

**HUMAN RIGHTS TRIBUNAL OF ONTARIO**

**BETWEEN:**

**MICHAEL JACK**

**Applicant**

**- and -**

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, AS REPRESENTED BY THE  
MINISTER OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES AND  
OPERATING AS THE ONTARIO PROVINCIAL POLICE**

**Respondent**

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**VOLUME 3 OF 7**

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January 12, 2012

Ministry of Community Safety and  
Correctional Services  
Legal Services Branch  
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Suite 501  
Toronto, Ontario M7A 0A8

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**TO:** Michael Jack  
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Lindsay, Ontario K9V 4R1

Applicant

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**Sgt. Robert Flindall**

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20. September 14, 2009 - email from R. Campbell to C. Kohen and R. Flindall, Re: Jack WIP masterc.doc
21. September 14, 2009 - email from R. Campbell to M. Johnston, Re: Jack WIB Masterc.doc
22. September 11, 2009 - email from R. Campbell to R. Flindall, Re: Jack
23. September 10, 2009 - email from R. Campbell to J. Payne, Re: Notes Tracking Cst Jack's duties on A Platoon
24. September 9, 2009 - email from R. Campbell to C. Koehn and R. Flindall, re: PCS66\_JACK8.doc
25. September 3, 2009 - email from R. Campbell to S. Gizzards-Gilbert and R. Flindall; Re: Michael Jack's PCS4
26. August 27, 2009 - email from R. Campbell to R. Flindall, S. Filman, J. Postma and R. Nie, Re: PCS066 for Mike Jack
27. August 24, 2009 - email from R. Campbell to R. Flindall, Re: Stnadaert-Anderson Complaint
28. August 20, 2009 - email from R. Campbell to R. Flindall
29. August 20, 2009 - email from R. Campbell to B. Lafreniere and Sgt Flindall, Re: Constable Michael Jack
30. August 20, 2009 - email from R. Campbell to M. Jack, R. Flindall, J. Postma, R. Nie, Re: Michael Jack Platoon D
31. August 19, 2009 - email from R. Campbell to J. Conway, M. Johnston, R. Flindall, S. Filman, Re: Possible charges against Douglas Anderson
32. August 17, 2009 - email from R. Campbell to T. Banbury, M. Johnston, Re: PC Jack – deceit
33. August 16, 2009 - email from R. Campbell to R. Flindall, S. Filman, Re: Mike Jack Driving
34. August 15, 2009 - email from R. Campbell to M. Johnston, R. Flindall, Re: HTA Charge against Mike Jack while operating force vehicle today
35. August 15, 2009 - email from R. Campbell to M. Johnston, Re: HTA Charge against Mike Jack while operating force vehicle today
36. July 17, 2009 - email from R. Campbell to S. Filman, M. Jack, R. Flindall, Re: Overdue Month 5 27 Jun 09
37. July 7, 2009 - email from R. Campbell to M. Jack, M. Gravelle, Re: Doug Anderson and Jeff Standaert
38. June 24, 2009 - email from R. Campbell to R. Flindall, Re: er1303845 – Michael Jack
39. May 11, 2009 - email from R. Campbell to R. Flindall, D. Lee, Re: Jack's next evaluation

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| 40. | March 23, 2009 - email from R. Campbell to R. Flindall, Re: Jack Evaluation   |
| 41. | September 24, 2008 - email from R. Campbell to R. Flindall, Re: Shift Changes   |
| 42. | October 29, 2009 - email from R. Flindall to J. Payne, Re: Block Training Joining Instructions January 11-14, 2010                            |
| 43. | October 6, 2009 - email from R. Flindall to P. Butorac Re: R. v. Vollick sp09178964   |
| 44. | September 27, 2009 - email from R. Flindall to R. Nie, RE: PC Jack  |
| 45. | September 23, 2009 - email correspondence from R. Flindall to M. Johnston, Re: P/C Jack <b>**Urgent**</b>                                     |
| 46. | September 22, 2009 - email from R. Flindall to M. Johnston, Re: Old occurrence involving PC Jack; General Occurrence Report SP05112642        |
| 47. | September 13, 2009 - follow up email from R. Flindall to S. Filman, Re: Jack WIP masterc.doc  |
| 48. | September 13, 2009 - email from R. Flindall to S. Filman, Re: Jack WIP masterc.doc  |
| 49. | September 13, 2009 - email from R. Flindall to S. Filman, Re: Jack WIP  |
| 50. | September 11, 2009 - email from R. Flindall to R. Campbell, Re: Jack  |
| 51. | September 11, 2009 - email from R. Flindall to R. Powers, Re: Tape request from PC Jack; Tape Request form, Background Unit History, Playlist |
| 52. | September 11, 2009 – reply email from R. Flindall to C. Kohen, Re: PCS66_Jack8  |
| 53. | September 11, 2009 – reply email from R. Flindall to C. Kohen, Re: PCS66_Jack8  |
| 54. | September 11, 2009 - email from R. Flindall to C. Kohen, Re: PCS66_Jack8  |
| 55. | September 11, 2009 - email from R. Flindall to C. Kohen and R. Campbell, Re: PCS66_Jack8  |
| 56. | August 28, 2009 - email from R. Flindall to R. Campbell, Re: PCS066 for Mike Jack   |
| 57. | August 26, 2009 - email from R. Flindall to s. Filman, Re: Constable Michael Jack   |
| 58. | August 26, 2009 - email from R. Flindall to R. Campbell and J. Conway, Re: Jeff Staedert  |
| 59. | August 24, 2009 - email from R. Flindall to S. Filman, Re: Constable Michael Jack   |
| 60. | August 20, 2009 – reply email from R. Flindall to B. Lafreniere, Re: Thank you.   |
| 61. | August 20, 2009 - email from R. Flindall to B. Lafreniere, Re: Thank you.   |



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62. August 20, 2009 - email from R. Flindall to B. Lafreniere, Re: Constable Michael Jack
63. August 16, 2009 - email from R. Flindall to R. Campbell, Re: Mike Jack Driving
64. August 16, 2009 - email from R. Flindall to R. Campbell, Re: Ride Havelock Area
65. August 15, 2009 – email (#4) from R. Flindall to M. Johnston, Re: HTA Charge against Mike Jack while operating force vehicle today
66. August 15, 2009 – email (#3) from R. Flindall to M. Johnston, Re: HTA Charge against Mike Jack while operating force vehicle today
67. August 15, 2009 - email (#2) from R. Flindall to M. Johnston, Re: HTA Charge against Mike Jack while operating force vehicle today
68. August 15, 2009 - email from R. Flindall to M. Johnston, Re: HTA Charge against Mike Jack while operating force vehicle today
69. August 15, 2009 - email from R. Flindall to B. Rathbun, J. Postma, T. Banbury, Re: PC Jack
70. August 15, 2009 - email from R. Flindall to M. Moran, Re: Untitled
71. August 15, 2009 - email from R. Flindall to S. Filman, Re: Stephen Tait
72. August 14, 2009 - email from R. Flindall to M. Johnston, Re: PC Jack
73. August 11, 2009 - email from R. Flindall to R. Campbell, Re: At Scenes Collision Investigation Course - PPA - October 19<sup>th</sup> through 23<sup>rd</sup>, 2009
74. August 10, 2009 - email from R. Flindall to R. Campbell, Re: Provincial Communication Centre Notification
75. August 6, 2009 - email from R. Flindall to M. Johnston, Re: P/C Michael Jack
76. August 2, 2009 - email from R. Flindall to M. Johnston, Re: Jeff Standaert
77. July 22, 2009 - email from R. Flindall to S. Schroter, Re: Can you look into something for me?
78. June 24, 2009 - email from R. Flindall to R. Campbell, Re: Driving Presentation Class List
79. June 7, 2009 - email from R. Flindall to M. Jack, Re: Occurrence addresses in Niche
80. June 1, 2009 - email from R. Flindall to M. Jack, Re: DAR's – Paid Duty
81. May 14, 2009 - reply email from R. Flindall to R. Campbell, Re: Jack's next evaluation
82. May 11, 2009 - email from R. Flindall to R. Campbell, Re: Jack's next evaluation
83. March 23, 2009 - reply email from R. Flindall to S. Filman, Re: Jack evaluation

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| 84.  | March 23, 2009 - email from R. Flindall to M. Johnston, Re: Jack evaluation  |
| 85.  | March 23, 2009 - original email from R. Flindall to R. Campbell, Re: Jack evaluation   |
| 86.  | March 19, 2009 - email from R. Flindall to R. Campbell, Re: Unit 01-152  |
| 87.  | March 9, 2009 - email from R. Flindall to M. Jack, Re: Sumilas, Shawn  |
| 88.  | February 13, 2009 - email from R. Flindall to M. Jack, Re: Talk Lock   |
| 89.  | February 10, 2009 – follow up email from R. Flindall to R. Campbell, Re: Domestic we spoke about earlier   |
| 90.  | February 10, 2009 - email from R. Flindall to S. Filman, Re: INC00000216708 Priority 4 – Minimal has been assigned to JUS MSG OPP RMS ADMIN      |
| 91.  | February 10, 2009 - email from R. Flindall to R. Campbell, Re: Domestic we spoke about earlier   |
| 92.  | January 30, 2009 - email from R. Flindall to R. Campbell, Re: Enr to a cruise MVC  |
| 93.  | September 23, 2009 - email from P. Butorac to M. Johnston, A. Crawford, Re: 254009-0173 Internal Complaint – PC Jack                             |
| 94.  | December 24, 2008 - email from K. Chapman to S. Filman, R. Flindall, Re: Gun locker for Michael Jack   |
| 95.  | December 24, 2008 - email from K. Chapman to M. Jack, Re: Welcome to Peterborough w/ attached Welcome Jack document                              |
| 96.  | July 31, 2009 - email from M. D'Amico to M. Johnston, Re: Jeff Standaert   |
| 97.  | May 11, 2009 - email from S. Filman to M. Jack and R. Flindall, Re: Jack 4 document  |
| 98.  | April 21, 2009 – email from S. Filman to R. Flindall, Re: Jack 1 document  |
| 99.  | March 13, 2009 - email from S. Filman to R. Flindall, Re: Ken Rusaw reviews  |
| 100. | September 3, 2009 – email from S. Gozzard-Gilbert to R. Flindall, Re: Michael Jack's PCS4  |
| 101. | July 6, 2009 - email from S. Gozzard-Gilbert to J. Pollock, M. Jack, Re: Michael Jack working for John Pollock                                   |
| 102. | January 16, 2009 - email from R. Flindall to M. Jack, R. Campbell, Re: Attendance for block training date RE: emergency dental appointment       |
| 103. | January 14, 2009 - email from S. Gozzard-Gilbert to K. Raymond, R. Flindall, T. Banbury, B. Rathbun, P. Butorac, Re: Stats for New Recruits 2008 |
| 104. | September 24, 2008 - email from S. Gozzard-Gilbert to R. Flindall, R. Campbell, M. Johnston, G. Smith, Re: New recruits                          |
| 105. | September 9, 2009 - email from M. Gravelle to R. Flindall, B. Rathbun, Re: Jack  |



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106. August 10, 2009 - email from M. Jack to M. Moran, C. Laperle, S. Filman, M. D'Amico, Re: SP09178964 B&E 06-Aug-09
107. August 3, 2009 - email from M. Jack to OPP DL Peterborough County Detachment, Re: Found fishing boat on Stoke Lake at Young's point
108. July 31, 2009 - email from M. Jack to R. Flindall, Re: Overtime SP09164458
109. July 31, 2009 - email from M. Jack to M. Johnston, Re: Jeff Standaert
110. July 29, 2009 - email from M. Jack to jsmith@kpf.ca, Cc'd R. Flindall, Re: Statement from Raoul Rochard Sahip Mohammed
111. July 24, 2009 - email from M. Jack to OPP DL Peterborough County Detachment, Re: RPG for arrest of John Derek Williamson
112. March 9, 2009 - email from M. Jack to C. Laperle, Cc'd R. Flindall, Re: Sumilas, Shawn
113. February 10, 2009 - email from M. Jack to R. Flindall, Re: INC000002167808 Priority 8 – Minimal has been assigned to JUS MSG OPP RMS ADMIN
114. August 15, 2009 - email from J. Payne to R. Flindall, Re: Jack's last evaluation
115. September 22, 2009 - email from J. Payne to R. Flindall, Re: Read this occurrence tonight
116. September 25, 2009 - Cover Memo w/ M. Jack's evaluation response

J OPP General Information Form Re: Michael Jack, Date: August 2-15, 2009

K OPP General Information Form Re: Michael Jack, Date: August 15, 2009

**DETACHMENT DOCUMENTS****VOLUME 2:****Peter Butorac**

- L
1. September 20, 2009 - email from R. Nie to P. Butorac, Re: PC Jack's 8mth evaluation
  2. September 25, 2009 - email from R. Nie to R. Flindall and P. Butorac, Re: Jack
  3. October 25, 2009 - email from R. Nie to R. Campbell, C. Kohen, P. Salter, P. Butorac, J. Postma and D. Lee, Re: Jack evaluation draft with attached Evaluation Report and Work Improvement Plans
  4. September 14, 2009 - email from M. Johnston to R. Campbell, R. Flindall, R. Nie, C. Kohen, J. Postma, P. Butorac Re: Jack WIP masterc with attached Work Improvement Plan
  5. September 18, 2009 - email from M. Johnston to R. Nie, Ccd P. Butorac, J. Postma, K. Chapman, Re: P/C Jack

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- |  |  |
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|  | 6. September 20, 2009 - email from M. Johnston to P. Butorac, R. Nie, R. Campbell, Re: P/C Jack **URGENT**   |
|  | 7. September 14, 2009 - email from R. Campbell to M. Johnston, Cc C. Kohen, R. Flindall, R. Nie, J. Postma, P. Butorac, Re: Jack WIP (with attached Work Improvement Plan) |
|  | 8. September 15, 2011 - email from R. Flindall to M. Johnston (forwarded to R. Campbell), Re: Clarification re PC Jack   |
|  | 9. September 1, 2009 email from M. Johnston to R. Flindall, R. Campbell, Re: PC Michael Jack   |
|  | 10. Undated - email from Ron (R. Campbell) to M. Johnston, D. Borton, Re: Moving of Cst. Mike Jack   |
|  | 11. Undated - OPP Briefing Note, Re: Cst. Jack   |
|  | 12. August 24, 2009 - email from J. Postma to R. Campbell, Re: Probationary Constable Michael Jack   |
|  | 13. General Information Form, R. Flindall Re. Cst. Jack  |
|  | 14. Undated – Confidential Duty Report, Submitted by J. Brockley   |

#### Richard Nie

- |   |   |
|---|---|
| M | Cst. Richard Nie Notes, September 2009  |
| N | 1. August 18, 2009 - email from R. Campbell to R. Nie, Re: Moving of Cst. Mike Jack   |
|   | 2. August 20, 2009 - email from R. Campbell to B. Lafrenier, R. Flindall, Cc: R. Nie, J. Postma, Re: Constable Mike Jack  |
|   | 3. August 26, 2009 - email from J. Postma to R. Nie, Re: Probationary Constable Michael Jack  |
|   | 4. August 27, 2009 - email from J. Postma to R. Campbell, Cc: R. Nie, Re: PC Jack   |
|   | 5. August 27, 2009 - email from R. Campbell to R. Flindall, S. Filman, J. Postma, R. Nie, C. Kohen, M. Johnston, Re: PCS066 for Mike Jack   |
|   | 6. August 28, 2009 - email from R. Campbell to J. Postma, Cc: R. Nie; Re: PC Jack   |
|   | 7. September 8, 2009 - email from R. Campbell to D. McNeely, Cc: M. Jack, J. Postma, R. Nie, P. Butorac, D. Lee, C. Kohen, Re: Driving Assessment, Thursday 10 Sept 2009 – Kingston |
|   | 8. September 9, 2009 - email from R. Campbell to R. Flindall, R. Nie, Re: PCS66_Jack (with attached Performance Evaluation Report)  |
|   | 9. September 9, 2009 - email from R. Campbell to C. Kohen, R. Flindall, Cc: M. Johnston, D. Lee, R. Nie, Re: PCS66_Jack   |



**TAB DOCUMENT**

10. September 11, 2009 - email from R. Campbell to R. Flindall, Cc: J. Postma, R. Nie, P. Butorac, M. Johnston, Re: Jack
11. September 11, 2009 - email from R. Campbell to M. Johnston, C. Kohen, R. Flindall, R. Nie, J. Postma, P. Butorac, Re: PCS66\_Jack8 (with attached Performance Evaluation Report-Report Month 7, Work Improvement Plan)
12. September 14, 2009 - email from R. Campbell to M. Johnston, Cc: C. Kohen, R. Flindall, R. Nie, J. Postma, P. Butorac, Re: Jack WIB masterc.doc
13. September 16, 2009 - email from R. Campbell to D. McNeely, Cc: J. Postma, P. Butorac, R. Nie, M. Johnston, Re: Ron-can you advise if everything is a go for Friday Driving assessment with Michael
14. September 18, 2009 - email from M. Johnston to R. Nie, Cc: P. Butorac, J. Postma, K. Chapman, Re: P/C Jack
15. September 20, 2009 - email from P. Butorac to M. Johnston, R. Nie, Re: P/C Jack \*\*URGENT\*\*
16. September 20, 2009- email from M. Johnston to P. Butorac, R. Nie, R. Campbell, Re: P/C Jack \*\*URGENT\*\*
17. September 24, 2009 - email from R. Flindall's personal email to R. Nie, Re: PC Jack WIP
18. September 29, 2009 - email from R. Campbell to P. Butorac, R. Nie, J. Postma, Re: FW: Driving assessment – Michael Jack – requires remedial driving
19. September 29, 2009 - email from R. Campbell to J. Postma, P. Butorac, R. Nie Re: FW: Driving assessment – Michael Jack – requires remedial driving
20. October 5, 2009 - email from K. Taylor to C. Kohen, Cc: R. Campbell, D. McNeely, R. Nie, Re: PC Michael Jack – Driving Remediation
21. October 5, 2009 - email from R. Campbell to K. Taylor, C. Kohen, D. Lee, R. Nie, P. Butorac, J. Postma, Re: Driving Memo – Michael Jack (with attached Memo dated October 2, 2009 and Driver Competency Assessment)
22. October 5, 2009 - email from C. Kohen to R. Campbell, D. Lee, R. Nie, P. Butorac, J. Postma, Re: Driving Memo – Michael Jack
23. October 5, 2009 - email from D. Lee to C. Kohen, R. Campbell, R. Nie, P. Butorac, J. Postma, P. Salter, Re: Driving Memo – Michael Jack
24. October 5, 2009 - email from R. Campbell to D. Lee, C. Kohen, R. Nie, P. Butorac, J. Postma, P. Salter, Re: Driving Memo – Michael Jack
25. October 5, 2009- email from R. Campbell to C. Kohen, R. Nie, P. Butorac, Re: Driving Memo – Michael Jack
26. October 8, 2009 - email from R. Campbell to C. Kohen, P. Butorac, R. Nie, J. Postma, D. Lee, P. Salter, RE: PC Jack evaluation draft (with attached Performance Evaluation Report-Month 9 and Work Improvement Plan)

**TAB DOCUMENT**

27. October 14, 2009 - email from K. Taylor to M. Jack, Cc: P. Butorac, R. Nie, C. Kohen, Re: Driver Training
28. October 27, 2009 - email from K. Taylor to R. Nie, Cc: R. Campbell, P. Butorac, C. Kohen, M. Jack, Re: Remedial driver training for PC Michael Jack
29. November 10, 2009 - email from R. Campbell to C. Kohen, R. Nie; Cc: D. Lee, D. Borton, P. Butorac, R. Flindall, Re: Prob Jack (with attached Performance Evaluation Report-Month 10 and Work Improvement Plan)
30. November 10, 2009 - email from C. Kohen to R. Campbell, R. Nie, Cc: D. Lee, D. Borton, P. Butorac, R. Flindall, K. Taylor, Re: Prob Jack
31. November 10, 2009 - email from K. Taylor to R. Nie, Cc: R. Campbell, C. Kohen, P. Butorac, M. Vanlanduyt, RE: PC Jack – PCS66P – Police Vehicle Operation
32. November 10, 2009 - email from R. Campbell to R. Nie, P. Butorac, Re: Updated comments. FW: Prob Jack
33. November 15, 2009 - email from P. Butorac to R. Nie, Re: Michael Jack remedial driver training
34. November 18, 2009 - email from J. Postma to R. Campbell, C. Kohen, Cc: P. Butorac, R. Nie, Re: Prob Jack
35. December 1, 2009 email from K. Taylor to D. Beckett, R. Nie, C. Kohen, P. Butorac, M. Jack, Re: Probationary Constable Michael Jack – Remedial driver training completion
36. December 14, 2009 email from C. Kohen to M. Reynolds, D. Lee, Cc: R. Nie, Re: PC Jack (with attached Release from Employment letter dated December 15, 2009)
37. December 16, 2009 email from R. Campbell to R. Nie, Re: Chronology

**Shaun Filman**

- O Detective Constable Shaun Filman Notes, March 2009 and June 2009
- P Probationary Constable Work Improvement Plans, Re: M. Jack

**DETACHMENT DOCUMENTS****VOLUME 3:****Staff Sergeant Michael Reynolds**

- Q S/Sgt. Reynolds Notes, December 2009
- R Memo to Cst. Jack, Re: Notice of Proposed Release from Employment, dated December 9, 2009



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| S | Memo to Michael Jack, Re: Performance and Conduct Requirements of a Recruit Constable, dated August 28, 2008 |
| T | Undated - email from M. Reynolds to C. Kohen, D. Lee, Cc: H. Stevenson, Re: Prob Jack Notice Release         |

**Jamie Brockley**

- |   |  |
|---|--|
| U | 1. Confidential Duty Report, Submitted on October 24, 2009 |
|   | 2. Will Say, Detective Constable Jamie Brockley            |

**Deputy Chief Firearms Officers, M.P. (Mike) Johnston**

- |   |  |
|---|--|
| V | 1. September 15, 2009 - email from R. Flindall to M. Johnston, Re: Clarification re PC Jack  |
|   | 2. October 2, 2009 - D. McNeely M. Jack Driving Memo to R. Campbell, text format   |
|   | 3. September 23, 2009 - email from M. Johnston to H. Stevenson Re: Com Centre  |
|   | 4. September 29, 2009 - email from R. Campbell to M. Johnston, D. Lee, Re: Driving assessment – Michael Jack – requires remedial driving   |
|   | 5. October 5, 2009 - email from R. Campbell to K. Taylor, C. Kohen, D. Lee, R. Nie, P. Butorac, J. Postma, Re: Driving Memo – Michael Jack (with attached D. McNeely M. Jack Driving Memo, dated October 2, 2009 and Driver Competency Assessment) |
|   | 6. September 10, 2009 - email from C. Cox to R. Campbell, M. Johnston, Re: I have a question about one of our officers intercepting communications   |
|   | 7. September 23, 2009 - email from H. Stevenson to M. Graham, Cc: K. Smith, M. Armstrong, M. Johnston, RE: Old occurrence involving PC Jack  |
|   | 8. August 27, 2009 - email from R. Campbell to C. Kohen, M. Johnston, Re: PC Jack  |
|   | 9. September 11, 2009 - email from M. Johnston to H. Stevenson, Re: PC Michael Jack  |
|   | 10. September 9, 2009 - email from R. Campbell to R. Flindall, R. Nie, Re: PCS66_Jack8   |
|   | 11. September 11, 2009 - email from M. Graham to K. Smith, P. Beesley, P. Powers, M. Armstrong, H. Stevenson, C. Cox, M. Johnston, Re: PC Michael Jack   |
|   | 12. September 22, 2009 email from R. Flindall to T. Thompson, Cc: M. Johnston, Re: Com Centre  |
|   | 13. September 17, 2009 email from R. Flindall to T. Thompson, Cc: M. Johnston, Re: Com Centre  |
|   | 14. September 10, 2009 email from C. Cox to R. Campbell, M. Johnston, Re: Confidential Inquiry   |

**TAB DOCUMENT**

15. August 20, 2009 email from R. Campbell to B. Lafrenier, R. Flindall, Re: Constable Michael Jack
16. August 18, 2009 email from R. Campbell to K. Taylor, Re: HTA Charge against Mike Jack while operating force vehicle today
17. August 18, 2009 email from K. Taylor to R. Campbell, Re: HTA Charge against Mike Jack while operating force vehicle today
18. September 11, 2009 email from R. Campbell to Vi Grimmert, Re: Mussington
19. August 6, 2009 email from R. Flindall to M. Johnston Re: P/C Michael Jack
20. August 21, 2009 email from R. Campbell to M. Johnston, Re: Michael Jack Platoon D

**Ron Campbell**

W

1. August 19, 2009 email from R. Campbell to J. Conway, M. Johnston, R. Flindall, S. Filman, Re: Possible charges against Douglas Anderson
2. September 10, 2009 email from R. Campbell to M. Johnston Re Rob Flindall
3. August 18, 2009 email from R. Campbell to M. Johnston, Re Moving of Cst. Mike Jack
4. January 29, 2009 email from H. Stevenson to M. Johnston, R. Campbell, Re: New Recruits – Special Attention to Prob Period – Jack and Kovacs
5. OPP Briefing Note Re: PC Jack
6. September 14, 2009 - email from R. Campbell to M. Johnston, Cc: C. Kohen, R. Flindall, R. Nie, J. Postma, P. Butorac, Re: Jack WIP masterpc (with attached Work Improvement Plant (Jack))
7. September 20, 2009 - email from M. Johnston to P. Butorac, R. Nie, R. Campbell, K. Chapman, R. Flindall, Re: P/C Jack \*\*URGENT\*\*
8. September 20, 2009 - reply email from M. Johnston to P. Butorac, R. Nie, R. Campbell, K. Chapman, R. Flindall, Re: P/C Jack \*\*URGENT\*\*
9. September 18, 2009 - email from M. Johnston to R. Nie, Cc: P. Butorac, J. Postma, K. Chapman, Re: P/C Jack
10. September 14, 2009 - email from M. Johnston to R. Campbell, R. Flindall, R. Nie, C. Kohen, J. Postma, P. Butorac, Re: Jack WIP masterdc (with attached Work Improvement Plant (Jack))
11. November 19, 2009 - email from R. Nie to C. Kohen, R. Flindall, Cc: P. Butorac, Re: Jack Chronology 09
12. October 7, 2009 - email from R. Nie to R. Campbell, C. Kohen, P. Salter, P. Butorac, J. Postma, D. Lee, Re: PC Jack evaluation (with attached Jack Evaluation Report and WIP)
13. September 25, 2009 - email from R. Nie to R. Flindall, Cc: P. Butorac, Re: Jack



| TAB | DOCUMENT |
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14. September 20, 2009 - email from R. Nie to P. Butorac, Re: PC Jack's 8mth evaluation

X S/Sgt. Campbell Notes, August - November 2009

**PC Jennifer Payne**

Y 1. September 10, 2009 - email from R. Campbell to J. Payne, Cc: R. Flindall, M. Johnston, Re: Notes Tracking Cst Jack's duties on A Platoon

2. September 22, 2009 - email from J. Payne to R. Flindall, Re: Read this occurrence tonite (with attached Occurrence Summary (SP05112642))

Z PC Payne Notes, June - August 2009

**Chronology Re: PC Michael Jack's performance**

AA Chronology #1

BB Chronology #2

**ONTARIO PROVINCIAL POLICE ACADEMY (OPPA) DOCUMENTS**

**VOLUME 4:**

1. Ten Code Test, dated December 9, 2008
2. Post Recruit Orientation - Class #411, undated
3. Recruit Orientation Course, Cruiser Familiarization Check List, dated November 31, 2008
4. Provincial Statutes Assignment #1, Answer Sheet, dated December 8, 2008
5. Crime Scene Scenario Handout - Death Scene - Adult
6. Performance Behavior Simulation, dated December 1, 2008
7. Recruit Scenario Evaluation, dated December 18, 2008
8. Ten Code Test, dated January 5, 2009
9. Ten code Test, dated December 29, 2008

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10. Recruit Scenario Evaluation, dated December 11, 2008
11. Basic Constable Training Program Student Evaluation, September 3 – November 27, 2008 (Diploma Awarded)
12. Basic Constable Training Program Student Evaluation, September 3 – November 27, 2008 (Diploma Not Awarded)
13. Ontario Police College Diploma, Basic Constable Training Program
14. Recruit Leadership Assessment Tool
15. December 15, 2008 - Jack Memo to Sgt. Tozser, Re: Failing to sign the 23:00 sign-in sheet on Sunday 14-Dec-08
16. Use of Force Instructor Evaluation Report, dated December 12, 2008 (with attached Gun Safety Rules, signed by PC Jack)
17. C8 Conversion Test
18. Absence Reports:
  - A) Absence Report, August 2008
  - B) Absence Report, September 2008
  - C) Absence Report, October 2008
  - D) Absence Report, November 2008
19. Recruit Progress/Interview Reports:
  - A) Recruit Progress/Interview Report – Week 1, dated September 12, 2008
  - B) Recruit Progress/Interview Report – Week 2, dated September 12, 2008
  - C) Recruit Progress/Interview Report – Week 3, dated September 20, 2008
  - D) Recruit Progress/Interview Report – Week 4, dated September 26, 2008
  - E) Recruit Progress/Interview Report – Week 5, undated
  - F) Recruit Progress/Interview Report – Week 6, dated October 11, 2008
  - G) Recruit Progress/Interview Report – Week 7, dated October 18, 2008
  - H) Recruit Progress/Interview Report – Week 8, dated October 26, 2008
  - I) Recruit Progress/Interview Report – Week 9, dated October 30, 2008
  - J) Recruit Progress/Interview Report – Week 10, dated November 7, 2008
  - K) Recruit Progress/Interview Report – Week 11, dated November 16, 2008 (2 copies – 1 dated, 1 undated)
  - L) Recruit Progress/Interview Report – Week 12, dated November 19, 2008
  - M) Recruit Progress/Interview Report – Week 13, undated



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20. Defensive Tactics Workshop Notification Form, dated November 11, 2008
21. Defensive Tactics Workshop Notification Form, dated October 8, 2008
22. Physical Feedback Profile
23. Documentation, Re: Swipe Card, dated received, September 30, 2008
24. S/Sgt. Colleen Kohen Notebook Notes and Description of Responsibilities

**COURT TRANSCRIPTS**

**VOLUME 5:**

1. *Provincial Offences Act* Court Transcript, R. v. Jack, April 1, 2010 and May 27, 2010

**CAREER DEVELOPMENT BUREAU DOCUMENTS**

**VOLUME 6:**

1. OPP letter to M. Jack, dated July 18, 2008 (date stamped July 30, 2008)
2. OPP, CDB Memo to Michael Jack, Re: Performance and Conduct Requirements of a Recruit Constable, dated August 25, 2008
3. OPP letter to M. Jack, dated July 18, 2008
4. Uniform Recruitment Applicant Processing Disposition, M. Jack, dated July 4, 2008
5. OPC, Basic Constable Training Program, Student Evaluation, Re: M. Jack, September 3 to November 27, 2008
6. Basic Constable Training Program completion certificate, M. Jack, dated November 27, 2008
7. OPPA Recruit Leadership Assessment Tool, Re: M. Jack
8. MCSCS Absence Reports: September, October and November, 2008
9. M. Jack Memo to Sgt. Tozser, Re: Failing to sign the 23:00 sign-in sheet on Sunday 14-Dec-08, dated December 15, 2008
10. OSMH Memo to Class 411, dated Christmas 2008

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11. Probationary Constable Performance Evaluation Report – 2<sup>nd</sup> month, Re: M. Jack, dated May 11, 2009
12. Probationary Constable Performance Evaluation Report – 3<sup>rd</sup> month, Re: M. Jack, dated April 27, 2009
13. Probationary Constable Work Improvement Plans, Re: M. Jack, dated May 11, 2009
  - Radio Communications
  - Flexibility
  - Police Vehicle Operation
14. Probationary Constable Performance Evaluation Report, dated June 11, 2009
15. J. Fantino, OPP letter to C. Condon, University of Liverpool, dated May 26, 2009
16. C. Condon, University of Liverpool to J. Fantino, Re: Research Participation, undated
17. Probationary Constable Performance Evaluation Report, Re: M. Jack – 5<sup>th</sup> month evaluation, dated August 31, 2009
18. Probationary Constable Performance Evaluation Report, Re: M. Jack – 7<sup>th</sup> month evaluation, dated August 31, 2009
19. Probationary Constable Performance Evaluation Report, Re: M. Jack – 8<sup>th</sup> month evaluation, dated October 5, 2009
20. Memo to S/Sgt Campbell, Re: P/C Jack 6 month evaluation (with attached Probationary Constable Performance Evaluation Report)
21. Probationary Constable Performance Work Improvement Plan, Re: P/C Jack, dated October 5, 2009
22. Sgt. D. McNeely Memo to R. Campbell, Re: M. Jack Driver Competency Assessment, dated October 2, 2009 (with attached Driver Competency Assessment)
23. Probationary Constable Performance Evaluation Report, Re: M. Jack – 9<sup>th</sup> month evaluation, dated October 23, 2009
24. Probationary Constable Work Improvement Plan, Re: M. Jack, dated October 8, 2009
25. Probationary Constable Performance Evaluation Report, Re: M. Jack – 10<sup>th</sup> month evaluation, dated November 18, 2009
26. Probationary Constable Work Improvement Plan, Re: M. Jack, dated December 14, 2009
27. M. Jack Memo Re: Federal Statutes, Rating: Does Not Meet Requirements, dated November 19, 2009
28. Probationary Constable Performance Evaluation Report, Re: M. Jack – 11<sup>th</sup> month evaluation, dated December 14, 2009



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29. Probationary Constable Work Improvement Plan, Re: M. Jack, dated December 31, 2009
30. OPP, Career Development Bureau Memorandum to P/C Jack and Peterborough County Detachment, Re: Notice of Proposed Release from Employment, dated December 9, 2009
31. M. Jack Memorandum to Chief Superintendent M. Armstrong, Re: Resignation from the Ontario Provincial Police, dated December 15, 2009
32. August 19, 2008 - email from B. Rathbun to S. Haennel, Re: Mike JACK
33. August 8, 2008 - email from J. Whitney to B. Rathbun, Cc: S. Haennel, Re: JACK, Michael
34. August 15, 2008 - email from S. Haennel to B. Rathbun, Re: Mike JACK
35. September 4, 2008 – email from S. Haenne to B. Rathbun, Re: Michael Jack
36. J. Whitney Memorandum Re: JACK, Michael 080558, dated August 6, 2008
37. August 13, 2008 – email from S. Haennel to D. Traviss, D. Lapalme, Re: Candidate Michael Jack
38. August 5, 2008 – email correspondence between M. Johnston and B. Rathbun, R. Campbell, Cc: S. Thomas, Re: Upcoming recruit
39. August 6, 2008 – email from S. Thomas to S. Haennel, Cc: A. McCollum
40. August 5, 2008 email from S. Thomas to G. Trivett, Cc: S. Haennel, Re: Upcoming Recruit
41. Michael Jack Application, Position of Constable/Cadet, dated April 2, 2008
42. Michael Jack, Police Constable Selection, Confidential Candidate Personal History Form, dated April 28, 2008
43. Jack, Ontario Constable Selection System, Consent and Release of Liability Form, dated March 30, 2008
44. Jack, Checklist of Mandatory Information
45. OPP, Recruitment, Driving Questionnaire, dated May 29, 2008
46. Constable Assessment, Pre-Background Questionnaire, Re: M. Jack, dated May 29, 2008
47. OPP, Career Development Bureau - letter to M. Jack Re: Ontario Association of Chiefs of Police (OACP), Constable Selection System (CSS) Testing Results, dated May 23, 2008 (with attached OACP Certificated of Results)

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48. Police Constable Selection, Applicant Survey Form – M. Jack
49. Michael Jack – Application for Constable/Cadet position, Cover Letter, Resume and References, dated March 31, 2008
50. June 2, 2008 email from M. Jack to S. Haennel, Re: Hello from Michael Jack
51. OPP, Career Development Bureau letter to M. Jack Re: Progression of the Recruitment Process, dated May 30, 2008
52. OPP, Career Development Bureau letter to M. Jack Re: Acknowledgement of Employment Application Receipt and Recruitment Process, dated April 11, 2008
53. OACP, Constable Selection System, Performance Declaration, Re: M. jack, dated may 29, 2008
54. OACP, Constable Selection System, Authorization From, Re: Research Use of Psychological Tests/Interviews/Evaluations – M. Jack, dated May 30, 2008
55. OPP, Corporate Services Confidential Internal Briefing Report, Re: Jack's gun collection, undated
56. Internal Complaint, Re: Jack association with known criminals – Received dated: November 9, 2009
57. Complaint Intake Form, dated September 11, 2009
58. September 23, 2009 - email from P. Butorac to M. Johnston, A. Crawford, Cc: R. Flindall, R. Campbell, Re: 254009-0173 Internal Complaint-PC Jack
59. Memorandum to PC Jack, Re: Notice of Internal Complaint, dated September 23, 2009
60. Professional Standards Bureau Investigation Report 2545009-0173
61. Memorandum to PC Jack, Re: Internal Complaint 2545009-0173, dated November 25, 2009

## ONTARIO PROVINCIAL POLICE ORDERS

### VOLUME 7:

1. Chapter 2: Law Enforcement, 2.51: Supervision – Member
  - January - December 2008 Policy
  - September 2008
2. Chapter 6: Administration & Infrastructure, 6.4: Human Resources
  - January - December 2008 Policy
  - September 2008 - December 2009 Police Orders Excerpt



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- |     |   |
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| 3.  | Introduction, 0.1: Introduction to Police Orders <ul style="list-style-type: none"><li>▪ December 2009</li><li>▪ September 2008</li></ul>           |
| 4.  | Chapter 2: Law Enforcement, 2.51: Supervision – Member <ul style="list-style-type: none"><li>▪ September 2008</li><li>▪ December 2009</li></ul>     |
| 5.  | Probationary Constable Evaluation Report Guidelines, dated November 2008  |
| 6.  | Chapter 6: Administration & Infrastructure, 6.16: OPP Vehicles, September 2008  |
| 7.  | Chapter 2: Law Enforcement, 2.2: Communications/Dispatch, September 2008  |
| 8.  | Chapter 6: Administration & Infrastructure, 6.4: Human Resources  |
| 9.  | Chapter 6: Administration & Infrastructure, 6.10: Professionalism in the OPP, September 2008  |
| 10. | Introduction, 0.1: Introduction to Police Orders, September 2008  |
| 11. | Chapter 2: Law Enforcement, 2.51: Supervision – Member, September 2008  |
| 12. | Chapter 6: Administration & Infrastructure, 6.4: Human Resources, 6.4.8: Probationary Constable, September 2008-December 2009 Police Orders Excerpt |
| 13. | Chapter 2: Law Enforcement, 2.51: Supervision – Member, December 2009   |
| 14. | Introduction, 0.1 Introduction to Police Orders, December 2009  |

Q



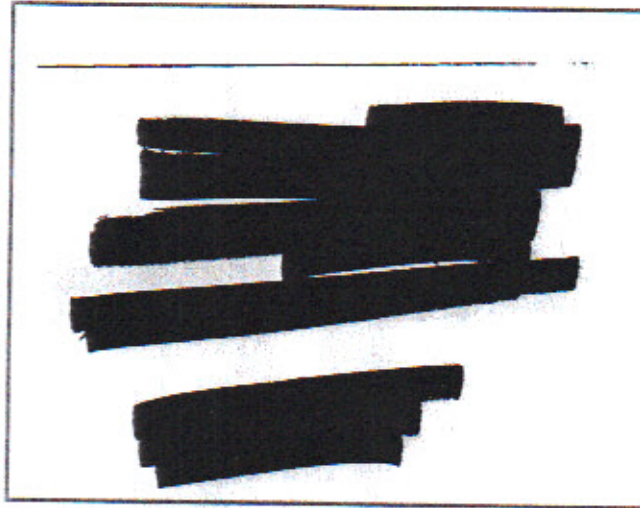
**MICHAEL REYNOLDS**  
Staff Sergeant  
City of Kawartha Lakes  
Detachment  
ONTARIO PROVINCIAL POLICE

Angeline Street North  
Islay, Ontario  
K9V 5B7

Tel: (705) 324-6741  
Fax: (705) 324-8479

[michael.reynolds@ontario.ca](mailto:michael.reynolds@ontario.ca)

OPP 24 Hour Police Service, ComCentre 1-888-310-1122





Wednesday December 2nd, 2009

0705

[REDACTED]

0715

[REDACTED]

0632 has

[REDACTED]

0750

[REDACTED]

1020

Central Region HQ  
meeting with Colleen Kofas  
re: recruit PC. Michael Jack

1030

Briefed by S/Sgt. Kofas + Insp Lee  
CR Region Staff Development + Training  
it's been determined based on performance  
issues and other areas that do not meet



acceptable standards of the position of Constable  
that he will be asked to resign or be  
terminated Briefing note to follow chief of  
Command for approval  
anticipated termination letter to be ready  
for service week of December 14th.

1100 end of meeting  
attend benefit meeting for further info  
on benefits @ termination  
consult with HR advisor Julie Stephenson  
on other HR issues at Robertwood Deb  
arrange Conference call week of Dec 16th.

1200 [redacted]  
1245 [redacted]  
1300 [redacted]  
1450 [redacted]  
1100 [redacted]

Thursday December 3rd, 2009

0700 [redacted]  
0750 [redacted]  
1435 [redacted]  
1455 [redacted]  
1630 [redacted]  
1650 [redacted]  
1800 [redacted]  
1820 [redacted]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Friday December 11<sup>th</sup>, 2009

0700

[REDACTED]

0800

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1045

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

1050

[REDACTED]

1130

[REDACTED]

1730

[REDACTED]

KOD

1735

Receive email from s/Sgt. Colleen Koken re: PC Michael Jacks

Proposal to Release Probationary Constable Received approval to serve PC Jacks with letter signed by Mary Silverthorn "Proposed Notice of Release" Prof and conduct letter signed by PC Jacks, knowing his expectations Contact Sgt Butrac, PC Jacks Platoon Sergeant officer called in sick.

Sgt Koken advised by email - proposed service date is Sunday December 13th @ 1700hrs.

←

Saturday December 12th, 2009

Received call from Sgt Butrac, advised PC Jacks called in sick. again

Arrange for Sunday night. ←

~~N~~



Sunday December 13<sup>th</sup> 2009

7:17:00 advised by Sgt Butler that Sgt. Tacks was in for work tonight advised to bring to CMC Detachment for review of  
 Notice of Proposed Release from Employment

19:00 Held meeting with  
 Sgt. Tacks + Sgt. Butler  
 Serve notice of proposed release from Employment and Performance and Conduct requirements of a recruit constable  
 Validated and signed on August 25, 2008 explain memo from A/Bureau Commander  
 My Submission

prepare written submission or meet with  
 Chief Superintendent Armstrong @ Central Region H.Q on December 15<sup>th</sup>, 2009 before  
 decision is made.

Advised to advise S/Sgt Kehen in writing by 09:00 on December 14, 2009 as to option  
 of exercise.

Sgt. Tack understood letter + option  
 advised of EPP

advised if he did not wish to continue working tonight he could go home - deduction of hours  
 understood

No questions

told to ensure he contacts A/Sgt. Colleen Kehen before going off duty

No further

Sgt. Butler to transport back to STBO  
 Detachment



1909 end of meeting

2000 [redacted]  
[redacted]

Monday December 14<sup>th</sup>, 2009 - Duty Officer: [redacted]

0700 [redacted]  
[redacted]

0800 [redacted]  
[redacted]

1230 [redacted]  
[redacted]

1400 [redacted]

1420 [redacted]  
[redacted]

1630 [redacted]

1735 [redacted]

1720 receive email re. PC Task has confirmed  
abandoning meeting c/Supt  
Call @ home has contacted R/S/Sgt Smith  
advised regarding civilian attack  
advise S/Sgt Kahan ←

1800 RO

Tuesday December 15<sup>th</sup>, 2009

0215 receive call from [redacted]  
[redacted]  
[redacted]  
[redacted]

0216 [redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]  
[redacted]



R

Ontario  
Provincial  
Police

Police  
provinciale  
de l'Ontario



Career Development Bureau  
Bureau de l'avancement professionnel

777 Memorial Ave.  
Orillia ON L3V 7V3

777. av. Memorial  
Orillia ON L3V 7V3

Tel: (705) 329-6725  
Fax: (705) 329-6188

Tél: (705) 329-6725  
Télééc: (705) 329-6188

Reference No/N° de dossier: 291

December 09, 2009

**MEMORANDUM TO:**

PROBATIONARY CONSTABLE JACK  
PETERBOROUGH COUNTY, DETACHMENT

**Re: Notice of Proposed Release from Employment**

This memorandum will serve as notice to you that a recommendation has been made that you be released from employment from the Ontario Provincial Police. You will be released from employment pursuant to subsection 37 (2) of the Public Service of Ontario Act.

The recommendation for your release from employment is based on your failure to meet the requirements of the position as a Probationary Constable based on unsatisfactory work performance. On August 25, 2008, you acknowledged and signed the attached form, Performance and Conduct Requirements of a Probationary Constable.

You have the opportunity to prepare a written submission or to meet with Chief Superintendent Armstrong at Central Headquarters at 1330 hours on December 15, 2009, before a decision is made. To assist Chief Superintendent Armstrong in his decision relating to your employment status, I will provide him with a copy of this memorandum and attached documentation.

If the recommendation is accepted, you will be released from employment pursuant to subsection 37(2) of the Public Service of Ontario Act.

Please advise Staff Sergeant Colleen Kohen in writing, by 0900hours on December 14, 2009, as to which option, if any, you wish to exercise. If you choose not to make a submission, the final decision will be based on the information in this memorandum and the attached documentation.

You have the right to have a representative of the Ontario Provincial Police Association present at the meeting.

Mary Silverthorn  
A/Bureau Commander

- c: OPPA
- C/Supt. Mike Armstrong, Regional Commander - Central Region

Ontario  
Provincial  
Police

Police  
provinciale  
de l'Ontario



Career Development Bureau  
Bureau de l'avancement professionnel

777 Memorial Ave.  
Orillia, ON L3V 7V3

777, av. Memorial  
Orillia ON L3V 7V3

Tel: (705) 329-6725  
Fax: (705) 329-6188

Tél: (705) 329-6725  
Télé: (705) 329-6188

Reference No/N° de dossier:

August 25, 2008

**MEMORANDUM TO:**

Michael Jack  
Badge #12690

Re: **PERFORMANCE AND CONDUCT REQUIREMENTS  
OF A RECRUIT CONSTABLE**

On behalf of Commissioner Julian Fantino, I welcome you to the Ontario Provincial Police (OPP) as one of our newest Policing Services Constables. It is the intent of the OPP to give our new employees every opportunity to succeed and we feel that clearly stated expectations of performance and conduct are fundamental ingredients in this process.

This memorandum describes the OPP's performance and conduct requirements for all recruit constables. Performance and conduct matters include academic performance, performance in an operational setting, and conduct both on and off duty. A position description for Policing Services Constable is attached for your reference.

As described in your Offer of Employment, you will hold the rank of 5th Class Recruit Constable until you successfully complete the training requirements of the Ontario Police College (OPC) and the Provincial Police Academy (PPA).

Successful completion of all components of the Basic Constable Training Program at the Ontario Police College is a mandatory requirement for every recruit constable. It is **important to note that the OPP will be seeking your release from employment should any of the following circumstances arise:**

- If you do not achieve a passing grade (75% or higher) in three or more examinations, a recommendation will be made to the Commander, Career Development Bureau, that you be released from employment.
- If you do not achieve a passing grade (75% or higher) in one or two examinations, you will be allowed one opportunity to re-write those examinations to obtain a passing grade of 75% or higher. If you do not achieve a passing grade (75% or higher) on these examination re-writes, a recommendation will be made to the Commander, Career Development Bureau, that you be released from employment.



- If you do not achieve the required standard in Police Vehicle Operations (PVO), you will be allowed one additional testing opportunity to achieve this standard. If you do not achieve the required standard in PVO during the re-test, a recommendation will be made to the Commander, Career Development Bureau, that you be released from employment.
- If you do not achieve the required standard in Firearms, Defensive Tactics, or the Physical Readiness Evaluation for Police (PREP) test, you will be allowed one additional testing opportunity to achieve this standard. If you do not achieve the required standard during this re-test, a recommendation will be made to the Commander, Career Development Bureau, that you be released from employment.

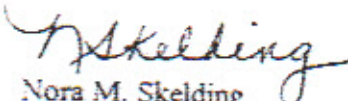
When you successfully complete all of the requirements of both OPC and PPA training, you will proceed to your assigned detachment. Your one-year probation period will commence and you will be promoted to a 4th Class Recruit Constable status with a corresponding wage increase (unless otherwise affected by a pre-existing OPS contract).

Your performance and conduct will be assessed and documented by a Coach Officer. Performance evaluations will assess your development and performance as a recruit constable. All of these evaluations will be shared with you and any performance rating in the "Does not meet" category will be brought to your attention. You will be given every opportunity to improve any identified performance deficiencies.

In order for your employment with the OPP to be confirmed beyond the probationary period, the evaluation of your work performance and conduct must demonstrate that you meet the requirements of this position. A recommendation to confirm your appointment as a Provincial Constable will be made after the tenth (10) month of your probationary period.

Pursuant to the Public Service of Ontario Act, a recommendation that you be released from employment for failure to meet the requirements of your position, based on unsatisfactory work performance or inappropriate conduct, may be made at any time during your training and probation period.

I extend my very best wishes for a successful and fulfilling career.

  
 Nora M. Skelding  
 Chief Superintendent  
 Bureau Commander

#### ACKNOWLEDGEMENT

I, MICHAEL JACK have read, understand and accept the contents of this memorandum "PERFORMANCE AND CONDUCT REQUIREMENTS OF A RECRUIT CONSTABLE", Rev: Aug 2008.

Michael Jack  
 Employee

25/08/08  
 Date

Wm St Arman  
 Witness

25/08/08  
 Date

T

**Reynolds, Michael (JUS)**

---

**To:** Kohen, Colleen (JUS); Lee, Dave E. (JUS)  
**Cc:** Stevenson, Hugh (JUS)  
**Subject:** RE: Prob Jack Notice of release

Hello Colleen,

On Sunday December 13th @ 19:00hrs, Constable Michael Jack was served Memorandum " Notice of Proposed Release from Employment from A/ Bureau Commander Mary Silverthorn and "Performance and Conduct Requirements of a Recruit Constable dated August 25, 2008".

This meeting was held with Sergeant Peter Butorac at the City of Kawartha Lakes Detachment. Constable Jack was offered EAP and the option to go home if he did not wish to continue on duty but with deduction of hours. Constable Jack was made aware that you wanted notification by tomorrow morning @ 09:00hrs in regards to which option he wanted to exercise.

Please note that Constable Jack was off sick both Friday and Saturday night and this was the first opportunity to serve him. The officer is on scheduled rest days on December 14th and 15th.

Regards,

A/Inspector Mike Reynolds  
A/Detachment Commander  
Peterborough County Detachment  
Bus: 705-742-0401  
Fax: 705-742-9247  
Cell: 705-928-6774  
E-mail michael.reynolds@ontario.ca

---

**From:** Kohen, Colleen (JUS)  
**Sent:** December 9, 2009 2:14 PM  
**To:** Lee, Dave E. (JUS); Reynolds, Michael (JUS)  
**Subject:** FW: Prob Jack Notice of release  
**Importance:** High

Mike

I am still waiting to hear back from my BN from Deputy Lewis so please hold on to these until then

These are to be served on Michael meaning the proposed release letter and the perf and conduct letter he signed back in Aug. I hope to hear tomorrow

Dave

Please share these with C/Supt Armstrong... I will also be sending you another letter which is a termination letter just in case he does not resign. This needs to be placed on Central region letter head.

Stay tuned gentleman

Colleen



**From:** Van Dyk, Brenda (JUS)  
**Sent:** December 8, 2009 3:16 PM  
**To:** Kohen, Colleen (JUS)  
**Subject:** Prob Jack Notice of release  
**Importance:** High

Hi Colleen,

Here is the attachments you originally forwarded and the scanned memo signed by Mary. Will hold original and copies until further direction from yourself.

Colleen

<< File: scan0002.bmp >> << File: scan0001.bmp >> << File: Notice of Proposed Release from Employment.pdf >>

u

JAMIE BROCKLEY



**CONFIDENTIAL DUTY REPORT**

This is the first page of a confidential duty report. The next page is number two. Any additional pages are numbered consecutively and are attached here to. I have initialled all pages and signed the last page.

This report is being made to my employer in the course of my employment at the request of Detective Sergeant Tym Thompson. It is also being submitted as a statement in an attempt to resolve informally a complaint made against Constable Michael Jack in accordance with the Police Services Act.

This report is submitted without prejudice and is a non-voluntary statement. I object to and claim privilege from the use of all, any part, or parts of the report in any proceeding whether criminal or civil and including any disciplinary proceedings or in any investigation or inquiry.

Improper use of this report without my consent is forbidden and any requests that I waive such privilege or any notices that my claim to privilege will not be honoured or recognized must be directed to:

**LEGAL SERVICES BRANCH  
ONTARIO PROVINCIAL  
POLICE ASSOCIATION  
119 FERRIS LANE  
BARRIE, ONTARIO  
L4M 2Y1**

**TELEPHONE: (705) 728-6161 OR  
(800) 461-4282**

**FAX: (705) 721-4867**

**EMAIL: [legal@oppa.on.ca](mailto:legal@oppa.on.ca)**

During the week of January 26 2009, I was working my general duty as a Detective Constable with the Drug Enforcement Section. I had occasion to be introduced to a new Probationary Officer who just started working at the Detachment. His coach officer was Constable Shaun FILMAN, and the Probationary Officer was Constable Michael JACK. Upon meeting and greeting Constable JACK, he was interested in the line of work that I was in, being the Drug Enforcement Section. During our brief conversation, PC JACK stated that he was friends with a guy who just got busted for a larger drug bust. Constable JACK stated his name was [REDACTED]

I was familiar with [REDACTED] as he had just recently been involved in a drug incident at the US Border where his 19 year old daughter was caught with 300 lbs of processed marihuana crossing the border for [REDACTED] his own pick up truck.

Constable JACK stated that he knew him and worked out at the gym with him and his friends all the time. I am not able to remember how it came up in the conversation, but at some point two associates of [REDACTED] names were brought up, that being [REDACTED] and [REDACTED]. Constable JACK stated he worked out at the gym with all those guys and that he didn't know they were into anything illegal.

Constable JACK further advised that he was aware that [REDACTED] would travel to the USA frequently and he recently had brought back Constable JACK a scope for one of JACK's guns from the USA.

Constable JACK stated that he actually had a photograph of himself with all the guys he worked out in the gym with.

The following day, I had attended the Detachment and Constable JACK was there and advised me that he brought in the photograph of himself with his work out partners. Upon viewing the photograph, there was approximately 8-10 people, including Constable JACK, [REDACTED] and [REDACTED]. I had advised Constable JACK that [REDACTED] and [REDACTED] were involved in the drug trade, and Constable JACK



had stated that the guys always seemed to have money and stuff but he didn't know where they worked. I don't remember who the other persons were in the photograph nor did I recognize them.

I did not make any notations in my notebook at the time and have no notations in regards to this incident. I was not concerned nor did I see it necessary at the time to make a notation in my notebook on the photograph.

**Respectfully Submitted:**

**Jamie Brockley**

**Badge #10489**

**Submitted: October 24 2009 via Email**

Will Say Detective Constable Jamie Brockley

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**Respectfully Submitted:**

**Jamie Brockley**

**Badge #10489**

**705 742 0401**

**OCEB Central East Drug Unit**

V

M.P. (MIKE) JOHNSTON



**From:** Blue Sky Gear [admin@blueskygear.com]  
**Sent:** September 15, 2009 2:41 PM  
**To:** Johnston, Mike P. (JUS)  
**Subject:** Clarification re PC JACK  
Inspector,

As per our discussion, here is some clarification information regarding PC JACK. I have spoken with PC BROCKLEY today, after our conversation, for more information and about the timing of this information.

PC BROCKLEY advises that 2-3 weeks after PC JACK arrived at the office, in Jan '09, PC JACK produced a photograph to PC BROCKLEY at the request of PC FILMAN, his coach officer. PC BROCKLEY at the time was working in the Drug Unit. When PC JACK produced the photograph, PC BROCKLEY recognized 3 of the people in the photograph, 2 of which were [REDACTED] and heavily into the drug scene. [REDACTED]

[REDACTED] relative. PC JACK also provided information that the other person in the photograph, [REDACTED] had brought him back a rifle scope when he was down in the US. Given the manner in which PC JACK was forthcoming with the information that he had worked out with these people in the past, and keeping the integrity of the [REDACTED], nothing was brought forward at the time.

PC BROCKLEY has advised that the 2 males play their cards close to their chest and either you know absolutely nothing about what they do, or you know everything. Again, the manner in which PC JACK provided the information, led PC BROCKLEY to believe he didn't know anything.

I was made aware in passing some time after that, that PC JACK had worked out with some undesirables in the past at the gym but was never told the above information concerning their [REDACTED] drug ties or the [REDACTED]

In July, I was away on holidays into August. During that time period, PC BROCKLEY worked on my shift due to personnel shortages on the 31st of July. During the evening hours, PC BROCKLEY was involved in an investigation and was dealing with a youth, when he overheard the registered owner information of a vehicle that PC JACK had run over the radio. He believed he heard the RO was [REDACTED] which he believes is [REDACTED]. He wasn't 100% certain as he only had half an ear to the radio. PC BROCKLEY has advised me today that PC JACK was spoken to by PC PAYNE and PC FILMAN about 2 hours after the plate had been run, and PC JACK advised he didn't recall running the plate nor had anything in his notebook about it. PC BROCKLEY advised that this was odd, and thought back to the photograph that PC JACK produced back in January.

I was advised of PC JACK potentially running a [REDACTED] plate in August after I had gotten back from holidays. Again, I don't have the exact date with me. I wasn't familiar with [REDACTED] plates being used by surveillance teams nor did I have the information above about the Albanians. I believe it was PC PAYNE that told me about him running the plate. No one on the shift fully heard the plate he had run or the RO information, but thought it was something similar [REDACTED]. I advised her I would look into the matter when I had a chance and would see about pulling the tape from the PCC.

In the beginning of Sept, the 3rd I believe, the licence plate matter was brought up again, which reminded me to make a request for the tapes. It was also at this time that PC BROCKLEY came forward about the details of the photograph in January. He provided me with the details of the [REDACTED] and the 2 males affiliation with [REDACTED] drug running. He advises that each matter alone, didn't cause him concern, but it was the pairing of the two that caused him to take notice. He advised that he



was concerned about the integrity of the project and felt that had any information been discovered about PC JACK it would have been brought forward.

I in turn brought this information immediately forward to S/Sgt. CAMPBELL and we had discussions about where we were to go from this point. None of the information at the time had been sourced. I hadn't run any of the parties involved as I didn't want any SIP hits coming back. S/Sgt CAMPBELL advised he was going to notify Insp. JOHNSTON about the information and did so by email. I advised S/Sgt. CAMPBELL I would send an email to Insp. JOHNSTON, but didn't do so, because I had just literally received very basic information about the matter and needed to obtain more detailed information to provide a better picture. I provided Insp. JOHNSTON the above information when he was back in on days from being away on the 11th of Sept.

In all accounts, PC JACK's affiliation with the 2 males at the gym seemed innocuous enough to PC BROCKLEY given the manner in which the information was provided by PC JACK. It wasn't until the incident at the end of July when PC JACK ran a suspected [REDACTED] that PC BROCKLEY started piecing together a potential conflict. Had I the information about the [REDACTED] connection, I would have prioritized obtaining the PCC tapes to see if in fact it was a [REDACTED] mate that PC JACK had run. Once the totality of the information was learned, S/Sgt. CAMPBELL was immediately notified.

I hope this provides clarification as to the timing of events. As they say, timing is everything. Further clarification should be obtained from PC BROCKLEY, PC FILMAN and PC PAYNE for further, finer details.

Respectfully,  
Robert Flindall  
Sgt. 9740  
Peterborough County OPP  
VNET 501-4620



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Eastern Region Headquarters  
Quartier General de la Region Est

3312 County Rd. 43 East 3312 ch. de comtl~43 est

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c.p. 2020  
Smiths Falls ON K7A 5K8 Smiths Falls ON K7A 5K8  
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File Reference: 291-00

October 2nd, 2009

MEMORANDUM TO:

Detachment Commander Ron Campbell  
Staff Sergeant  
Peterborough County Detachment  
Central Region

RE:  
Probationary Constable: Michael Jack  
Detachment Peterborough County  
ERHQ File# 291

On Friday 18 September 2009 I conducted a "Driver Competency Assessment" on Probationary Constable Michael Jack.

This assessment took place in the City of Kingston using an unmarked Chevrolet Malibu. A specially designed route was utilized to conduct the driver assessment and each driver navigates a broad range of situations to assess their driving abilities. These sessions take approximately 1.5 hours to complete. During this time, the driver is also exposed to internal/external "distracters"

while their driving continues to be assessed.

During this assessment CST Jack was required to drive a complex route that varies in 3 distinct respects.

- Driving while receiving directions from myself
- Driving while following a navigation sheet -and while doing this pointing out various house (building) numbers
- Driving while counting backwards by 3' s.

Under these conditions I found some concerns with respect to Constable Jack's driving and have contacted Sgt Kent Taylor of the Provincial Academy to provide some remedial driving opportunities.

□  
I am including a copy of the "Driver Competency Assessment". When Transport Canada initially developed the standards used in these assessments they tested numerous people to determine

what the "average" driver is. A baseline (5) (average) was established through the scientific analysis of the data. Most professional drivers measure over (6). The goal of the OPP driving program is to have all of our drivers score 6 and above (i.e. above average.) Anything under 6 indicates areas where there is room for improvement. Although the report indicates that Michael is an above average driver -this is not the level that we are looking for with respect to our officers.

As such there are areas that have been identified in the assessment where improvement can take place. I will say that I found CST Jack to be cooperative but felt that he truly was under a fair amount of stress. There were a few situations that presented themselves during the assessment that, involved other drivers breaking the law (for example a 2nd car running a 4 way stop -we had the right of way and started to turn / and another older woman running a red etc). Cst Jack took appropriate measures to prevent collisions in both cases, but wanted me to know "emphatically" that the problems were caused by the other drivers. I discussed how the unexpected has to be expected when driving in the city and you really can not predict the actions of others.

- Speed -slowing down assists in building in safety margins but at times a consistent speed is also required when "way finding" or self navigation. If a situation presents itself that requires some thought or reaction, the best course of action is to move your vehicle to a

safe location and then determine what the best course of action is.

- Headway -maintain proper distances between vehicles -builds in escape routes -this includesthevehiclesinfrontofyou-butalsoincludesvehiclesfollowingyou-more attention to the actions of vehicles following your vehicle can increase safety margins.

- Junctions -interaction between the driver and the road system -range in this area indicates room for more consistent performance.

- Dynamic Space Management -increasing "space-cushion" between all vehicles around you.

- Driving with distractions -as indicated by the Driver Competency Report, Probationary CST Jack should focus on his driving-especially when faced with competing demands for his attention. (Internal or external distractions).

It is interesting to note that when CST Jack was operating the vehicle, while counting backwards and faced with very busy and complex intersections he chose to focus "on the driving" and dropped counting until he had successfully navigated the situation -often communicating clearly with other drivers to accomplish what he needed to do. This is exactly what we want our people



D McNeely M Jack Driving Memo.txt

to do when faced with competing demands. By elevating driving and making it a priority our officers will be able to avoid problems while behind the wheel.

The Ontario Provincial Police Officer must be an above average driver and it is hoped we will set the standard for professional vehicle operation. Elevating "driving" to a higher priority will increase CST Jack's overall driving performance, allow him to increase his safety margins, and assist him in becoming a better driver. Some overall work with Sgt Kent Taylor will give him the

□  
tools he needs to make better decisions, faster when dealing with situations that present themselves while operating a police vehicle.

I have included a definition sheet of the variables contained in the assessment report to assist in understanding the computer generated sheet.

Should you require any additional information or assistance please contact me.

Thank you,

Sgt Dave McNeely

Eastern Region Headquarters

613-284-4561

503-4561

□  
Driver Competency Assessment @

phone 613-839-3003 A division of Driver Competency Assessment Protocols fax 613-839-0318

2808 Donald B Munro Drive, Kinburn, Ontario, Canada, K0A2H0  
ON25894 Michael J0052-54407-21216

City: Kingston  
18/09/2009 Jack DCA: 2G Auto Route: Kngs01

DCA 2 Scores  
Average=5

8  
7  
6  
11)  
10 u  
U)  
5  
4  
3 ~...--2

SPE HEA JUN VB-! DSM DTM 5.28

High

Low 5.47

Driving Characteristics  
Score Average

SPD 5.17  
HEA 5.33  
JUN 5.42  
VEH 5.50  
DSM 5.42  
DTM 5.42  
G Mean 5.38

Task Loading Conditions  
Driving Average Normal 5.69  
Ext Dist 4.71  
Int Dist 5.75

Segments  
Complexity Average

Variance

0.33  
0.42  
0.99  
0.27  
0.45  
0.45  
0.46

Variance

0.28  
0.22  
0.20

Difference  
-0.19

Driving Characteristics:

All drivers are scored on 4 discrete variables: speed, headway, junctions, vehicle control, and two composite ones: dynamic time management and dynamic space management. Overall Mr. Jack's driving was in the upper end of the average range. Drivers can use either space or time to control their environment. Mr. Jack uses time and space equally effectively (DSM -dynamic spacemanagement and DTM -dynamic timemanagement). Both time and space were in the upper end of the average range. Mr. Jack was in the upper end of the average range on both junctions (JUN -junctions; understanding and use of the road system) and headway (HEA -headway; interaction with other road users). Mr. Jack was in the average range on speed (SPD -appropriateness of speed choices for road



and traffic conditions). On vehicle (VEH -vehicle handling skills) Mr. Jack scored above average. With the exception of the high degree of variability found in junctions this driver was relatively consistent within individual measures as well as between all measures taken.

#### Task Loading Conditions:

During the drive Mr. Jack was scored while driving normally, while following a set of written navigational instructions

and pointing out a predetermined set of addresses and while counting backwards by threes. Mr. Jack showed significant difference between driving normally and driving while wayfinding (multitasking), suggesting this driver needs to develop better strategies to deal with competing demands and should exercise caution if operating a motor vehicle while trying to complete a secondary task. Mr. Jack showed no difference between driving normally and driving while counting backwards (internal distraction) suggesting that Mr. Jack has developed good control over his allocation of attentional

resources.

#### Segments:

while each segment was approximately three minutes long, some segments were more complex than others based on a

predetermined set of criteria. Mr. Jack showed no differences between driving in complex and simple environments

suggesting that he can handle both complex and simple driving situations equally.

#### Recommendations:

Mr. Jack is an average driver who could easily raise his overall driving performance. This driver should undergo some

remediation to raise his overall safety margins as found in the driver competency assessment across all areas of driving

and when driving with external distractors. This driver should be re-evaluated upon completion of remediation.

#### □ SPEED -SPD

Definition: Speed is the appropriateness of speed choice given the circumstances and conditions at the time.

Drivers taking into account traction, traffic and visual conditions score higher as do those that are independent of

the speed of the vehicle ahead. Higher scores are obtained by drivers choosing a speed so that their vehicle is

strategically positioned to maximize the space safety margin as well as the time safety margin. A score of less than

5 would signify that the driver was traveling at a less appropriate speed (than the average driver) which could have

been either too slow or too fast for conditions regardless of the posted speed limit. A driver is considered too slow

if they force other drivers to pass them when the other drivers are not going inappropriately fast; or loose gaps

because of not accelerating quickly enough to get into the line of traffic, etc. A driver is considered too fast if the



traction conditions do not warrant the speed, they are pushing other drivers, the car goes out of balance on curves and corners, or the vision is not sufficient to make decisions with the amount of information available for the individual's level of attention dedicated to the task.

#### HEADWAY -REA

Definition: The distance a vehicle has between itself and other moving objects. Traditionally headway referred to the space that a vehicle had in the direct forward field whereas headway for the purposes of this assessment refers to the relationships between the driver's vehicle and all other road users both that the driver initiates and ones that are initiated by other road users. Specifically the relationships between the driver and other road users are included

in this measure.

#### JUNCTIONS -JUN

Definition: Intersections and all conflict points that exist in the road environment such as cross streets and driveways, etc. Conflict points for our purposes consist of any location where two or more objects or individuals traverse each other such as pedestrian crossovers and train crossings as well as roadway intersections. The interaction between the driver and the road system, their understanding of the rules of the road and the traffic

control devices that delineate responsibility, and their ability to maximize safety margins through the speed and the placement of their vehicle are considered in this measure as is their vigilance in appropriate glance behaviour.

#### VEHICLE HANDLING -VEH

Definition: Traditionally this variable has been called vehicle sympathy; the degree to which a driver is "in sync"

with the vehicle. Vehicle balance on corners, independence of functioning skills and smoothness of handling the vehicle in terms of interacting with the controls are considered in this measure. Smoothness of operation is an essential component of this measure in conjunction with control of the vehicle under varying conditions and speeds.

#### DYNAMIC SPACE MANAGEMENT -DSM

Definition: This variable is most closely aligned with 'space-cushion' or 'safety envelope' in the literature. The degree to which a driver (a) is aware of their surroundings, (b) understands the implications of the time-space relationship and (c) optimizes space to the best of their ability for themselves and other road users. Drivers who score higher on this measure use space well as a method of optimizing their safety margins. Creating space for both their own safety and the safety of others is critical, particularly for smaller vehicle visibility. A driver's ability to maintain an optimum space independent of other road users is considered important



as well as the ability to separate out hazards and deal with each as an isolated event. In these cases higher scores will be in line with the driver's ability to choose the less risky option in a complex environment and/or situation. This is a composite measure comprised of speed, headway, and junctions as well as the sophistication to use space to maximize all of

these.

#### DYNAMIC TIME MANAGEMENT -DTM

Definition: In the literature this variable is most closely aligned to 'eye-lead-time' or 'situation awareness'. The degree to which a driver (a) is aware of their surroundings, (b) understands the implications of the time/space relationship and (c) optimizes time to the best of their ability. Drivers who score higher on this measure use time as a method of increasing their margins by having more time to make decisions and more time to view the environment. Drivers who see and respond to situations developing ahead of the vehicle receive higher scores

while those who are continually being trapped by a lack of time will be scored lower on this variable. This is a composite measure comprised of speed, headway, junctions and traffic control devices. Inherent in time management is the notion of judging motion and velocity and the ability to time maneuvers to coincide in space.

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