

INTRODUCTION
The presence of organised crime in North American ports and waterfront unions has captured the public imagination since the showing of On the Waterfront, a 1954 movie based on Pulitzer-winning articles (Johnson and Schulberg, 2005). The story involved ordinary longshore workers standing-up to corrupt and murderous union officials who were involved with New York City mobsters (Block, 1982; Demeri, 2012). By raising this problem, Hollywood asked how government authorities could allow such criminal activity to persist. The

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Canadian equivalent was a series of articles in May 2015, written by investigative reporter Kim Bolan, that documented members in longshore union locals with criminal records and alleged ties to Hells Angels (Vancouver Sun, 2015a). The Royal Canadian Mounted Police (RCMP) long considered Outlaw Motorcycle Gangs (OMGs) principal players in organised crime in Canada (Beare, 2015).

The fact that individuals belonging to OMGs worked in the longshore industry as members in good standing in the International Longshore and Warehouse Union (ILWU) was hardly a surprise to government officials. Bolan gained information from information requests and interviews with members of the Royal Canadian Mounted Police and Canada Border Services Agency (CBSA) before approaching Transport Canada, the federal department holding legislative responsibility for ports and marine security (Transport Canada, 2015). Her doggedness in pursuing stories on crime, gangsters, and Vancouver’s seedy underside won her the 2016 Jack Webster Award for Excellence in Legal Journalism.

Picking up the theme, The Romeo Section, a Canadian Broadcasting Corporation spy/crime drama produced by Chris Haddock, aired episodes with triad-connected criminals using longshore contacts to move drugs from a tracking device-tagged container off the Vancouver waterfront.¹ A reality television series on Shaw Media channels, Border Security: Canada’s Front Line, also featured CBSA teams performing inspections and interdiction in Port of Vancouver (Canada Border Services Agency, 2014). Given such portrayals in popular culture, there is little wonder that the public has been left with the idea that law enforcement is barely scratching the surface. However, it is relatively easy to sensationalise organised crime working in Canadian seaports and through waterfront labour unions.

Separating perception from reality is important in understanding this issue. Crime on Vancouver waterfronts is a problem managed in several ways and involving many agencies. As a transit point, the port provides a venue for movement of illicit drugs and other criminal-related activities. The state, represented by port authorities, law enforcement and security agencies, possesses surveillance and interdiction capabilities suited to the nature of the problem and likely organised criminal groups. Hells Angels, visible because of their stylised appearance, fit the image of sophisticated criminals flaunting the best efforts of police. There is evidence that OMGs form some part of unionised longshore workers employed on Vancouver waterfronts (Vancouver Sun, 2015a; Criminal
Intelligence Service Canada, 2014a), but their actual influence is progressively diminishing because of technological improvements, greater law enforcement coordination, and better governmental policies, as well as efficient practices by law enforcement agencies.

WATERFRONT CRIMINALITIES

As the largest city with a commercial seaport in Western Canada, Vancouver and its surrounding suburbs provide dock terminal employment, and with it, criminal activity (Port Metro Vancouver, 2014a). Along the shores of Burrard Inlet and the up the Fraser River, specialised facilities handle shipping containers, packaged lumber, and bulk commodities. An artificial island with terminals on Roberts Bank near the Canada-US boundary connect the mainland by a causeway, and this accounts for a growing proportion of shipping.2

The Vancouver Fraser Port Authority (VFPA) manages federally-owned industrial land through leases to private terminal operators. The latter, in turn, are responsible for building and maintaining facilities, observing environmental and marine safety standards, and general site security. In terms of marine port security, Canada follows the International Maritime Organisation’s International Ship and Port Facility Security (ISPS) Code to meet internationally-accepted norms, thus giving confidence to shippers and member states (Edgerton, 2013; Brooks, 2014). Following Australia’s example, the Canadian government has engaged investment banker Morgan Stanley to explore further privatisation of Canadian seaports, including Vancouver, to unlock investment potential and promote greater trade efficiency. Regardless of management model, it is axiomatic that policing of criminal activity at ports concerns governments at all levels - from federal down to municipal.

The criminal problem on Vancouver waterfronts changes and evolves. Theft (stealing a whole cargo) and pilferage (stealing partially from a cargo) became so prevalent in the late-1960s (National Harbours Board Police, 1979) that a federal police force responsible for national ports was formed under a former RCMP member (Cassidy, 1968). With the advent of shipping containers, drug smuggling—especially from Asia and South America—gradually became predominate. This is in large part due to increased supply in source countries, as well as domestic demand, and included cannabis, heroin, cocaine, and in later years, methamphetamine-based narcotics. As a port of entry, Vancouver was a conduit for illegal drugs into Canada and America by organised crime groups
The presence of criminal elements amongst waterfront workers concerned law enforcement agencies. During a review of port policing in 1992, Justice René J Marin considered the Vancouver situation still warranted professional port police (Canada Ports Corporation, 1992). His view was no doubt formed because the Ports Canada Police detachment regularly seized quantities of illegal drugs and disrupted other criminal activities (Vancouver Ports Corporation, 1996). But, despite opposition from the provincial attorney general, the federal minister of transport announced his intention to disband the federal port police (Vancouver Sun, 1997).

Municipal police forces—Vancouver Police, Delta Police, and the Royal Canadian Mounted Police under contract to the province—assumed responsibility for law enforcement for this jurisdiction. In addition, the Coordinated Law Enforcement Unit (CLEU), which was a civilian provincial body focused on organised crime, provided a small investigative section dedicated to ports (Criminal Intelligence Service Canada, 1998).

Afterwards, Vancouver Fraser Port Authority signed agreements with the province to provide funding toward port policing and security. These funds were redirected to the Royal Canadian Mounted Police when a National Port Enforcement Team (NPET) was established. Senator (James) Colin Kenny, senator from Ontario, who chaired a standing committee studying national security and the transportation sector, stressed the vulnerabilities of a seaport wide-open to exploitation by criminal elements (Senate, 2007). A direct line was drawn from disbanding federal port police to the growing boldness of organised crime groups, like the Hells Angels. The RCMP, a benefactor of increased investments in marine port security after 2005, was less sanguine about organised criminals gaining a foothold on the waterfronts. The Waterfront Joint Forces Operation (WJFO), an RCMP-led joint task force including a senior CBSA intelligence officer and representatives from the Vancouver and Delta police departments, was created.
from the National Port Enforcement Team for criminal intelligence-gathering on the waterfront.

ENFORCEMENT ROLES AND CAPABILITIES

The nature of seaports requires a multilayered, shared responsibility to achieve security. The task is bigger than just one police force (Toddington, 2007). Brewer (2014), in a comparative study of ports in Melbourne and Los Angeles/Long Beach, highlighted the complex network of collaborative effort behind port security in addressing waterfront threats—criminal or otherwise—by agencies inside and outside of government.

The Royal Canadian Mounted Police holds a privileged position because drug enforcement falls under its mandate, and marine port security is part of provincially contracted policing delegated to the municipal level. Vancouver and Delta police forces, each with capable marine and intelligence units, exercise jurisdiction in those parts of VFPA that are not covered by the RCMP (Lynch, 2007).

Information sharing, facilitated by formal structures and informal contacts, builds domain situational awareness (Avis, 2003). The Marine Security Operations Centre (MSOC), located at Esquimalt on Vancouver Island, provides a data fusion function and close liaison between security and law enforcement partners subject to restrictions on security clearance and legal release of operationally pertinent information (Canada Border Services Agency, 2016).

The Department of National Defence (DND) gathers intelligence and locates ships and aircraft inbound to Canada’s west coast, while Transport Canada and the Canadian Coast Guard track commercial ships inside Canadian territorial waters. Intelligence summaries from Transport Canada and threat assessments from the Canadian Security Intelligence Service (CSIS), a domestic security agency focused on collecting human intelligence, supplement criminal intelligence (Hamilton, 2011).

The Communications Security Establishment (CSE), another security agency reporting to the minister of national defence, provides signals and cyber intelligence beyond the technical capabilities of the RCMP and municipal police forces (Communications Security Establishment, 2015), upon formal request under judicial warrant since privacy laws prevent collection of intelligence against Canadian citizens directly. The military follows the same legal regime and treats
any requests for domestic intelligence in a similar fashion (Canadian Joint Operations Command, 2014).

If application of force is necessary in the seaport environment, RCMP E Division maintains a standing tactical marine Emergency Response Team (ERT) close by. In the last resort the military’s Joint Task Force 2 (JTF2), trained assaulters with helicopter insertion, small boat, and sniper capabilities, are at ninety-minutes notice to move from a base in Central Canada with pre-positioned equipment in a west coast depot. The argument that the Canadian state is more than a match for any violent criminal group because the police and military are better armed and trained is compelling.

Several initiatives enhance border security and inspection of ships and containers passing through Vancouver. The Canada Border Services Agency developed targeting programs in conjunction with United States Customs and Border Protection that has customs agents abroad in foreign countries and centralised clearance vetting. Advance Commercial Information (ACI), in place since 2004, requires shippers to provide CBSA with detailed electronic data on origin source and content 24-hours prior to departure from Asian ports where the Canadian law enforcement mandate begins. Any container identified as high risk for contraband is either held back from loading or subject to further scrutiny during transit across the Pacific. CBSA compliance enforcement teams meet suspect containers upon arrival in Vancouver (Public Safety Canada, 2011).

With current technology, radiation detection portals screen all inbound containers, ion mobility spectrometry and trademarked Itemizer detect traces of explosives and narcotics, remote camera-mounted vehicles inspect underwater portions of ships, and dog teams work customs-controlled areas. CBSA law enforcement powers extend to release of containers to trucking companies and railways, lower risk containers forwarded immediately, and suspicious items referred for secondary inspection. The Vancouver Fraser Port Authority used Asia-Pacific Gateway and Corridor funds to build two new container examination facilities on Burrard Inlet and on Aboriginal lands in Tsawwassen near port terminals, to replace an older one more distant in Burnaby (KPMG, 2010; Transport Canada, 2013). These CBSA-operated facilities have fixed detection devices and sufficient room for unpacking. CBSA maintains positive control over containers until contents are verified or drugs and other contraband found.
Given the CBSA partnership and other security-focused investments, the Vancouver Fraser Port Authority ended funding to the Waterfront Joint Forces Operation in late 2015. An internal briefing note explained no other Canadian port paid for such a service, port policing fell outside its business model, and money was redirected to other priorities (Port Metro Vancouver, 2014b).

A security team is led by a manager reporting to the harbour master. The port performs on-water and land patrols, staffs a round-the-clock service operations centre, with real-time feeds from video cameras and transponders on trucks, issues port access passes, and cooperates with government and private industry. It even operates a Transport Canada-authorised drone for surveillance (Port Metro Vancouver, 2015). As part of legislated marine port security requirements, Transport Canada scrutinises and audits security plans from terminal operators on VFPA-leased land (Kinney, 2009).

Contracted private security firms such as Securiguard and GardaWorld perform basic security and control access to low priority areas. In practical terms, withdrawal of funds to the WJFO meant loss of municipal police liaison officers and a few provincially-designated RCMP positions (Vancouver Sun, 2015b). At times, the WJFO appeared more taxed by public and Aboriginal protests against Kinder Morgan Trans Mountain pipeline expansion and increased tanker traffic to a Burrard Inlet refinery than organised crime. The VFPA and the RCMP, if disagreeing on funding formulas for port policing, at least considered levels of criminal activity sufficiently managed to work within the resource envelope given them.

**OUTLAW MOTORCYCLE GANG BRAND**

Governments and police confront savvy competitors in the variety of OMGs represented by Hells Angels. Unlike most organised criminal groups, Hells Angels do not seek anonymity, craving the limelight (Barker, 2014). Full patched members display their affiliation in public with crested clothing and leather accessories. Hells Angels have a reputation for hard partying, risk-seeking adventure, and longing for the open road, usually on expensive and loud motorcycles. Hells Angels, originating in Oakland, California, first came to Canada in the French-speaking province of Quebec, where violent turf wars over the drug trade and ties with La Cosa Nostra crime families in Montreal gained them dominance (Cherry, 2005). OMGs provoked a crackdown and arrests only after they started targeting prison guards, judges, and other public officials.
The first four Hells Angels chapters in British Columbia opened in 1983 in Vancouver, White Rock, Nanaimo, and east end Vancouver when they took over the established Satan’s Angels motorcycle club (Edwards and Auger, 2012). The newcomers fought other gangs and carved out a sizable share of local distribution markets for cannabis and cocaine. A federal organised crime task force encapsulated the phenomenon:

In recent years motorcycle gangs have been particularly troublesome. They are engaged in virtually every type of organised crime from drug trafficking to prostitution and contract murder. The major gangs are competitive and expansionist in absorbing smaller groups. In many cases, they have evolved from unkempt troublemakers to smart entrepreneurs very conscious of their public image (Solicitor General of Canada, 1988).

Hells Angels laundered money through gambling establishments and legitimate real estate, and business fronts. As revenue flowed, higher leadership in OMG passed themselves off as respectable business people and valued community members (Schneider, 2009). Violence and day-to-day actions fell to younger inductees in feeder satellite gangs that were loosely associated with the Hells Angels. Actual numbers remain small at some 121 “patched” Hells Angels in ten chapters across the province, the latest Hardside chapter opened in March 2017 (Vancouver Sun, 2017a).

Hells Angels alternate between good guy and tough guy images. It has been long understood that the motorcycle social club mystique provides cover for criminal activity. Although British Columbia has legislation for civil forfeiture of assets obtained from crime, provincial authorities and courts have been reticent about declaring Hells Angels a criminal organisation (Katz, 2011). Hells Angels, much like their Mafia mentors (Criminal Intelligence Service Canada, 2002), act like an extended family bound together by kinship and doling out of patronage within a set hierarchy punctuated by violence and power struggles. In October 2016, Bob Green, a high-profile Hells Angels considered one of British Columbia's top bikers, was gunned down by two younger affiliated associates. Gang-style killings and sudden disappearances commonly remain unsolved once handed over to the British Columbia Coroner’s Service, although the RCMP and municipal police forces run investigations that build comprehensive intelligence dossiers for future reference (Canadian Press, 2016).
To law enforcement agencies, OMGs represent a known quantity tolerated for the sake of intelligence gathering, which is preferable to some alternatives. Sher and Marsden (2003), using off-record interviews, claim policing rivalries was one factor behind Hells Angels gaining influence on Vancouver waterfronts. For instance, Allen Dalstrom, a senior investigator leading an anti-gang project known as PHOENIX, received an apology and multi-million-dollar settlement in a case of wrongful dismissal from the Organised Crime Agency of British Columbia (OCABC), which was later subsumed by the RCMP’s Combined Forces Special Enforcement Unit. He was alleged to have compromised operational security and interfering with RCMP drug enforcement operations.

Hells Angels are susceptible to informants and undercover operatives (Hall, 2011). In exceptional circumstances, crown prosecutors drop charges or withdraw from trials rather than reveal confidential intelligence sources and techniques in evidence (Department of Justice, 2011). The thoroughness of police penetration into OMGs provides information otherwise unobtainable by regular intelligence methods. Chinese, Vietnamese, South Asian, Central and South American, Russian, and Eastern European gangs present certain language and cultural barriers. Removing Hells Angels through, say, a zero-tolerance enforcement campaign would, arguably, present an opportunity for any of these criminal groups to “fill the vacuum,” where law enforcement agencies would have to rebuild their intelligence networks and data holding to deal with what would be a substantial threat (rather than a criminal nuisance).

BLAME THE UNION

In between law enforcement and OMGs stands the International Longshore and Warehouse Union. The union holds a privileged position in regard to hiring and employment on Vancouver area waterfronts. It is the dominant waterfront dock union that operates province-wide, as well as down the Pacific Coast. The ILWU’s long-time leader was Harry Bridges, an Australian by birth. In efforts to deport him, the Federal Bureau of Investigation (FBI) investigated Bridges for alleged Communist involvement and labour racketeering and shared this information with the RCMP through the American embassy in Ottawa (Afrasiabi, 2017; Royal Canadian Mounted Police, 1967). Though perceived as an honest person who cared about rank-and-file members, Bridges defended Jimmy Hoffa of the Teamsters union who had deep connections with organised crime (Neff, 2015; Boehm, 1977), and vanished mysteriously after release from prison in 1975.
The International Longshore and Warehouse Union engages in a radical and militant tradition that defied authority and state attempts to discipline the waterfront workforce (Schwartz, 2009). The cornerstone of ILWU’s power was control of the dispatch, and assigning shift work. In Vancouver, dispatch is done by the British Columbia Maritime Employers Association (BCMEA), whereas ILWU Local 502 performs dispatching for the Fraser River and Roberts Bank. Longshoring and related waterfront industries come under federal regulations and labour codes. Waterfront workers work as casuals until inducted into the union as regular members; typically, eight years after starting unless possessing some specialised trade or skill. It should be noted that most ILWU members are honest and hardworking people.

How Hells Angels enter and remain in ILWU locals is no secret. Like any member, they work their way up off the dispatch boards until someone sponsors them for full union membership (confidential source). OMGs essentially employ the same progression pattern and are quite familiar with putting in time. The Hells Angels (and the RCMP) also recruit existing union members (confidential source). Longshore workers in British Columbia are generally well-paid and enjoy superior benefits and pension arrangements, attractive to both ordinary workers and the criminally-inclined. Belonging to the union confers benefits and eligibility to vote on union matters or stand for election to executive or dispatch positions.

The ILWU practices a form of grassroots democracy, and if popular or convincing enough, bikers win some elections. Hells Angels have been known to openly wear colours to regular and executive meetings (confidential source). Once comfortably established in the union, Hells Angels sponsor other family members and associates (Vancouver Sun, 2015a). The ILWU has many multi-generational families that have worked the docks, as represented by Larry Amero, one longshore worker charged with drug trafficking in Quebec whose abdomen-wide Hells Angels tattoo provides law enforcement with a perfect poster boy. Hells Angels gain sufficient seniority for placement high on the dispatch and become foremen in a separate union local. Criminal convictions for drug and related offences are no bar to union membership since jobs wait for them once released from prison or jail (Vancouver Sun, 2015a). It could be argued that few occupations offer criminals such levels of job security and entitlement.

Longshore workers experience greater scrutiny as part of mandatory marine port security measures. Transport Canada’s Marine Transportation Security Clearance Program (MTSCP), in force in Port of Vancouver since 2008, requires
waterfront workers employed in sensitive or restricted areas and terminals to apply and obtain a transportation security clearance, renewable every five years. The Royal Canadian Mounted Police, in conjunction with CSIS, check backgrounds, criminal charge records and convictions, as well as known associates and affiliations (via the Canadian Police Information Centre (CPIC) central database (confidential source). Connection with Hells Angels is one ground for review of a transportation security clearance; the specific numbers given in table 1 (Transport Canada, 2015):

<table>
<thead>
<tr>
<th>Year</th>
<th>Refused</th>
<th>Cancelled</th>
<th>Suspended</th>
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<tr>
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<td>1</td>
<td>0</td>
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<td>6</td>
<td>1</td>
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<tr>
<td>2012</td>
<td>5</td>
<td>2</td>
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<tr>
<td>2013</td>
<td>15</td>
<td>9</td>
<td>1</td>
</tr>
<tr>
<td>2014</td>
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<tr>
<td>2015</td>
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Table 1—Canadian Marine Transportation Security Clearance Data for Port of Vancouver

The International Longshore and Warehouse Union unsuccessfully mounted a court challenge to Transport Canada’s Marine Transportation Security Clearance Program as an unfair restriction on employment. Longshore workers equated denial of transportation security clearances with the potential loss of jobs (Cowen, 2007). Port passes issued and administered by the Vancouver Fraser Port Authority that give access to general dock areas through security-manned gates are handled separately from the MTSCP. Longshore workers with criminal pasts and known links to OMGs may still work in areas, but outside of terminals identified with a security classification. Denial of a port pass on the basis of an infraction or being caught in a criminal act on-site, might lead to a longshore worker becoming unemployable (Christopher, 2015). Such rare occurrences are considered on a case-by-case basis. Nevertheless, the union has obligations to ensure work functions are performed honestly and represent those individuals who transgress.

The Canadian ILWU rarely responds to allegations of wrongdoing (presumably on the advice of its legal counsel), not even when a treasurer in one
local embezzled more than a million Canadian dollars from union funds to cover a gambling habit (Public Safety Canada, 2014). Labour racketeering, corruption, and criminal activity are sensitive subjects for any union. Longshore workers may talk tough, but they are neither violent nor prone to criminality. Canada relies on existing federal legislation in labour, criminal, and public security fields absent anything like the Racketeer Influenced and Corrupt Organizations (RICO) Act in the United States. Application of provincial civil forfeiture targeting criminals requires an order from a judge, which could extend to the assets of a union if shown to be proceeds of crime. Being so closely associated with Hells Angels involves risks and rewards.

CONCLUSION

Vancouver is Canada’s gateway to the Pacific. In an era of increased threats to North American security, the area’s seaport has become a contested arena that places law enforcement and government agencies against criminal groups like the Hells Angels, which has been infiltrating waterfront unions (confidential source). As such, it is important that public officials should not underestimate the influence and sophistication of these organised crime groups to find creative ways to conduct their illegal business in these venues. The situation in the Port of Vancouver is neither intractable, nor unmanageable, though continued vigilance remains necessary. Surveillance and interdiction efforts on behalf of the Canadian state target criminal elements, and the drug trade that motives them by drawing upon various law enforcement agencies’ capabilities.

Technological improvements, better coordination and policies, and focused intelligence can increase the risk-to-profit ratio for criminal groups operating on waterfronts. Canadian chapters of the Hells Angels with connections to North American gangsters and their onward links to transnational crime groups present a threat to national security. Police could shut-down OMGs if circumstances and the public demanded, as was done in Quebec a decade ago. That is why public image and branding remains so important to Hells Angels because the Royal Canadian Mounted Police is trying to outmaneuver these gangs. In the meantime, the Canada Border Services Agency continues to improve interdiction capacity and extend its law enforcement authorities. It follows that the International Longshore and Warehouse Union could aid in finding a solution because the Hells Angels are most unlikely to survive in a law-abiding union driven by an ethical compass. Waterfront workers, and the union that represents them, face a stark
choice—honest or dishonest, legitimate or criminal. Unions beset by labour racketeering and organised crime links are always the most vulnerable.

NOTES


2. Deltaport at Roberts Bank is forecasted to handle twice the number of containers than Centerm and Vanterm on Burrard Inlet by 2030 (Ocean Shipping Consultants, 2016).

3. One of Green's alleged assailants, Jason Wallace, an 856 Gang member, sought police protection by turning himself in, after another suspect, Shaun Clary, was found dead and dismembered in Langley. Wallace pled guilty to manslaughter and received an eight-year prison sentence. His family went into hiding fearing retribution from the Hells Angels (Vancouver Sun, 2018).

4. In August 2017, Larry Amero was released from custody when a judge stayed the charges against him after a Supreme Court of Canada decision in another case questioned excessive lengths of time coming to trial, known in Canadian jurisdictions as the Jordan rule. He spent a little less than five years in custody awaiting a court date (Vancouver Sun, 2017b).

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