

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

DISCLOSURE AND FILING OF DOCUMENTS
TO BE RELIED UPON

VOLUME 3 OF 5

April 5, 2012

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

Lynette D'Souza
Tel: (416) 326-1237
Fax: (416) 314-3518

Counsel for the Respondent

TO: Michael Jack
c/o Lloyd Tapp
252 Angeline Street North
Lindsay, Ontario K9V 4R1

Applicant

[REDACTED]

From: Lee, Dave E. (JUS)
Sent: December-15-09 4:04 PM
To: Kohen, Colleen (JUS)
Subject: RE: Termination

Colleen:

Be advised that Prob Cst. Mike Jack tendered his signed resignation today.

I have his badge and warrant card in my possession.

Mike Jack is being escorted back to Peterborough where his use of force and uniform items will be retrieved from his residence and office locker.

What else needs to be done in relation to this resignation?

Dave

D. E. (Dave) Lee
Inspector
Career Development
OPP Central Region
705-329-7418

-----Original Message-----

From: Kohen, Colleen (JUS)
Sent: December 15, 2009 2:54 PM
To: Lee, Dave E. (JUS)
Subject: RE: Termination

Yes.. 505 4030

-----Original Message-----

From: Lee, Dave E. (JUS)
Sent: December 15, 2009 2:54 PM
To: Kohen, Colleen (JUS)
Subject: Termination

Can I call you? The Chief is speaking with P/Cst Jack now - a question has come up Insp. D. Lee
Manager Staff Development and Training OPP Central Region
705-329-7418

[REDACTED]

From: Thomas, Sandy (JUS)
Sent: December-14-09 7:24 PM
To: Kohen, Colleen (JUS)
Subject: Re: Prob Jack

Excellent

Sandy Thomas -----
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Kohen, Colleen (JUS)
To: Thomas, Sandy (JUS)
Sent: Mon Dec 14 19:20:13 2009
Subject: Fw: Prob Jack

Hi Sandy

We are all set for the meeting tomorrow with Prob Jack and C/Supt Armstrong

Colleen

----- Original Message -----

From: Reynolds, Michael (JUS)
To: Kohen, Colleen (JUS); Lee, Dave E. (JUS)
Sent: Mon Dec 14 18:10:02 2009
Subject: Re: Prob Jack

Hello Colleen,

PC Jack was contacted and arrangements have been made for A/S/Sgt. Gerry Smith to take him. PC Jack has been advised re: dress (business attire).

Mike

A/Inspector Mike Reynolds
A/Detachment Commander
Peterborough County Detachment
Bus: 705-742-0401
Cell: 705-928-6774

Sent from my Blackberry Wireless Device

----- Original Message -----

From: Kohen, Colleen (JUS)

To: Reynolds, Michael (JUS); Lee, Dave E. (JUS)

Sent: Mon Dec 14 17:26:47 2009

Subject: Fw: Prob Jack

Fyi

Mike

If you can confirm with Prob Jack the following

Does he need a ride

To attend meeting in civ attire

Dave

Can you please have someone confirm the out come of this meeting and ensure that either I get copy of his termination letter or if he resigns letter.

Thanks

Colleen

----- Original Message -----

From: Kohen, Colleen (JUS)

To: 'jstiles@oppa.ca' <jstiles@oppa.ca>

Sent: Mon Dec 14 17:03:41 2009

Subject: Re: Prob Jack

Great thanks

I will use this as the confirmation

Colleen

----- Original Message -----

From: Jim Stiles <jstiles@oppa.ca>

To: Kohen, Colleen (JUS)

Sent: Mon Dec 14 17:00:30 2009

Subject: Re: Prob Jack

Hi Colleen - nothing new from my end. Looks like 8 Branch President Karen German and Exec Officer Marty McNamara will be going up to Orillia for the meeting.

Jim

--

Jim Stiles
Executive Officer
OPP Association
Email - JStiles@oppa.ca
Toll Free 1-800-461-4282
Phone 1-705-738-6161
Fax 1-705-721-4867

> From: "Kohen, Colleen (JUS)" <Colleen.Kohen@ontario.ca>
> Date: Mon, 14 Dec 2009 16:25:24 -0500
> To: Jim Stiles <jestiles@oppa.ca>
> Subject: Prob Jack
>
> Hi Jim
>
>
> Any update re meeting tomorrow ?
> I have not heard anything
>
> Colleen

135

[REDACTED]

From: Kohen, Colleen (JUS)
Sent: December-14-09 8:51 AM
To: Jack, Michael (JUS)
Cc: German, Karen (JUS); 'br8.president@oppassociation.org'; 'mjack_31@hotmail.com'
Subject: RE: Re: Notice of Proposed Release from Employment for Michael Jack

Good Morning

I can be reached at the Justice e mail address. colleen.kohen@ontario.ca or can be reached on my cell 905 973 8877. If I don't answer the cell, please leave a messages as I have several meetings today.

Please be advised that I have been in contact with Jim Stiles of the OPPA if that assist you.

Colleen

C.S.Kohen
Staffing Officer
Career Development Bureau
905 681-2511 (office)
505 4030 (VNET)
905 973- 8877 (cell)

From: Jack, Michael (JUS)
Sent: December 13, 2009 10:05 PM
To: Kohen, Colleen (JUS)
Cc: German, Karen (JUS); br8.president@oppassociation.org; mjack_31@hotmail.com
Subject: Re: Notice of Proposed Release from Employment for Michael Jack

Hello S/Sgt. Kohen,

On Sunday, December 13, 2009 at 19:00 hours I got served a memorandum re: Notice of Proposed Release from Employment in which I was advised of the opportunity to either 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.

In the notice I am requested to advise you in writing by 09:00 hours on December 14, 2009, as to which option, if any, I wish to exercise.

At approximately 20:45 hours I spoke with the President of the 8th Branch of Ontario Provincial Police Association, D/Cst. Karen German, on the phone and advised her of the Notice and the deadline for making the choice as to which option I wish to exercise.

D/Cst. German advised me she would be consulting with the OPPA first thing on Monday morning and get back to me.

Due to the fact that I was served the Notice on the weekend and requested to advise you on a very short notice (14 hours) as to which option I wish to exercise, as per D/Cst. German instruction, I am requesting an extension to the notification.

From: Nie, Richard (JUS)
Sent: December-14-09 5:26 AM
To: Kohen, Colleen (JUS); Reynolds, Michael (JUS)
Subject: PC Jack

Colleen

I have completed PC Jack's 11mth evaluation and it has been signed off by PC Jack, myself, and Sgt. Butorac. I'm sorry I didn't have a chance to send it to you first this time but given he received his termination letter last night I felt it was okay to get it done anyways.

Let me know if you need anything else from me

Thanks again

Rich.

A/Insp Reynolds - the original is sitting on your desk and I marked where your signatures are required.

[REDACTED]

From: Jack, Michael (JUS)
Sent: December-13-09 10:05 PM
To: Kohen, Colleen (JUS)
Cc: German, Karen (JUS); br8.president@oppassociation.org; mjack_31@hotmail.com
Subject: Re: Notice of Proposed Release from Employment for Michael Jack

Hello S/Sgt. Kohen,

On Sunday, December 13, 2009 at 19:00 hours I got served a memorandum re: Notice of Proposed Release from Employment in which I was advised of the opportunity to either 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.

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D/Cst. German advised me she would be consulting with the OPPA first thing on Monday morning and get back to me.

Due to the fact that I was served the Notice on the weekend and requested to advise you on a very short notice (14 hours) as to which option I wish to exercise, as per D/Cst. German instruction, I am requesting an extension to the notification.

While I personally would prefer to meet with Chief Superintendent Armstrong at Central Headquarters and have a representative of the OPPA present at the meeting, my final choice will be made after I have been advised by D/Cst. German sometime on December 14th, 2009. I will be in touch with you as soon as I hear from D/Cst. German. Could you please advise me of the fastest way I can reach you?

I will not have access to my justice email account on Monday, December 14, 2009. However, I can be reached at my personal email account mjack_31@hotmail.com or on my cell 705-740-5765.

Thank you

Michael Jack

From: Kohen, Colleen (JUS)
Sent: December-13-09 7:46 PM
To: Reynolds, Michael (JUS); Lee, Dave E. (JUS)
Cc: Stevenson, Hugh (JUS); Thomas, Sandy (JUS)
Subject: Re: Prob Jack Notice of release

Good evening Mike

Thanks for the up date and notifications

I will connect with you tomorrow if I can be of any additional assistance.

I contacted oppa on friday and will notify them now he has been served

Colleen

From: Reynolds, Michael (JUS)
To: Kohen, Colleen (JUS); Lee, Dave E. (JUS)
Cc: Stevenson, Hugh (JUS)
Sent: Sun Dec 13 19:25:59 2009
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 >>

[REDACTED]

From: Reynolds, Michael (JUS)
Sent: December-11-09 7:31 PM
To: Kohen, Colleen (JUS); Lee, Dave E. (JUS)
Subject: Re: Proposal to Release Prob Const

Hello Colleen

The officer was suppose to work this weekend on nights.

Sgt. Butorac advises that PC Jacks called in sick tonight.

We will attempt service on Sunday night.

The documents provided to me earlier this week...is this what I serve the officer?

Mike

A/Inspector Mike Reynolds
A/Detachment Commander
Peterborough County Detachment
Bus: 705-742-0401
Cell: 705-928-6774

Sent from my Blackberry Wireless Device

From: Kohen, Colleen (JUS)
To: Reynolds, Michael (JUS); Lee, Dave E. (JUS)
Sent: Fri Dec 11 17:21:39 2009
Subject: Fw: Proposal to Release Prob Const

Mike

We need to get the letter served asap

Any chance on the weekend ?

From: Van Dyk, Brenda (JUS)
To: Kohen, Colleen (JUS)
Cc: Hannes, Renee (JUS); Thomas, Sandy (JUS)
Sent: Fri Dec 11 16:24:40 2009
Subject: Proposal to Release Prob Const

Hi Colleen,

Proposal to Release Prob Const Jack BN received approved and forwarded to Renee Hannes.

Thx

Brenda Van Dyk
Administrative Assistant
Office of the Bureau Commander

Career Development Bureau
Ontario Provincial Police
(705) 329-6179
(705) 329-6188 (fax)

From: Kohen, Colleen (JUS)
Sent: December-11-09 5:27 PM
To: Thomas, Sandy (JUS)
Subject: Fw: Proposal to Release Prob Const

Sandy

Hopefully we can get him served this weekend as his meeting is tuesday with C/Supt Armstrong

Will advise .. Oppa is aware(jim Stiles)

From: Kohen, Colleen (JUS)
To: Reynolds, Michael (JUS); Lee, Dave E. (JUS)
Sent: Fri Dec 11 17:21:39 2009
Subject: Fw: Proposal to Release Prob Const

Mike
We need to get the letter served asap

Any chance on the weekend ?

From: Van Dyk, Brenda (JUS)
To: Kohen, Colleen (JUS)
Cc: Hannes, Renee (JUS); Thomas, Sandy (JUS)
Sent: Fri Dec 11 16:24:40 2009
Subject: Proposal to Release Prob Const

Hi Colleen,

Proposal to Release Prob Const Jack BN received approved and forwarded to Renee Hannes.

Thx

Brenda Van Dyk
Administrative Assistant
Office of the Bureau Commander
Career Development Bureau
Ontario Provincial Police
(705) 329-6179
(705) 329-6188 (fax)

From: Kohen, Colleen (JUS)
Sent: December-11-09 5:22 PM
To: Reynolds, Michael (JUS); Lee, Dave E. (JUS)
Subject: Fw: Proposal to Release Prob Const

Mike
We need to get the letter served asap

Any chance on the weekend ?

From: Van Dyk, Brenda (JUS)
To: Kohen, Colleen (JUS)
Cc: Hannes, Renee (JUS); Thomas, Sandy (JUS)
Sent: Fri Dec 11 16:24:40 2009
Subject: Proposal to Release Prob Const

Hi Colleen,

Proposal to Release Prob Const Jack BN received approved and forwarded to Renee Hannes.

Thx

Brenda Van Dyk
Administrative Assistant
Office of the Bureau Commander
Career Development Bureau
Ontario Provincial Police
(705) 329-6179
(705) 329-6188 (fax)

From: Van Dyk, Brenda (JUS)
Sent: December-11-09 4:25 PM
To: Kohen, Colleen (JUS)
Cc: Hannes, Renee (JUS); Thomas, Sandy (JUS)
Subject: Proposal to Release Prob Const

Hi Colleen,

Proposal to Release Prob Const Jack BN received approved and forwarded to Renee Hannes.

Thx

Brenda Van Dyk
Administrative Assistant
Office of the Bureau Commander
Career Development Bureau
Ontario Provincial Police
(705) 329-6179
(705) 329-6188 (fax)

From: Kohen, Colleen (JUS)
Sent: December-09-09 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



Prob Jack Notice of release
Prob Jack Notice of release
Prob Jack Notice of release

From: Bell, Cathy (JUS)
Sent: December-04-09 3:07 PM
To: Kohen, Colleen (JUS)
Cc: Silverthorn, Mary (JUS)
Subject: Probationary Jack

Hello Colleen,
As per your inquiry yesterday, this has been signed by Commander and forwarded to Deputy Lewis. He is not in today.
Thanks,
Cathy

From: Thomas, Sandy (JUS)
Sent: December-01-09 7:36 PM
To: Kohen, Colleen (JUS)
Subject: Re: Prob Jack

Great - thanks

Sandy Thomas -----
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Kohen, Colleen (JUS)
To: Thomas, Sandy (JUS)
Sent: Tue Dec 01 19:34:07 2009
Subject: Re: Prob Jack

On the last 3 pcs66p anywhere from 17 to 13 to 12 does not meet requirements Coach is one of the best ones I have worked with Main issues such as deceive insight, fed stats, driving, communications, analytical thinking ... I could go on

----- Original Message -----

From: Thomas, Sandy (JUS)
To: Kohen, Colleen (JUS)
Sent: Tue Dec 01 19:30:23 2009
Subject: Re: Prob Jack

What are the main issues with him?

Sandy Thomas -----
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Kohen, Colleen (JUS)
To: Thomas, Sandy (JUS)
Sent: Tue Dec 01 19:20:01 2009
Subject: Prob Jack

Hi Forgot to mention

I am submitted a huge BN re Prob Jack for approval to release from employment tomorrow to Renee via you then our command and then deputy Lewis

I briefly spoke to Jim S today on this matter but will do my full notifications to OPPA re this on Thursday

Will keep you in the loop and yes he was aware of some concerns that have been raised

I also will be dropping a copy of this to central region as they will need to review before the member meets with C/Supt Armstrong.. Hugh S is fully aware of what is going on

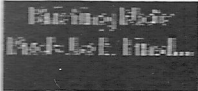
Colleen

From: Costello, Audrey (JUS)
Sent: December-01-09 1:59 PM
To: Kohen, Colleen (JUS)
Subject: FW:

Audrey Costello

*Staffing Advisor
Staffing & Workforce Planning Unit
Career Development Bureau
Ph: 613-284-4577
Vnet: 503-4577
Cell: 613-285-7016
Fax: 613-284-4597*

From: Kohen, Colleen (JUS)
Sent: December 1, 2009 1:56 PM
To: Costello, Audrey (JUS)
Subject:



C. S. Kohen
Staffing Officer
Career Development Bureau
905 681-2511 (office)
505 4030 (VNET)
905 973- 8877 (cell)



**ONTARIO PROVINCIAL POLICE
CAREER DEVELOPMENT BUREAU
CORPORATE SERVICES**

INTERNAL BRIEFING REPORT

ISSUE: Release from employment: Probationary Constable Michael Jack

BACKGROUND:

- Probationary Jack started with the OPP on August 25, 2009 and upon graduation started his probation period on January 09, 2009.
- Prob. Jack is posted to Peterborough County, Central Region.
- Month 1 and 2 (09 Jan to 09 Mar) which is a combined performance review. Prob. Jack had 3 sub categories where he did not meet requirements: Police Vehicle Operation, Radio Communication and Flexibility. The work improvement plan was not given to him until April 15, 2009 which was one month after the fact.
- Month 3 (09 Mar to 09 Apr) performance review, Prob. Jack was meeting the requirements on his performance review.
- Month 4 (09 Apr to 09 May) performance review, Prob. Jack was meeting requirements on his performance review.
- Month 5 (09 May to 09 Jun) performance review, Prob. Jack was meeting requirements but his performance review was given to him on August 16, 2009 which was two months after the fact.
- Month 6 and 7 which is a combined performance review (09 Jun to 09 Aug) Prob. Jack had 10 sub categories where he was not meeting the requirements: Provincial Statutes, Federal Statutes, Listening Skills, Radio Communication, Resolution, Follow up, Personal Accountability, Planning and Organizing, Respectful Relations and Self Confidence. This performance review was given to him on the August 20, 2009 and he refused to sign it.
- Month 8 performance review (09 Aug to 09 Sept) Prob. Jack had 17 sub categories where he was not meeting the requirements: Attitude Towards Learning, Provincial Statutes , Police Vehicle Operations, Oral and Written Communication, Listening Skills, Radio Communication, Analytical Thinking, Resolution, Follow Up, Personal Accountability, Planning and Organizing, Respectful Relations, Self Confidence , Team Work, Self Awareness and Department. This performance review was given to Prob. Jack on September 11, 2009. He refused to sign the performance review but later on the September 25, 2009 provided comments.(Attached)

- Staff Sergeant Kohen became involved with Detachment on August 27, 2009 since that time several conference calls with Detachment members and Region have occurred. As a result Prob. Jack coach officer and platoon was changed which is reflective in his 9 month performance review.
- Month 9 performance review (09 Sept to 09 Oct) Prob. Jack had 13 sub categories where he did not meet requirements: Attitude Towards Learning, Fed Statutes, Police Vehicle Operations, Traffic Enforcement, Oral Communication, Radio Communication, Decisive Insight, Analytical Thinking, Resolution, Personal Accountability, Flexibility, Respectful Relations and Self Confidence. This performance review was given to Prob Jack on the October 13, 2009. Prob. Jack did sign this performance review. On September 18, 2009 Prob. Jack completed a " Driver Competency Assessment with Sergeant McNeely, East Region (Report attached)
- Month 10 performance review (09 Oct to 09 Nov) Prob. Jack had 12 sub categories where he did not meet requirements: Attitude Towards Learning, Fed Status, Police Vehicle Operations, Oral Communication, Radio Communication, Decisive Insight, Analytical Thinking, Resolution, Personal Accountability, Flexibility, Respectful Relations and Self Confidence. This performance review was given to Prob Jack on the November 14, 2009 and Prob. Jack did sign this performance review and only provided comments on a disagreed with the sub category of Federal Statutes. This member was not recommended for permanent status and advised to keep working on the areas with his coach officer in conjunction with the Work Improvement Plan that had been created. During this review period Prob. Jack attended two additional driving assessments with Sergeant Kent Taylor from the Academy.
- On November 12, 2009, a conference call was held with Staff Sergeant Kohen, coach officer Constable Rich Nie, Detachment Sergeant Peter Butorac, Detachment Commander Ron Campbell and Central Region Command Staff Superintendent Hugh Stevenson. Central Region is supporting the release from employment of Prob. Jack.
- On November 23, 2009 Staff Sergeant Kohen consulted with Legal Branch Ms. Chris Donszelmann and provided her an overview of Prob Jack's performance of the last 10 months. Legal Branch supports the recommendation of releasing Prob. Jack from employment as a result of failure to meet the requirements of his position based on unsatisfactory work performance.
- On the 30 November, 2009, Detachment members have submitted to Staff Sergeant Kohen a chronology overview of the last 10 months of Prob Jack at Peterborough Detachment. (Attached)

PROPOSED DIRECTION:

- Release Probationary Jack from employment as a result of failure to meet the requirements of his position based on unsatisfactory work performance.
- Probationary Jack signed the *Performance and conduct requirements of a probationary constable letter which outlines the expectations of each member during his/her probation period(Attached)*

CONSULTATION RECORD:

Superintendent Hugh Stevenson, Director of Support Services, Central Region

Inspector Dave Lee, Staff Development & Training, Central Region

Staff Sergeant Ron Campbell, A/Inspector Detachment Commander, Central Region

A/Superintendent Sandy Thomas, A/Director of Human Resources, Career Development Bureau

Ms. Chris Donszelmann, Legal Service Branch

- Recommendation Approved**
- Recommendation Approved/Amended**
- Recommendation Denied**

Commissioner/Provincial Commander

Date

From: Reynolds, Michael (JUS)
Sent: December-01-09 4:00 PM
To: Kohen, Colleen (JUS)
Cc: Flindall, Robert (JUS); Taylor, Kent (JUS); Butorac, Peter (JUS)
Subject: FW: Probationary Constable Michael Jack - Remedial driver training completion

Colleen

You can reach me at 501-4610.

- Kent, thanks for your hard work with our recruit.
- Rob/Pete, please arrange for Cst. Jack to participate in a future OPP "Performance Driving Seminar at OPC if and when a position becomes available. Please ensure that Sgt. Taylor's assessment is added to the officer's 291 file and next evaluation.

Mike

A/Inspector Mike Reynolds
A/Detachment Commander
Peterborough County Detachment
Bus: 705-742-0401
Cell: 705-928-6774

From: Beckett, Dom (JUS)
Sent: December 1, 2009 3:03 PM
To: Kohen, Colleen (JUS); Reynolds, Michael (JUS)
Subject: RE: Probationary Constable Michael Jack - Remedial driver training completion

Colleen,

I'm acting in Kawartha Lakes right now. Michael Reynolds is the acting Inspector in Peterborough for the next three months. I believe this officer is from Peterborough. I'm forwarding your message to Mike.

Dom

From: Kohen, Colleen (JUS)
Sent: December 1, 2009 2:58 PM
To: Beckett, Dom (JUS)
Subject: RE: Probationary Constable Michael Jack - Remedial driver training completion

Hi Dom

I will touch base with you re this Prob Cst and catch you up to speed

Colleen

From: Taylor, Kent (JUS)
Sent: December 1, 2009 2:52 PM
To: Beckett, Dom (JUS)
Cc: Nie, Richard (JUS); Kohen, Colleen (JUS); Butorac, Peter (JUS); Jack, Michael (JUS)
Subject: Probationary Constable Michael Jack - Remedial driver training completion

Inspector Beckett

On Tuesday 24Nov2009 I completed the course of remedial driver training that I had been requested to initiate with Probationary Constable Michael Jack. The training that I conducted with him was very extensive and included information on dealing with the cognitive components of driving (i.e. attention, distractions, multi-tasking, fatigue, etc) as well as the traditional skill areas most commonly associated with driver training.

As your records will indicate, I also conducted three one-on-one driving sessions with him subsequent to his OPC recruit training as he was not successful in their final driving evaluation. He returned to the OPC after our three sessions and passed their driving evaluation.

In total, I have had six one-on-one driving sessions with him subsequent to OPC.

I am now satisfied that Michael is capable of driving OPP vehicles in a safe and professional manner. He is also well aware that being a safe driver is a choice that each of us must make. I believe that it would also benefit him to attend the OPP "Performance Driving Seminar" at the OPC track in the future if you are able to schedule him in.

Thank you and please contact me at any time if you require further information.

Kent

Sgt. T.K. (Kent) Taylor
Provincial Police Academy
Driver Training Coordinator

Office (705) 329-7510
Cellular (705) 345-0759

From: Kohen, Colleen (JUS)
Sent: December-01-09 9:01 AM
To: Lee, Dave E. (JUS)
Subject: FW: Prob Jack

Morning Dave

Here is a message that will give you an update on Prob Jack

I will be submitting the BN tomorrow when I am at GHQ. The BN will go via my Command then to Prov Commander then to Deputy Lewis for approval of release.

I will ensure that Region gets copy of BN as that will be used for reading material for C/Supt Armstrong meeting with prob Jack that I will set up with a letter.

Can you advise who the A/Inspector is in Detachment now ?

Colleen

From: Kohen, Colleen (JUS)
Sent: November 24, 2009 10:30 AM
To: Thomas, Sandy (JUS); Hannes, Renee (JUS); Stevenson, Hugh (JUS); Campbell, Ron (JUS)
Cc: Nie, Richard (JUS); Butorac, Peter (JUS); Lee, Dave E. (JUS)
Subject: Prob Jack

Good Morning

I had the opportunity yesterday to speak with Chris Donszelmann from Legal Branch yesterday. We have reviewed the provided performance reviews and work improvement plans that have been provided by Detachment on Prob Jack in Peterborough County.

Legal opinion is to proceed with your proposed direction of releasing Prob Jack as per our normal dismissal process.

I will be completing with the assistance of Detachment a BN which will be submitted via my Bureau (CDB) then it will go to Prov Commander Alleyne and Deputy Lewis. I will ensure that Region obtains a copy of this BN.

I require from Detachment the final copy of the chronological events to be included in this BN.

Once the BN has been given to the Provincial Commanders for review and approval, I will be in the mean time working with Detachment and Region to ensure that the letter is given to Prob Jack which will outline that we are proposing his release from employment and that he will have an opportunity to meet with C/Supt Armstrong and if he choose may have OPPA present at this meeting.

This letter will not be served until the approval has been received.

I will also be in contact with the OPPA to give them the heads up of this direction.

Ron

Can you please advise me when you think the chronological of events will be completed ?

Colleen

C.S.Kohen

[REDACTED]

From: Nie, Richard (JUS)
Sent: November-29-09 5:32 PM
To: Kohen, Colleen (JUS); Flindall, Robert (JUS)
Cc: Butorac, Peter (JUS)
Attachments: Jack Chronology 09.doc

Rob - here is the completed (and properly formatted/edited) version of the chronology **pending your comments**. Please forward to Colleen once completed and can you CC the original back to me for my records as well. As you can see below, she needs it on by Monday morning.

Colleen - just to give you an update if you don't already have it: S/Sgt. Campbell has left our office for another detachment. A/S/Sgt. Flindall is taking his position and we will have a new Acting Inspector since our detachment commander left as well. Sgt. Butorac is the platoon sgt. for myself and PC Jack. Just so you're not confused about who is getting emailed. The final version will be the one that A/S/Sgt. Flindall sends you.

take care

Rich.

From: Kohen, Colleen (JUS)
Sent: November 25, 2009 4:28 PM
To: Campbell, Ron (JUS)
Cc: Nie, Richard (JUS)
Subject: Re: Chronology with my Info

Ron

I agree but need it back to me by Monday morning
I have to get BN submitted by Tuesday when I am in ghq

Please at the beginning indicated all names who have had input in the report

Does that work ?

From: Campbell, Ron (JUS)
To: Kohen, Colleen (JUS)
Cc: Nie, Richard (JUS)
Sent: Wed Nov 25 16:16:13 2009
Subject: Chronology with my Info

Colleen Please read over I have bolded my involvement with Cst. JACK. I still think both the earlier coach Shaun Filman and Sgt Flindall and Cst Payne need to add their information. I have not forwarded to them until I have your approval.

Ron

<<Jack Chronology.09.doc>>

This is a point form chronology of PC Michael Jack's performance at the Peterborough Detachment. The author of the entry has placed their name adjacent to the date of entry.

January 2009 - S/Sgt Campbell

- S/Sgt Campbell received a phone call from Peter Shipley at the Provincial Police Academy advising that Peterborough Detachment would be getting a recruit named Michael Jack who demonstrated behaviour of concern in relation to his judgement with firearms. PC Jack would need to attend Block training ASAP and need to be monitored to address the concerns
- prior to this Block training S/Sgt Campbell spoke to PC Shaun Filman who was identified as the coach officer and the importance of monitoring PC Jack's performance as outlined by the Academy

12Jan09 - S/Sgt Campbell

- PC Jack attended Block training with PC Jen Payne and S/Sgt Campbell - no issues were noted during his 4 day training period

Jan 2009 - S/Sgt Campbell

- S/Sgt Campbell verbally updated PC Filman of activities on block training and observations of no issues

22Jan09 - PC Filman

- PC Jack and I worked on Traffic Reports and completion. He was shown how to complete a TR and what is done with it after completion.

22Jan09 - PC Filman

- PC Jack had indicated to me that he would stop at a possible witness to a Break and Enters residence on his way home since it was on his route. I advised him that this was a bad idea as it would be criticized in court and puts him in a bad situation safety wise as he would have no radio and no use of force options if required.

26Jan09 - PC Filman

- PC Jack and I had completed a Break and Enter investigation in which charges were laid. PC Jack and I completed the entire brief together and he was shown at that time the proper way to complete the paperwork associated to that.

February 2009 - PC Filman

- PC Jack was spoken to about his driving habits by me in regards to speed. Often on patrol he would be unable to multi task and maintain an appropriate speed. He would often start to drive approximately 20 kilometres under the limit. I spoke to him in regards to a proper speed and aggravating other drivers. This behaviour continued. PC Jack was also spoken to about the use of a GPS, and although it is a useful tool it should not always be relied on and that he should also use a map to get to know his patrol area. PC Jack continued to use this tool all of the time anyway sometimes asking the dispatcher for township specifics so he could properly enter an address into the GPS.

04Feb09 - PC Filman

- I showed PC Jack how to properly add a vehicle collision on the reporting system.

05Feb09 - PC Filman

- PC Jack was shown by me how to complete street checks and advised about the relevance and importance of completing these forms.

13Feb09 - PC Filman

- PC Jack was shown how to conduct a proper vehicle stop. He was shown in my opinion the safest manner, creating a safety lane and how to safely approach the driver. At this time he was also instructed about note taking for speeding. I showed him my short forms but told him he should create his own so that his memory would be triggered by them. He was shown how to properly fill out a part one offence notice and what to do with it afterwards. I told him at that time that I preferred to write my notes solely in my notebook so that they would not be lost, but it was acceptable to write notes on the back of a ticket.

14Feb09 - PC Filman

- I showed PC Jack the proper manner of performing RIDE checks. He was shown what to do when he suspected that a driver had been consuming alcohol, what the proper demands were and how to use an approved screening device. PC Jack was also shown how to complete a 12hr suspension and issued one that evening.

19Feb09 - PC Filman

- I completed an utter threats investigation with PC Jack. During this investigation PC Jack was shown how to properly conduct a video statement, what paperwork is necessary for an accused person and how to complete a brief.

March 2009 - PC Filman

- During routine patrol I turned into the Good Life parking lot to turn around. As we were in the lot PC Jack asked if we could stop so he could go inside. I asked if he had to go to the bathroom. He said no but there was a girl in there he wanted to ask out and thought that the uniform may help out. I said well that is not something we do on duty. We went about our day and ended up at the Bridgenorth community policing office. As we were leaving on our way to return to detachment PC Jack asked which way we would be going - I asked why. PC Jack said that if we were going in the direction of Good Life maybe he could stop in. I shook my head and turned the other direction.

March 2009 - PC Filman

- Spoke to PC Jack as we were still in the office at 10:00am. I told him I wanted to get going several times and eventually he came out. The vehicle needed fuel so we went to the gas station across the road from the office which also has a Tim Horton's. PC Jack was obviously unhappy, staring forward and not saying a word. I fuelled the vehicle and PC Jack remained inside. I was going to have a coffee so I asked if PC Jack wanted one as well - PC Jack declined. I got a coffee and came out and was proceeding to patrol. PC Jack said "I'm hungry". I was somewhat annoyed as he had sat in the office for 4 hours but I said "What do you want?" He said "I have food in my locker". I said "you mean the office you were just at for the past 4 hours?" PC Jack said "I don't want that anyway". Again I said "what do you want?" PC Jack points at McDonalds restaurant and says "that's crap", I said "well you don't have to have that but I'm not going to decide what you eat" so PC Jack decided on a sub. I waited in the car as PC Jack got a sub and we received a radio call for an alarm. When PC Jack returned to the vehicle I told him that we had an alarm call and he said "can I get a coffee first?" I told him no we have a call, we just left a coffee shop. When we were called off the alarm and now in the village of Lakefield PC Jack again requested a coffee, so we went to that Tim Horton's and he got one.

March 2009 - PC Filman

- Night shift - PC Jack appeared unhappy as I had made him leave the office almost immediately to go do radar, since it was a night shift I said that we could do paperwork later in the night. PC Jack came out and got in the cruiser obviously upset, not speaking and staring forward. I made three vehicle stops, exited the vehicle myself, ran the people and issued the tickets. PC Jack was not speaking at all, I said to him "are you sick?" He said no. "Are you tired?" and he said "no". "Are you in a bad mood?" He said "no". So I said "Well what is your problem - you haven't said anything. You don't get out of the car and you haven't issued a single ticket". He said "well you haven't told me to". I said "as a recruit I shouldn't have to tell you what to do let alone get out of the car during a vehicle stop as my back up".

04Mar09 - PC Filman

- I completed a neighbour dispute with PC Jack. In this investigation charges were not laid but PC Jack was shown how to complete the investigation so that both sides were satisfied. Of note during this incident, after we had spoken to the complainant PC Jack told me that he had recorded the entire event on a pen that he has that is equipped with audio/video capabilities. I advised him that that was not something that would be normal, could not be used in court and that I wanted to know if I was being recorded.

07Mar09 - PC Filman

- We were dispatched to a domestic dispute, I asked PC Jack if he was ready and I got up and left toward the vehicle. I waited for a bit and then came in to find PC Jack still finishing up paperwork. I said that this was a priority call "let's go". I went back to the door, waited and then found that PC Jack had gone to the washroom. I was about to leave him behind when he came walking out. He got into the car and I again I told him in a priority we hurry.

07Mar09 - PC Filman

- I advised PC Jack that his evaluation was complete and that he would be receiving it soon. PC Jack asked how it was and I said that it was good but he is new and as usual I had indicated some areas that he would have to improve on over time. PC Jack's response to this was "I'm not taking any crap".

07Mar09 - PC Filman

- As I was preparing to leave for the scheduled end of my shift at 0500hrs PC Jack was also preparing to leave although scheduled until 0600hrs. I questioned him on this and he said that he had come in early to do something so he was leaving now. I asked if a supervisor had approved this prior to this decision, he said no. I told him that he would have to stay then because members count on bodies being in until the end of their scheduled shift. I told him that he would have to get approval before changing his shifts to ensure enough people were working. He asked if he could claim overtime for the time, I told him that overtime must be approved and if you come in early that must be approved prior. He went back into the constable's office and then returned and told me that the OIC for day shift said he could go. I told him that he would have to stay anyway because none of this had been approved by a sergeant and the OIC was a constable. Sgt. Flindall was advised.

10Mar09 - PC Filman

- PC Jack completed an arrest for impaired driving with me present. He was walked through what he was required to do, what the proper demands were that had to be read as well as Rights to counsel and Caution.

March 2009 - PC Filman

- I spent time in the cruiser with PC Jack explaining to him some of the difficulties I was seeing in regards to time movement, preparing paperwork etc.. After receiving the criticism we continued to drive for several hours and PC Jack did not speak with me for the rest of the shift and just stared ahead.
- On the 11th of April 2009 I assisted PC Jack with the completion of his brief for an impaired arrest SP09071899.

April 2009 - PC Filman

- PC Jack told me that he had given his personal phone numbers to victims, complainants or witnesses in cases. I told him that this could create a huge liability issue and he should not do this in the future. He told me that he had spoken at great length with [REDACTED], a complainant in a theft that was domestic related and one where she had also been called in as a suspect in the same theft. PC Jack told me that he knew her from a gym he worked out at. PC Jack told me that they had spoken for hours about the issue. I again cautioned him and told him that this could become a huge liability.

May 2009 - PC Payne

- Sometime during the last couple of weeks of May 2009 I was approached by Sgt. Flindall who requested my assistance in mentoring PC Jack when I came back on the road. I was made aware that there were issues with PC Jack who needed a mentor or someone to go to on shift besides his coach, PC Filman. I was advised that PC Filman would still be doing PC Jack's evaluations and coaching and that I would be another resource to him. Sgt. Flindall advised he was being inundated with enquiries and direction from PC Jack who would not go to anyone else on shift nor his coach officer. I agreed to take on this responsibility of being available to PC Jack for guidance.
- Shortly thereafter (within a week), I was approached by PC Jack in the detachment who stated he wanted to talk to me, indicating in private. PC Jack discussed a Fraud investigation that he was working on and was seeking my advice to which I provided and advised him that I would assist him when I returned to uniform duties in June. I was in plain clothes at the time of this discussion which took place in the lunch room. PC Jack indicated he was excited that I was going to assist him and at the end of the conversation he looked me up and down from head to toe then winked at me and made a clicking sound with his mouth. It made me uncomfortable, however I never called him on it as I was in shock and wanted to see if anything else would happen or if this was an isolated event.

02Jun09 - PC Payne

- On the 2nd June 2009 I returned to uniform duties. That morning while in the Constable's office at the computer, PC Jack approached me and stated "you look good in your uniform". Again I was caught off guard and didn't know how to take the comment. I stated to PC Jack that he had seen me before in uniform back last January at block training. In my opinion the comment was inappropriate as "how I look in my uniform" shouldn't be addressed.
- I had advised a few people on shift about the comments and actions PC Jack has made, including Sgt. Flindall. I stated and decided if he made any more comments I would speak to him about it at the time.

05Jun09 - PC Payne

- Since the 5th June 2009, I haven't worked very closely with PC Jack as a result of being dispatched and responsible for my own calls for service. I have notice that PC Jack prefers to sit in the office and appears to be over-investigating minor calls for service as opposed to focusing on the

major calls for service. He does not stop a lot of vehicles while out on patrol and most times I am not aware of where he is or what he is doing.

13Jun09 - PC Nie

- at marine safety day – observed PC Jack in uniform talking with female member of police committee – he then approached me for a piece of paper as he was either given her his number or getting her phone number – I teased him about not being able to find a girl the traditional way off duty that he needed to abuse the power of his uniform to obtain a phone number and he just laughed at me

June 2009 - PC Filman

- I was working on a project revolving around thefts from vehicles. One victim told me that PC Jack had been there to investigate and showed me on a piece of paper where she had written down his name and personal cell phone number.

20Jun09 - PC Filman

- PC Jack attended to a Stand by keep the peace on his own without even notifying other officers that he would be doing so. After being at the call for almost an hour one of the parties involved contacted the communications centre and requested another officer attend because in their words they were getting nowhere. I attended and resolved the situation. PC Jack was reminded that a stand-by keep the peace was a two man call.

30Jun09 - 01Jul09 - PC Payne

- On the morning of the 1st July 2009, I double up with PC Briscoe to assist PC Jack in Ennismore who was looking for a vehicle and occupants that were doing mischief to mailboxes. While in Ennismore we were dispatched to a report of a suspicious male who was in a housecoat driving a riding lawn tractor in Bridgenorth. The three of us located this male on the causeway and subsequent investigation led us to arrest the male for possession of stolen property. We transported the male back to his residence north of Fowler's Corners in City of Kawartha Lakes jurisdiction. When we arrived we discovered that CKL OPP were investigating an arson at a residence which was situated across the road from where the lawn tractor was stolen. This was also down the road from the residence of our 10-92. Our person in custody now became the primary suspect for this arson. We assisted CKL and caught up on notes at the scene. PC Jack required some of my notes for times and names

which I provided my dash pad with times and names which I was working off to make my notes.

- At approx 04:30hrs I asked PC Jack to watch the accused who was sitting my vehicle, while we went to speak with the owners of the lawn tractor. When I returned from the vehicle I observed PC Jack sitting in the driver's seat having a conversation with the male in custody. When PC Jack exited the cruiser I asked him if he had supplementary cautioned the male before he spoke with him. PC Jack advised he hadn't and that he was talking to him "off the record" about the fan in his backpack. I advised him that he shouldn't speak with someone else's prisoner and that he should have given a supplementary caution. Further I advised him that his conversation may ruin/interfere with subsequent investigation as he was going to be interviewed the City of Kawartha Lakes Crime Unit.
- PC Briscoe and I continued to do notes and I again provided my dash pad notes to PC Jack who declined.
- While back at detachment completing our notes to be faxed to CKL detachment PC Jack asked to see my notes. I advised him my notes were not done yet. I expressed that he should be making his own notes and I could provide him with names and times. I advised him that my notes were my notes about what I remember and what I did. I advised him I didn't want him to write his notes from my notebook. PC Jack got angry and snapped back. He stated he could just take my notebook from my diary slot at any time and read it. I asked PC Jack why he wanted my notebook and he stated to study them because he wanted to see how someone else does them. He stated he is finding it difficult with the culture and language barrier. He made reference to the word housecoat which he would have used a different term. I advised him that it is ok to write the different term in his notebook because that is how he recalls and remembers it by. I advised PC Jack that I would give him a copy of my notes after I completed and faxed them. I noticed during this time that PC Jack still was not working on his notes and hadn't completed them for this call and I believed he was waiting for mine so he could make his.
- I provided a copy of my notes to PC Jack advised him he needed to complete his and send them off to CKL by fax.
- At approx 6:40am PC Jack read the first couple of pages of my notes then threw them back in my diary slot. I confronted him about this in the constable's area. I was upset because he had made such a big deal about getting my notes and then he didn't want them anymore. I asked him why he put them back if he had wanted them so badly to use and study from. He stated he was tired and couldn't concentrate to read them. PC Jack stated he was finding it difficult to do this job with his language barrier and accent. He stated he feels he hasn't been coached properly. I advised him that I was there for assistance. I also advised him that I was afraid he was using the "language barrier" as a crutch because I heard this from him many times in the past month. I told him that I didn't want this excuse to become a crutch for him. I advised him that PC Filman is a

good and knowledgeable officer and I don't believe that he hasn't coached him properly. I felt comfortable stating this to him because I had read a couple of his reports, they were clear and concise, and he is clearly capable of articulating what happened during the occurrence into his report.

- I further advised PC Jack that I will help him with his assignment list and prioritize what needed to be done. I told him I felt he was spending too much time on calls that weren't going anywhere then on the important ones that required investigative follow-up.
- This conversation took place in the constable's office at the shredding bins. There were other officers present in the room.
- I could tell that PC Jack was upset with me confronting him about the notes. At one point when I was speaking he tried to cut me off and I asked him to let me finish.

03 & 04Jul09 - PC Payne

- I noticed that during the shifts of 3rd & 4th July, PC Jack did not speak to me much, nor did he make a point of contacting me for any guidance or assistance. He basically ignored me, and I believe he was mad because I confronted him.

06Jul09 - PC Filman

- PC Jack made an arrest for impaired driving; I was the breath tech on his return to detachment. When he arrived with the male under arrest I asked the accused if he wanted to call a lawyer, he said I don't know - no one has asked me yet. I confirmed with PC Jack that he had not read rights or caution to the male up to this point. It was done at that time and the accused spoke with a lawyer.

08Ju09 - PC Filman

- I stayed after shift on my own time and assisted PC Jack with the completion of his Impaired Operation brief. When this report was completed by PC Jack I re-wrote it and provided him with a copy of both versions. He read both and told me that he agreed with mine and would use it as a template in the future. On the 9th of July we reviewed both and discussed pros and cons.

13Jul09 - PC Payne

- On the 13th July 2009, I returned from vacation. I had originally planned to double up with PC Jack as my assignment list was clear. I wanted to evaluate him and help him get caught up. I reviewed PC Jack's Niche task list and sat down with PC Jack to discuss and prioritized a 'to do' list.

At briefing I heard Sgt Flindall advise PC Jack that he wanted him working from the CSO in Buckhorn instead of the detachment. I made a list of the things I need to discuss with PC Jack at some point:

1. Time management skills
 2. Making mountains out of molehills re- calls for service
 3. More vehicle stops- PON's
 4. Getting GOR on Niche more quickly
 5. Coming to me with questions instead of Sgt Flindall (who advised Jack was still coming to him with questions that could be handled by someone else)
 6. Shopping for answers – he discusses a case with so many people, and gets different advice and doesn't actually accomplish anything it seems ie. Fraud – where he came to me for advice in May and I found out he had also approached DC Cantin for advice and also his coach PC Filman was aware of the investigation.
 7. Needs to be out of detachment more and in his zone.
- In the past I have heard of the following issues with PC Jack:
 1. That he took video/pictures of PC Moran on a pen equipped with a camera that he wore on him while working. He also would use this pen at calls for service to record things.
 2. I was advised by PC Filman that PC Jack doesn't take direction well, and when PC Filman would speak with PC Jack about something he did wrong then PC Jack wouldn't speak with PC Filman.
 3. He's upset about previous negative evaluations and brought in his marks to show how smart/intelligent he is.
 4. That there are possible driving issues with PC Jack
 5. There are possible problems with women
 - On the 13th July 2009 I met up with PC Jack at the Bridgenorth ESO to work on a Fraud brief which he indicated he was ready to put an arrest warrant out for the suspect. He didn't have the brief and other documents with him so I was only able to assist him in a limited capacity. I confronted him on why he didn't have the stuff with him if he knew we were going to be working on it today.

17Jul09 - PC Payne

- On the 17th July 2009 at approx 06:05hrs, PC Jack was sitting in the constable's office at a computer. I went to get a battery for my radio. PC Jack said good morning and winked at me.
- PC Jack stated he needed assistance with a PI MVC. He advised he wants to charge a male driver re an accident and has all the drivers items (DL, ownership, insurance) because the driver left the scene when the tow truck arrived and he was unable to serve him before he left. I had already

advised him previously to do up a long form summons and a brief for driver. He stated he didn't know how. I explained that he did up a brief just like he did for his recent impaired and submit it to the court and they would do up a summons. Then his story changed, and PC Jack now was stating that the driver may come down this weekend to pick up his ID, and said he could give him ticket. I said if he doesn't show then do up the brief for the long form summons if he wants to charge him.

- At this time I also spoke with him about the Fraud brief and told him I had some follow-up to do first then I would help him with it.
- While I was conducting follow-up a call for service came in. According to comm centre PC Jack was available. I waited to see if PC Jack going to respond to call. He didn't respond on the air. I took the details then spoke with PC Jack who stated he didn't hear the call and that he was doing follow-up. I asked which call he was following up on and he advised he was at a youth camp because of a mischief that week and spray painted that was done. He stated because he was Jewish he was angry/upset and wanted to assist. I asked PC Jack if this was his initial call for service and he advised it wasn't, he read about it (occurrences on Niche), it happened while we were off, he discovered that it was racially motivated and it affected him. I advised him that he needs to tell the comm centre whenever he gets out of the car so that we know where he is. He stated he will do this from now on. I advised him to take care of the call for service. I planned to discuss the matter further with him.

18Jul09 - PC Payne

- On the 18th July 2009 at approx 06:40hrs, I spoke with PC Jack in the boardroom about a few issues I wanted to address with him. I advised him about telling comm centre where he is at all times and the importance of this if he ever hit 10-78. That no one knew where he was that morning and he never told anyone. Further, that this also lets dispatch and zone partners know where you are at and what you are doing. I spoke with PC Jack about following up on other people's calls when he wasn't asked to. PC Jack corrected me when I said he was angry about call and he corrected me and said he was "irritated". I advised him that if he felt he could assist in the call he should have approached the investigating officer to see if it was required. What is important to note is that PC Jack had enough things on his assignment list to do rather than following up on a call that did not require assistance/follow-up. I told PC Jack that he could interfere with an investigation and provide conflicting advice which could create problems.
- I further discussed the 'wink' that happened the previous morning. I hesitated about it talking about it to him, but I didn't want further things to happen. PC Jack denied the wink happened the previous day he said that "his eye does that" I advised him that the only reason I brought it up was because of other things that happened in the past and explained the two

previous incidents to him. (looking me up and down and winking and clicking; and telling me I looked good in my uniform). PC Jack stated he didn't do the first thing in lunchroom and admitted that he did say that I looked good in my uniform. He stated "I will admit that but not the other stuff". He said the winking of his eye happens all the time. PC Jack asked me if I thought he was hitting on me. I stated I didn't know, but either way it was inappropriate and unprofessional. I asked PC Jack if he wanted to discuss anything and he thought for a minute and said "yes, but he would not want to talk about it right now". I advised him to let me know later if/when he wanted to talk.

- At approx 07:21, I then assisted PC Jack with his Fraud brief. I advised him he needed to do a synopsis of his witness statement onto Niche, he need a new CR check on accused, photocopy notes, photocopy other documents and told him when he was done doing a synopsis of the video statement to complete the rest at the CSO. I figured this should take him approx 1.5-2hrs to complete all.
- I received a call from PC Jack at 10:41am who advised he has just finished transcribing statement. I didn't believe he had just done a summary for the brief. He advised he was still at the office doing the brief. I was busy in the zone doing calls for service while he was working on the list of items I told him to complete.
- At approx 14:15hrs he contacted me via telephone as he was just dispatched to a B&E, he said he was busy with other calls. I didn't know what he was busy working on, he had a threats call first thing in the morning which he was still waiting for a phone call back from the complainant and I had only left him with approx 2hrs of work, and he was supposed to be in his zone by now.
- At approx 14:29hrs I spoke with Sgt. Flindall about PC Jack trying to get me to do one of his calls he was dispatched to, when has been in the office all day. We discussed time management issues that PC Jack has.
- At approx 15:49hrs I received a phone call from PC Agolini who advised a John LITTLE was at detachment to pick up an IPOD that was recovered and the witness told him she gave it to an officer (from MVC 14th July 09). I spoke with PC Jack who advised he had forgotten that he had it in his duty bag
- At 17:00hrs I noticed on the air that PC Jack started to now pitch in and assist with calls for service. It appeared as though this is because he will incur overtime for these calls. Sgt. Flindall advised night shift will take the calls.

19Jul09 - PC Payne

- 4 people working and had to call people in on OT. I was officer in charge for the weekend.
- At approx 10:00am I assisted PC Jack with his Fraud brief. I asked to check the synopsis of the statement of the witness he had done. I wanted

22Jul09 - PC Payne

- PC Jack was sick
- I met with PC Filman and Sgt. Flindall regarding PC Jack. We discussed an old 233-10 document to keep track of his issues and that a work performance plan needs to be completed.

23Jul09 - PC Payne

- I learned from Sgt. Flindall that PC Jack had requested to come in on overtime to interview the females regarding his fraud. He never did get their names, DOB or contact info. I learned that because PC Jack thought they were working on his rest days he could come in and interview them. He didn't think to get their details and contact them at home and interview them or make arrangements for when he was scheduled next.
- PC Jack was assigned a harassment call. At approx 12:20hrs he was asked to return to the office by Sgt. Flindall. At approx 18:05hrs I was sitting in the constable's office. I overheard a conversation between Sgt. Flindall and PC Jack in which Sgt. Flindall provided instructions to PC Jack about the criminal harassment case which needed to be completed before he went home. Sgt. Flindall directed PC Jack to see if night shift could locate and arrest suspect and that he was to have the brief done, so if suspect wasn't arrested he could submit the brief for an arrest warrant. Specifically, Sgt. Flindall told PC Jack to complete the crown brief synopsis, the show cause, photocopy the written statements to add to the brief and do not type them into the brief it can be done by steno's later, summarize the victim DVD statement – do not transcribe it.
- At approx 21:32hrs while I was at home I learned from PC Brockley who was working in the office that night on light duties that PC Jack has not asked him for assistance and that he left the office for approx 1 hour. I learned that PC Jack had gone to Staples business depot where he purchased headphones to listen to the DVD statement which he took a couple of hours earlier to transcribe it. This equipment is available in the office. Further, I would think that one should be able to summarize a statement they had taken a few hours earlier without having to listen to it again.
- I later learned from PC Brockley that PC Jack asked him to finish the brief for him because he was too tired and needed to go home.
- I learned that PC Brockley assisted PC Jack with a PTA/OIC and arrangements were made for PC Jack to come into work for a couple of hours the next day to arrest and release the accused.

24Jul09 - S/Sgt Campbell

- On the evening of the 23rd of July 09 S/Sgt Campbell attended the Detachment on another matter around 2300hrs. PC. Jack was at the

to see what took him so long. I discovered that it was pretty much verbatim. I asked him why he did it verbatim when I told him it just needed to be a synopsis. He stated he must have misunderstood. It took him 3 hrs to transcribe the statement. I advised him that we don't transcribe statements video statements unless requested by the crown. PC Jack asked me what notes he needed to copy for the brief. I figured he should know this by now and stated anything that pertains to the case. After reviewing the witness statement I discovered that PC Jack hadn't taken any written or DVD statements from any witnesses prior to the photo line-up. He hadn't obtained a statement yet from the girl who was working the cash register and had rang the accused through at the till. I advised him this was required for the brief and to attend the business and obtain her statement. He didn't even have her name or contact details. PC Jack stated that this should be a crime unit call because he needs more time to work on it and cannot follow-up when responding to other calls. I advised PC Jack that everyone else can manage these types of calls and others at the same time. I asked PC Jack what he had done yesterday while he was in the office from 6am-2pm working on this brief. He said he worked on the GOR and reviewed the DVD 3 times to get the synopsis right.

- I directed PC Jack to contact 2 complainants regarding to calls for service and then get to the CSO and be in his zone. I was informed that he didn't get out on the road or leave the office until around 11:21am. I heard PC Jack attending the Home Hardware regarding the Fraud follow-up. I learned that while at the Home Hardware PC Jack never even got the cashiers basic details like, name address and phone #.
- PC Jack never contacted me on this date for any advice, direction or assistance.

22JUL09 - S/Sgt Campbell

- 1035hrs Sgt. Flindall advises he has issue between PC Jennifer Payne and PC Jack. PC Payne is assisting in the mentoring of PC Jack. PC Jack is not able to multi-task or follow direction. Advised of issues with fraud and video transcription vs. summary. PC Jack also has an issue of making his own notes. I advised Sgt. Flindall to have the officer document problems and start work improvement plan. Track all issues on PCS066 this is why they need to be up-to-date. Sgt. Flindall also advised of social issues on shift and advised it was up to him to ensure that the work place did not become a poisoned work environment to ensure persons acted professional.

Detachment working on a brief. He was receiving instruction from PC Brockley when I arrived. At approx. 0043hrs PC Jack who appeared very tired requested permission to return to work the next day to complete the brief. He explained it was almost complete and in his present state he could do no more. S/Sgt. Campbell granted the OT thinking it would be a short time the next day.

24Jul09 - PC Payne

- I was off duty. I contacted OIC PC Postma to enquire on the progress of PC Jack and the criminal harassment case and indicated that he was supposed to come in and arrest the male and release him.
- At approx 18:15hrs I spoke with PC Postma again who advised me that PC Jack was still at the office and had just arrested the male and still had to deal with the firearms issue.
- I couldn't figure out what had taken so long if he had been in the office since the morning, why was he just arresting the male now.

25Jul09 - PC Payne

- Scheduled rest day. I attended the office to review PC Jack's notes regarding the Criminal Harassment call. Sgt. Flindall was out of country on vacation and PC Filman had been on holidays.
- After reviewing PC Jack's notes I discovered that on 24th July 2009 PC Jack went on duty at 10:00am. At approximately 10:25hrs he learned from the victims family that the suspect was working construction on Hwy 7 and just east of the detachment. PC Jack should have made arrangements to attend there and arrest the male which is what he was given the approval to do. Instead, PC Jack continued to work on the brief (which isn't required when you are just arresting and releasing on PTA/OIC. He can work on brief on next shift). It wasn't until 14:20hrs that PC Jack went to look for the suspect and discovered he had been there earlier but had left for the day. Now PC Jack had to look for him. He located him in Omeme and had him attend the office. PC Jack then had to return to the accused's house and seize the firearms. They left the office at approx 17:15hrs. 15 Firearms seized. At 8pm he started lodging the guns into the vault and didn't go off duty until 23:00hrs. He spent an additional 13hrs on call that probably could have been handled in about 6 or 7 if he had of arrested male when he first came into detachment. In my view he was not efficient, and throughout this whole call he did not follow any direction that was provided to him first by Sgt. and second by a senior officer.
- I spoke with Sgt. Flindall while on vacation and updated him about the issue with this investigation and PC Jack's inability to follow direction given to him by his supervisor.

- I had plans to meet with PC Jack to discuss his deficiencies regarding his investigation and brief for this Harassment call. I discussed this with his coach PC Filman who advised that I should let Sgt. Flindall address the issue because he was the one to issue the orders.

27Jul09 - PC Payne

- I was the OIC for the shift. I didn't really have any dealings with PC Jack as I was busy with my own calls and arrest and he never came to me for advice that I recall.

28Jul09 - PC Payne

- PC Filman, PC Jack and myself in same zone. I had auxiliary doubled up with me.
- I was acting as OIC for the shift. I learned from PC Moran and PC Davidson that a call for service had come in at approx 17:50hrs for Zone 3. PC Davidson informed PC Jack who was in the Constables area. PC Jack refused to take the call stating he doesn't start until 6pm. Shortly, thereafter PC Jack approached me and asked me if there were any calls outstanding. I advised him to do the zone 3 property related call that was assigned to the zone 2 officer.

July or August 2009 - PC Filman

- PC Jack called me and asked advice on an applicable charge for an accident. As I was speaking with him I also received a call from PC Laperle. I told PC Laperle that I was on line with Jack. PC Laperle asked what for. I told PC Laperle that he wanted to know the applicable charge for an accident he was at. PC Laperle told me that he had just gotten off the line with Jack for the same thing.

02Aug09 - PC Filman

- I spoke with PC Jack and gave him advice on how to speed up the completion of crown briefs. The advice included a concise synopsis and completing a simple synopsis of statements of witnesses. I also reiterated that PC Jack should not complete a transcription of a statement unless completely necessary or told to do so.

05Aug09 - PC Filman

- PC Jack forwarded an incident to me for review in involving [REDACTED] and [REDACTED]. I reviewed the report made some suggestions and returned it to him.

08Aug09 - PC Nie

- PC Jack worked a few overtime shifts on our platoon when I was OIC – told me when he came to work that he was tired because he found it hard to switch between days and nights – asked him if he was telling me he couldn't work – told him he may as well go home if he is physically ready – said he was fine – later in the day I found out that he had doubled up with PC Pitts without asking saying he was too tired to drive – he was spoken to by PC Pitts about this

10Aug09 - S/Sgt Campbell

- 1116hrs S/Sgt Campbell approached Sgt. Flindall regarding the large amount of overtime claimed by PC Jack on the 24th of JUL 09. Sgt. Flindall advised while S/Sgt Campbell was absent on vacation he met with Insp. Johnston over the serious issues with PC Payne mentoring PC Jack. Sgt. Flindall described issues with PC Jack understanding and following direction and understanding the offences. Sgt. Flindall was asked what had been documented to which he advised that he had been verbally spoken to now he was placing him on paper. PC Payne is putting together a chronology. Sgt. Flindall could not provide any written documentation at this time. Sgt. Flindall suggested given difficulties of PC Jack that his day and night wings be suspended until he could multi-task and member supervised and assisted.

14Aug09 - S/Sgt Campbell

- 1100hrs - S/Sgt Campbell spoke to Sgt. Flindall requested to see PC Jack's evaluation. Sgt. Flindall advised evaluation was not complete but would be completed that day.

15Aug09 - S/Sgt Campbell

- 1130hrs - S/Sgt Campbell contacted by Sgt. Flindall regarding PC Jack's driving action to a call and after the call. Sgt. Flindall would be issuing PC. Jack a traffic ticket for the violation he observed as PC Jack almost caused a serious collision. Requested a briefing note.

15Aug09 - PC Payne

- At approx 10:28hrs zone 3 units were dispatched to a report of a disturbance (possible domestic) at [REDACTED]. The complainant stated he heard "I'm gonna kill you and someone say "put that down". PC Jack initial dispatched officer; I advised I was attending as did PC Moran, PC D'Amico and Sgt. Flindall. While enroute waited to see if PC Jack would ask for a CFRO check or a Niche check. I asked for

them after I figured I waited long enough for him to ask, as I wanted to know the information before I arrived on scene. When I arrived on scene PC D'Amico was on scene speaking with someone out front. She directed me to the side of the house where PC Moran was speaking with a male well known to police [REDACTED]. PC Jack was listening to their conversation while [REDACTED] could have been pulled a side and spoken to. I tapped PC Jack on the shoulder and motioned for him move with me to speak with son. He must not have understood because he stayed listening to PC Moran talk while I spoke with [REDACTED]

- At approx 10:54hrs we all left the scene. PC D'Amico and PC Moran headed east on the 14th line Smith to stop a vehicle that had passed the [REDACTED] house. Sgt. Flindall, myself and PC Jack proceeded west bound on the 14th line of Smith in that order. We approached the stop sign at County Rd 23. Sgt Flindall stopped and waited for traffic to pass then proceeded south bound on Cty Rd 23. I pulled up to the stop sign and stopped and proceeded to make a left hand turn south bound onto Cty Rd 23. There was traffic south bound on Cty 23, but I was able to safely make my turn without interfering with the flow of traffic. I knew that PC Jack would not be able to make the turn safely by the time he pulled ahead the car length to the stop line, stopped, and looked for clearing, the traffic would have been too close. I watched PC Jack in my mirror and observed him stop at the stop sign. The next time I looked up in my rear view mirror PC Jack had pulled into the intersection and was travelling south bound in the north bound lane. The south -bound traffic had to slow which allowed him to merge his way into the south bound lane. I'm sure his driving actions were seen by the public as arrogant. I contacted Sgt. Flindall to see if he had observed what had happened and he advised me that he had.

16Aug09 - S/Sgt Campbell

- 1940hrs Sgt. Banbury contacted Sgt Campbell at his residence to complain that he believed PC Jack was feigning illness. Sgt. Banbury wanted to initiate an internal complaint. Sgt. Banbury advised to collect statements so both sides of the situation could be examined as there were two sided to every story.

16Aug09 - PC Payne

- Didn't work with PC Jack today as he called in sick after being charged under the HTA by Sgt. Flindall
- Since the 15th August 2009 I haven't done any calls with PC Jack or spoke with him really. He has not come to me for advice or direction.

17Aug09 - S/Sgt Campbell

- 1330 S/Sgt Campbell spoke to Sgt. Flindall concerning allegation of sick time and importance of matter being investigated prior to coming to a conclusion.
- 1400 S/Sgt Campbell discusses with Sgt. Flindall the potential of a Human Rights complaint and the importance of being objective, also getting a learning plan to correct PC. Jack's issues. S/Sgt Campbell would be re-submitting the Briefing note for the driving incident at the request of Acting Supt. Borton.

18Aug09 - S/Sgt Campbell

- 0835hrs - Acting Supt Borton advises to move PC Jack to have a fresh set of eyes, to switch platoons and coaches.
- 0900hrs - S/Sgt. Campbell contacts PC Nie to coach PC Jack. PC Nie agrees to complete coaching duties.
- 1300hrs - S/Sgt. Campbell speaks to denial of overtime to PC Jack. PC Jack advises that he had no supervision.
- 1500hrs - S/Sgt. Campbell advises PC Jack of meeting on 19th of Aug 09 with his Sgt. to discuss issues of driving and a request for an assessment of his driving skills.

19Aug09 - S/Sgt Campbell

- 1145hrs – Sgt. Flindall and Admin Sgt. SMITH advised PC Jack would be moved from his shift and the issues surrounding the move.
- 1311hrs – Sgt. Flindall reports to S/Sgt. Campbell other issues of driving problems with PC Jack via PC Hobbins and PC Jack at a paid duty. Sgt. Flindall advised neither PC Hobbins or Sgt. SMITH had come forward and from past experience both would do so if there was an issue.
- 1320hrs - PC Jack association rep PC Mitch Anderson, Sgt. Flindall and S/Sgt. Campbell met to discuss the following issues: PC Jack's driving, not following direction; issues on his shift with answer shopping, and problems of transferring theory to practical application. Sgt. Flindall provided incidents and examples and informed PC Jack he would be issuing him two 233-10's in the does not meet category. PC Jack provided response to the issues. PC Jack concerned he was not given proper direction or supervision in situations he was not familiar.
- PC Jack advised he would be moving shifts 30 Aug 09 and follow-up to his learning plans. Move of shifts would give him objective evaluation and fresh start. Present coach was going on parental leave and need for closer supervision and direction to correct issues.

- PC Jack brought forward issue of WDHP and unprofessional conduct by members of his present shift. S/Sgt. Campbell requested information on the incidents and persons advising that there was a zero tolerance for such incidents. PC Jack refused to disclose any details. PC Jack was happy with move from shift and action taken.
- PC Jack provides reasonable explanation for sick time usage. Sgt. Flindall and Banbury advised legitimate use of sick time no further action.

20Aug09 - S/Sgt Campbell

- 1615hrs - S/Sgt. Campbell reviews PC Jack PCS066 and returns to Sgt Flindall for service.

31Aug09 - S/Sgt Campbell

- 1400hrs - Teleconference with Human Resources Inspector Lee, S/Sgt. Kohen, A/Sgt Postma, Sgt. Flindall, PC NIE, and S/Sgt. Campbell to review PC Jack's file and work on solution to correct issues.

03Sep09 - S/Sgt Campbell

- 1650hrs - S/Sgt. Campbell met with Sgt. Flindall to discuss performance issues
- 1720hrs - Sgt. Flindall discloses that PC Jack is involved with ██████████ Organized Crime and is running OPP under cover cars involved in an ongoing investigation. Sgt. Flindall advises information came from a gym photo shown by Jack to other shift members in the spring. Sgt. Flindall advised to confirm his information and put it in writing. Sgt. Flindall advised to forward these to Inspector Johnston as S/Sgt. Campbell was away 04 Sep 09.
- Sgt. Flindall and S/Sgt. Campbell discussed earlier comments made by Sgt. Flindall WDHP and the vulnerability of probationary, immigrant and language difficulties.

09Sep09 - S/Sgt Campbell

- 0815hrs Discussed with Inspector Johnston concerning the allegations of PC Jack involvement. Inspector JOHSTON had spoken to Sgt. Flindall a short time ago and contacted Regional Headquarters Command Staff.

09Sep09 - PC Nie

- started at 0500hrs – notified by night shift Sgt. of pending threats call – asked him to gather info – he took one call for a stolen vehicle – asked him about threats call, said PCC said there were three calls and they had to go – told him to call back and get all three and we would prioritize – he called back and got all three - at 0542hrs still hadn't called comp. – tried to get me to leave call as not our zone
- at threats call the complainant [REDACTED] got upset with PC Jack and asked him to take off his sunglasses instead of hiding behind them – he would not at first – he was unable to resolve to gather the information – I stepped in and tried to calm situation but complainant said he would only talk to me and not Jack – ended with complainant asking us to leave
- explained to PC Jack that the hard/tough approach doesn't always work with every type of person – we have to change our approach with each call

10Sep09 - PC Nie

- 0530hrs working on crown brief for impaired case – had POA charges to add and one for no insurance – asked PC Jack if he had ever searched for MTO certified documents for a suspended driver – said he had – asked if he ever did a vehicle record search – said no – showed him where form was and attempt to fill in blanks and I would check
- At 0645hrs go to check – I pointed out two errors and he told me that he followed example that PC McNab had showed him at 0100 hrs some morning
- Questioned him why he told me no if he had already done one – told him that one of his issues was answer shopping and I would not tolerate it – told him this was his warning and not to do it again, I will not accept lying and blaming other officers for mistakes – he apologized and said he must have been mistaken by the form
- Advised while entering call for stolen vehicle that he needed assistance searching the address – it was 4 [REDACTED] – he told me he had never been shown how to search for this – told him that in 8 months on the job I didn't believe him that he wouldn't know this, I said it was a day one teaching thing – explained in all the times that he had done reportable calls he had to have been shown this – he brought up an impaired occurrence (etherington) that had County Road 18 entered incorrectly – said that PC D'Amico had showed him that – then changed and said that it was his mistake and he had been shown properly – told me that he was embarrassed and was not trying to be untruthful
- Advised PC Jack that he needs to be more aggressive/confident with his driving – he drives under the speed limit regularly, slows down and often stop at green lights, slows down completely when asked a question while driving – I keep reminding him to keep speed up

- MVC call on Blairton Road with Huffman – immediately once he locates the driver he walks in and tells the man there will be no charges, he just needs to fill out the traffic report – I knew the suspect and upon checking his record it's discovered he is suspended four times over – PC Jack said that yesterday I told him to be softer on the approach with people – he realized his mistake but I reiterated that he has to adapt to each call
- He questioned me as to how to start off his notebook – said he was never taught – told him I didn't believe him because he would have been taught that on his first day – said that PC Filman never showed him, said he learned from PC Rusaw – again told him not to blame others, told him that I would look at how he does it and confirm it was okay, but I was not showing him my way so that he could later on use it against me – talked to him again about how he commits people to answers so that he can blame them if someone else tells him differently – told him I was not playing his games and he smiled and said he was sorry – it was clear to me that he knew what he was doing and that I had figured it out
- Appeared very stressed today with deciding what tasks to do and when – explained the need to prioritize and not just sit around the office all day doing paperwork – need to have a balance

10Sep09 - S/Sgt Campbell

- 1330hrs - S/Sgt. Campbell reviews work plan for PC Jack and also receives a note from PC Payne outlying WDHP complaint within it as to PC Jack's behaviour towards her and inappropriate comments concerning her appearance.
- Allegation as well as to PC Jack secretly audio video taping fellow officers.
- S/Sgt. Campbell brings this to the attention of Inspector Johnston and also contacts Detective Inspector Cox for direction.

11Sep09 - S/Sgt Campbell

- 0730hrs - S/Sgt. Campbell speaks to PC Payne concerning her WDHP allegation and direction as to what would correct issue.
- 1706hrs - PC Payne advises that the change in shifts rectified situation she does not wish to pursue matter.

11Sep09 - S/Sgt Campbell

- Inspector Johnston advises allegations of PC Jack's crime involvement to be reviewed by Professional Standards Bureau. Peterborough Detachment is to do no investigation.

15Sep09 - PC Nie

- didn't offer to back up his zone partner on a 911 call – admitted he heard the call but didn't think he needed to go – blamed it on past calls he saw on his shift where officers went alone to 911 calls – explained to him how each call his different, can't make a standard set of rules
- PC Jack asks me last name of recruit that I coached named Al
- stand-by keep the peace – he was unable to speak with the complainant or the homeowner so we attended the residence anyways – no one was present so he contacted dispatch and advised them to send the complainant to get her belongings – told him to stop and explained that it was not logical at all to have someone take belongings without the other half present – told him we could not do it that way – said he understood now why it could be an issue – again tried to excuse his decision based on a previous call and what he had seen – we discussed how the details were different
- 2130hrs – told him he needs to be more proactive – spending too much time in the office on paperwork, also that he needs to improve on his driving, again told him to stop blaming others for his mistakes – told him mistakes are understandable but to stop blaming everyone else

18Sep09 - PC Nie

- at start of shift were sent to PD MVC - enroute were asked to attend MVC scene with zone partner who had impaired driver – he told PCC that we already had a call but would attend the impaired accident – I then made arrangements for other officers to cover the original call we had, PC Jack had no idea what everyone else was doing because he wasn't listening to the calls – I explained that an officer was doing a stand by call for us and now another was doing an MVC
- approximately 10 minutes from the MVC we were sent to a sudden death and he decided to re-route from the MVC but asked for another officer to take that call – I explained to him how if he was listening he would have known that there was no one else available – also that since we were closer to the MVC, we would stop quickly, get the drivers information and tell him the officer would call him later – he said he thought sudden death was more important – I agreed but explained he needed to be able to deal with both calls quickly knowing that EMS were already ahead of us to the sudden death as the call came from them
- at the sudden death, he was unable to gather basic information right at beginning from the park owner to relay to the Sgt who was on his way – showed him what was required for a quick update – the park owner had no idea what PC Jack was asking until I stepped in to clarify – it was his first sudden death call though
- when attending hospital he was having difficulty deciding where to park in an empty lot – very nervous/indecisive, couldn't use common sense to

- park near emergency - said it was because he had never been there before but agreed patients are always taken to emergency at hospitals
- when leaving hospital a kid on a bike with no lights and no helmet drove right onto road in front of us behind our zone partner who had just passed – it was dark so the kid couldn't see we were police – PC Jack braked hard and then continued on – we finished our conversation about the call and then I asked why he didn't stop the bike – I asked him if he knew the two offences and he did, but when I asked why no stop he said he wasn't thinking like a police officer mind set – told him he was working the full 12 hours and that he needs to be able to multitask – just because we're talking doesn't mean we can't stop to deal with an offence – confirmed that this now did not mean to stop every kid on a bike with no helmet or light, this was specific because he rode out in front of us – addressed multitasking skills again
 - when back at office I told him to contact a fraud complainant that had called earlier in the night - as it was now 2330hrs or so, I told him to either explain that we would call back the next night at 1800hrs, or he could have an officer call her in the morning – I told him to take two minutes and quickly deal with it so we could work on the sudden death report, as he was already on overtime from his driving assessment – he spent over 20 minutes on the phone taking all the details of the call – told him that was not what I had instructed him – said he was not able to get her off the phone and I told him that he is the officer and can dictate how the call goes – be more assertive
 - while driving to the sudden death call, he missed a turn because he relies solely on his GPS unit to get him to calls – I force him to read the map but he still inputs the address and watches the screen, often missing turns and having to circle back
 - prior to writing sudden death report he said it won't be good because he is tired and exhausted – told him not to make excuses again because we have all been in the same situation and no one else says anything – especially new recruits

19Sep09 - PC Nie

- Baker Street fraud call – the complainant was trying to tell him that we were no longer required and he didn't listen and just took a full report – he spent 45 minutes on a call that could have been 5 minutes – time management addressed
- Upon leaving, he observed a male pedestrian who he thought was drunk, in his words, because he was walking with a drink in his hand (Tim Hortons' coffee) – he drove past the male and rolled down my window which I stopped him and told him to get out to approach the male – he left the car completely blocking the northbound lane of traffic with no emergency lights activated – traffic was not busy but those that came had to go into oncoming lane to go by - his approach with the male was very

interrogative and the man asked if he was doing something wrong by walking with his coffee (he was obviously concerned about why he was stopped) – spoke with PC Jack about vehicle position, lights, tactics, etc. then asked why he didn't make a notebook entry – told me that he was still going to but we were talking – told him that wasn't true as we were 15 minutes down the road – he said that PC Crowder had told him that he didn't need to make his notes at the time of the call and that other times PC Filman was three hours behind in his notes – I asked him what his normal procedure was and he just again talked about the other officers – I sternly told him to stop playing games and to answer the question – When you stop someone for speeding, do you make your notes right away or drive down the road 15 minutes and then stop to do your notes. He got mad and wouldn't answer so I pushed again for a response and he said he was thinking – he then said that he does each method 50% of the time – I told him this was a simple exercise to show him when he should make his notes – he said he didn't want to lie to me and I told him once again he was trying to set things up to blame someone else and he nodded in agreement

- Shortly after we stopped a speeder – he told me he didn't know how to fill in the township or where to sign the ticket – I told him to stop playing games with me, that after 8 months on the job he knew the answers – told him to look on his map for the township if he didn't know, and I told him to sign the tickets the way he always had – he said that he had been showed two different ways – I told him that I knew he wanted me to tell him how he should do it just so he could blame someone else if it was different than what I taught – he chuckled at me when I said this – it was very clear that he knows the games he is playing and I assured him I would point this out every time it happens
- Met with Sgt. Butorac and PC Jack to discuss issues to date – PC Jack lists what he believes to be his problems: (1) Paperwork – learning police lingo (2) His mind is structured as independent from 8 years of office environment – doesn't see things as a team (3) Foreign language – he has never worked in the real world, only in academic environment (4) Not using his prior computer skills – thinks he was hired for them but can't use them (5) Indecisive with senior officers around him (6) feels under pressure – alone in this country, stress from being closely watched, living alone, has bills to pay (7) trouble looking at things from helping people vs. charging people perspective – police were bad growing up and he has to adjust his mindset (8) never failed at anything in his life – what is common sense for others is not common for him (9) low self-confidence as he is afraid of losing his job.

20Sep09 - PC Nie

- he asked me how to do a traffic report and provide the information to those involved – I told him to do what he was taught by PC Filman – again

we discussed how it is completely inappropriate for him to set me up for a new answer to something he already knows and then blame another officer when it is different and he agreed – we discussed how there are several methods to provide traffic report information

23Sep09 - PC Nie

- PC Jack was served with an internal complaint about associating with undesirable people – he asked what he should do and I told him to call the association but I didn't want to know details
- Throughout the night he continued to bring up how he was not associated with those bad guys from the gym – he asked me if I remembered going to the [REDACTED] the other night and that it was owned by a drug dealer – asked if I remembered him talking about that guy [REDACTED] who he said had gone to [REDACTED] I said that I remember telling him I had heard that the owner was into drugs and that I had stopped [REDACTED] for a twelve hour maybe five years ago – he said that he knew all those guys before he was police and hasn't talked to them for over five years – he said once he was police and found out they were bad he stopped going around them
- We attended a call a [REDACTED], the complainant, [REDACTED] immediately called PC Jack by his first name when we arrived and said "you don't remember me do you" - PC Jack said yes that it was from the gym and they discussed doing handstand push-ups – the complainant was very vague with his information about why he called and said "look Michael, you know all the history here so I don't need to get into it" – he then said that he knew that the conversation was being recorded – I stepped in and assured him that nothing was being recorded and the complainant said that PC Jack knew what he meant – I asked PC Jack was he was talking about and he looked very white and said nothing – I again told the complainant that nothing was being recorded – the brother of the complainant was arrested for prevent breach of peace after it was apparent to me that he would not calm down as he was drunk – I told PC Jack to arrest the male as I had had enough – at no time did he read RTC or Caution – when I brought it up 3.5 hours later he attempted to blame me saying that he was going to but I rushed him saying we needed to get back to the office quickly before the male damaged the cruiser – I explained that all he had to do was admit that he forgot but he kept trying to excuse it by blaming it on being rushed – I said if that was true he could have done it in the car on the way in or at any other time over the 3.5 hours – he said that he didn't do it there because he thought for safety the guy had to be in the car to read his rights because that is what he watched everyone do – again told him to just admit he forgot as that was better than to blame me for it – he just nodded his head but appeared angry
- He left to purchase gas and came back with a name on a piece of paper – he asked me if I knew that a Russian guy owned the Pioneer gas station – I said I had heard that and he showed me the paper and asked me to

pronounce the name – I asked why and he said that he was in line to pay and noticed his name on his diploma – he said it was a Canadian version of the Russian name and again asked me to attempt to pronounce it which I did – he then walked away – very odd

24Sep09 - PC Nie

- stopped beside cruiser on shoulder in live lane of traffic – Highway 7 by Norwood – no emergency lights and traffic was coming up behind us
- upon entering EMS base in Norwood, PC Jack spoke with paramedic and had a short conversation which I was not present for all of it – when he left to go to washroom paramedic made symbol of a square and stated that “that guy can’t think outside the box eh?” something he picked up on within a short time frame – also kept rolling his eyes at me listening to PC Jack attempt to clear a call with someone on the phone and get details
- discussed with him the fact I had heard twice about the recording device – denied it outright and had no explanation for call from last night – said it was a mistake that the guy thought he knew him, confirmed he had never been to [REDACTED] before and did not know any history as [REDACTED] had stated – told him it bothered me that I felt like the outsider not privy to details that he and [REDACTED] knew but weren’t talking about – he said [REDACTED] was mistaken – I said I just was asking about what I heard and why he said it – PC Jack said he was probably just talking about police recording things in general and I said no, he was talking directly to you – again he denied knowing any history and had no explanation – told him if I ever found out he was recording me without my knowledge we were finished and he could find a new coach – told him the Sgt. was aware that I was talking to him about this – he became upset and said it was just another thing he was being threatened with – confirmed that I was not threatening him, just giving him facts as I saw them – he said he couldn’t understand why I was asking things, told him I was just connecting the dots that were in front of me and I wanted an explanation

02Oct09 - PC Nie

- attended crime scene near Burleigh Falls – PC Jack advised he had never done one before and needed direction – he was given a crime scene log from the prior officers that he was relieving and was told to fill in the blanks with the appropriate responses as it was straightforward – at one point he asked if licence plates should be written down and people that passed by – he was given direction as to what I thought was appropriate or not – he then got out and showed me a copy of a log that he had found with instructions on what to do – I told him this was another example of him setting me up to tell him something different than what he already knew to do

- teleconference with Kent Taylor and Staff Campbell discussing the need for remedial driving
- family dispute call – PC Jack got to the point where he had no idea what to do and told the complainant that he needed to have me explain what to do because I was more senior and had better knowledge – he tried to justify it by saying that I knew more about banking and mortgages which I explained had nothing to do with the complainants questions – the son of the complainants girlfriend attended and was irate- PC Jack appeared nervous and was very concerned by his words “oh no” when he saw the son punch his truck in the driveway - it was explained to PC Jack that I was not certain he felt confident to look after that situation had I not been there – it appeared it would have gone out of control quickly – he even needed direction at the beginning of the call to keep the involved parties separate

08Oct09 - PC Nie

- near start of shift had to transport a prisoner to court – attended cell area with PC Jack, two other members of the shift were present as well – PC Jack had all dealings with guard and a female prisoner walking by without talking his gun off – began completing prisoner form for a release as opposed to a transfer – when he went to get our prisoner I pointed out his gun and he said he knew – I told him he didn't or he would have taken it off – also pointed out that he didn't search the accused - once at court he opened door and just let accused walk up to jail, did not do proper escort or take any control – when asked about this he confirmed he knew proper escort techniques but assessed the situation and felt the accused was compliant – told him never to defer from his training – said he didn't search because the male came from our cells, confirmed we had already talked about searching prisoners before – said that he missed the things in the cell because he said too many things were going on at once and he got confused

12Oct09 - PC Nie

- when approaching a collision scene in Apsley, PC Jack was so excited that he parked on top of the evidence of the collision – only focussed on getting to the call, another officer was already there so he could have thought things through - talked about multitasking and how he needs to observe these things prior to destroying evidence
- while attending domestic call with unwanted male at residence, PC Jack chose to drive at less than speed limit, no lights or sirens – said that he felt getting to call minutes sooner would not help as the “headlock” and

domestic were already over – explained to him about risks at domestics, etc

- asked PC Postma on air how fast he was travelling and how he didn't think he could catch up to him
- once at the domestic, he spoke with the victim and did not even check whether she had been assaulted or not – appeared unsure how to handle the information she was giving him
- when completing DVSR – he did it more like an interrogation than a victim report – when she was unsure of an answer he told her very firmly it was an important question and she needed to answer

13Oct09 - PC Nie

- after leaving call on Indian Road, he approached a curve in the road and stopped completely – approaching vehicle wanted to turn across us but had no idea what PC Jack was doing
- traffic stop in Havelock – allowed car to pull in behind him then it turned into a parking lot – he stopped in live lane and put rear lights on – then let driver walk up to cruiser – discussed proper vehicle stops again – driver also pointed out that PC Jack did not complete proper stop at railway crossing stop light – with same driver, PC Jack asked to run plate and was told to stand by – when he was told to go ahead he missed the call as he was making notes

16Oct09 - PC Nie

- stopped several cars along Highway 28 north of County Road 4 – had to discuss again several times about proper and safe vehicle position during stops – each time I would correct one issue he would fix it but a new one would come up – having great difficulty in assessing where to stop and how to stop vehicle safely – too much to consider all at once in his words
- while doing RIDE, had truck approach with MAR09 val tag – saw him look at tag when approaching then asked no questions about it and told driver he could leave – I continued with questions and told driver to wait, resulted in 1072 driver

17Oct09 - PC Nie

- at start of shift, PC Jack advised we had a traffic complaint to go to but it was ten minutes old and vehicle was tailgating and passing unsafely, he then said he had to do log-on sheet because dispatch didn't have one – we headed to shift briefing and he appeared very stressed and informed OIC Postma that log-on was not done – he was advised to leave it for now and it would be sorted out by Postma as we needed to figure out zones as 4 people were off – PC Jack just sat there and stared at table appearing frustrated – when briefing was over he told me we had another traffic

complaint and it was threats, someone gave another person the finger – I asked if there was a plate and description and he confirmed there was so I said we had better go – he got upset saying that he had to do the log-on and raised his voice at me – I told him to relax that it was not a big deal, he could just ask someone else to do the log-on sheet – within 30 seconds Postma walked back in and asked PC Jack to do the log-on before we left if we had the time and told him three times what to log people on as including himself– PC Jack became obviously frustrated and started muttering things under his breath about being asked to do two things at once – he finished the log-on and walked out – I then took a call from PCC and the dispatcher said the log-on was all messed up – people were logged on as different zones and numbers as what she had been told by Postma verbally – I corrected the errors and spoke with PC Jack – he again became quite angry advising that he heard Postma's instructions but no one can be expected to handle three things at once – I explained that a log-on sheet and two traffic complaints were minor tasks, and that he wasn't doing them at the same time, he just needed to prioritize them – he said it was impossible and that he couldn't be expected to start assessing and formulating a plan for one thing and then have to switch to another – I told him to take a breather and start over – he said he had no idea what to do and that everything he did was wrong – we sorted out what he had heard with the traffic complaints – I then called back to dispatch to confirm and there were more details that he had left out – explained this is why I have seen he has difficulties listening, hearing, etc because he only gave partial information to me. I explained to him that if he can't handle more than one thing at a time than to tell me and I will make sure we just do one thing until he can handle more

- call for rollover with three suspicious youths on Burnham line – as he approached the scene obvious skid marks were observed in fresh gravel – he didn't slow down and drove right past the car in the ditch and the kids standing on the road – second officer on scene questioned why we drove past scene – when deciding where and how to turn around, he drove into a large pothole where the ground had washed out, inches away from rolling us into the creek at the side of the road
- when dealing with the youths, he just stood there and watched PC Clark – was unable to determine that he could assist by separating the youths as they were being evasive with Clark – he only did so when he observed me take one youth out of the group
- at threats call in Norwood with HBD male, he began questioning to assess whether threats existed or not – he was prepared to take complainant to residence without confirming the type of situation he was heading into – he knew the complainant was scared to go home because his girlfriend had told him the suspect was there – I clarified the details and then explained how we could take the complainant home to his private apartment, no threats were actually made, and we did not have to speak

with the suspect because he was most likely passed out drunk (from prior info from PC Stimson)

- call on Old Norwood Road – we had to drive intoxicated male party to his residence – PC Jack was planning to drop him off at the end of his driveway and let him walk to his house - then he said he would be polite and drive him to the door – then admitted to me that he did not intend on making sure the drunk guy was looked after by his parent

21Oct09 - PC Nie

- PC Jack attended MVC call alone on County Road 2 (he had started early and did not inform dayshift Sgt. that he was not to ride alone – he arrived at 2 car mvc at 1711hrs – not blocking lanes – called his coach officer at 1910hrs to advise he was complete – said delay was getting tow truck as he allowed involved party to call for tow for the victim instead of confirming himself – traffic report was not completed in this time frame as well – explained how this could have been done faster
- Discussed the lack of notes with him for call – no indication of damage, no diagram, no summary, no weather/road conditions – advised he had some of the details on the traffic report and it would be on his ticket – then advised he determined that it was not an important call so he didn't feel the need to waste time on very thorough notes

22Oct09 - PC Nie

- while having conversation on a teaching point, PC Jack observed vehicle he wanted to stop on Dummer-Asphodel road – told me to stop talking to him as he could not concentrate on both things at the same time
- PC Jack stopped five vehicles in the first half of the shift and gave out three warnings for speeding – two of the three were warnings because he said they were nice people, the third was because they looked poor and could not have afforded the ticket – the one speeder he did charge was a hockey scout driving a nice vehicle – told him not to discriminate about how people looked as a gauge on whether to give a ticket or not – said it was his discretion to make these choices – advised him that his choice better be because he was not confident with the speed of the vehicle rather than “she was nice” or “they looked poor”

26Oct09 - PC Nie

- abandoned m/v on 115 – PC Jack stopped cruiser in front of vehicle on a curve as he couldn't decide whether he should stop or not – finally made choice to stop and cut across in front of the vehicle then repositioned behind as better position for safety and tactics
- traffic stop on County Road 1 – 80km/h zone – stopped cruiser in live lane – said he was doing this for an offset – agreed he was not trained this on

- highway stops – caused long line of traffic stopped behind cruiser - while approaching the vehicle he appeared nervous, touching various radio buttons and light bar, then rolled down window completely – said he was unsure why he rolled down the window – all took place while approaching vehicle and trying to turn around
- vehicle stop on County Road 29 – felt vehicle was unsafe as indicator light on drivers side was missing at front – turned around and stopped vehicle – expired insurance, and driver had full plate of hot food on passenger side floor – appeared he placed it down upon stop – PC Jack missed hearing a radio call to his unit during the stop – appeared stressed by what to do with individual – advised it was clear he had no insurance and was going to write part III summons – explained to him that slip was only expired and to maybe clarify with driver – subsequent call to insurance company revealed valid policy in effect – no concern was given to the plate of food that was obviously going to be eaten
 - PC Jack attended Chemong RV for follow-up to theft occurrence RM09125442 – on July 13 he received a call about vandalism to a pop machine with the money being stolen – complainant called for information only and PC Jack took report but did not attend call – on August 18 he gets voicemail from cousin of original complainant advising there was a theft of his belongings from the same time – between August 18 and October 7 PC Jack plays phone tag with the complainant as he is a truck driver and PC Jack had vacation – on October 13 the complainant faxes a statement with a list of stolen items – PC Jack's first thought was that there was an insurance scam going on – he was asked why he never attended the incident location given the situation – how can you solve a theft without attending the call – his reason was that the original call was for information only, and the second call he could never get a hold of the complainant – he was made to attend the call on October 26 and spoke with the original complainant – the point of entry onto the property was located and the complainant advised that the grass was packed down like a trail at the time of the theft – the coin changer from the pop machine was still located in the back of the property – it was explained that the call could have been completed some three months ago had he just attended the call

27Oct09 - PC Nie

- missed radio call while talking to person at collision scene
- call was on radio where night shift was looking for a stolen vehicle – PC Folz advised he had two people under arrest at Airport Road by train tracks – advised PC Jack of information and he said he heard – did not appear to be in any type of hurry to assist his coworkers – PC Pitts confirmed he was leaving at the same time – had to repeat location to PC Jack three times prior to even leaving the parking lot – encouraged him to move faster so we could help our partners and all it did was slow him

down – he appeared very confused and could not deal with the lack of information on the call – wanted more details than just “go here to help the officers”

- dispatched to deer on road on County Road 4 – PC Jack advised there was no point in attending as roads department had already been advised – convinced him we needed to attend and found dead deer in the middle on the westbound lane – PC Jack removed the deer himself - discussed the need to attend as things may unfold differently than thought – can't count on others to always do our job
- collision with vehicles in an apartment building parking lot – PC Jack advised he would be charging the driver with Careless driving – he let at fault driver leave scene to attend court and kept her I.D. – after discussion explained problem with careless driving charge and the need to now return I.D. that could have been returned at the time
- disabled vehicle in turning lane on Highway 7 at 7th line Asphodel – two cars were facing each other attempting boost – PC Jack realized something was wrong but continued to drive right past the involved people – then had to return to his original position to be the safest – could not piece everything together when first approaching the scene – caused more concern as driving past problem at 5km/h
- drove past Good Life fitness club and PC Jack said “that's the gym where they say I hung out with the criminals”

30Oct09 - PC Nie

- advised that he was told to stay on OT on Tuesday night to take a prisoner to Kingston with PC Foster

31Oct09 - PC Nie

- spoke with Sgt. Butorac about evaluations – he advised that PC Jack volunteered to go on prisoner run on Tuesday – said he was “jumping out of his skin to go” – found it interesting given that he told me that he was told to go

01Nov09 - PC Nie

- PC Foster advised me that during the trip to pick up the prisoner with PC Jack that they each took a turn driving – he described PC Jack as “he is the worst driver that I have ever driven with”
- 0512hrs – dispatched to family dispute call where the caller has almost had their finger bitten off during an altercation – PC Jack described it as a high priority call when we were getting ready to go – he gets in cruiser and starts to look for location on map – County Road 2 – told him he knows where it is so we should be already driving as he has been on the road several times – PC Pitts also advised him to drive down Bensfort Road

which he knows where that is as well – we proceed down the ramp onto the highway and he proceeds to drive approximately 75km/h – just prior to the first exit PC Pitts drives past us lights and sirens activated – PC Jack then proceeds to accelerate very quickly and appeared flustered as he tried to activate the equipment – we were travelling down the off ramp at approximately 120km/h as he was trying to catch up to PC Pitts and I cautioned him to dump speed as it was a 90 degree turn – the tires made a loud squealing sound as they tried to maintain traction and we slid into the oncoming lane (no traffic) – the entire way to the call he attempted to catch up to PC Pitts – several times saying “oh God, and oh my God” as he could see that he was falling behind or losing sight of PC Pitts – the entire way I cautioned him about driving within his own abilities and not playing catch up to another officer – asked him why he would drive under the speed limit if it was such a high priority call in his mind – he said that he wanted to let PC Pitts go past on purpose so he could follow him to the call – I told him that was not true as he would have explained that to PC Pitts when he was beside us at the office, or on the radio at the very least – told me he couldn’t think about it now as there was too much going on – as we approached the house you could see PC Pitts cruiser in the driveway and he drove right past the house and number – he would have completely missed it had I not yelled at him to stop – again appeared extremely flustered and overwhelmed

05Nov09 - PC Nie

- PC Jack was coming back from driver training in Lindsay – in an unmarked cruiser in civilian clothes, no gun – he had asked Sgt. Butorac what vehicle to take and was told to use the unmarked – PC Jack failed to tell the Sergeant that he already had a conversation with me and the staff sergeant who told him to go in uniform in a marked cruiser if nothing else available – on the way back he did a rolling marker check on an expired plate – the dispatcher asked if he was stopping the vehicle and he said no that he was not in uniform – he then advised the vehicle was weaving and asked for another unit nearby – PLPS and PC Foster began making their way – he updated that the vehicle went into Sobey’s parking lot, then looped around and came back out, then went to another parking lot – Foster and a city officer attended, PC Jack pointed out the car and then left – he did not tell them who the driver was – discussion was had between Jack and sergeant and coach – he set himself up to fail – shouldn’t be calling in plates when in cruiser with no uniform – should have stopped car in lot if he thought it was a drunk – risk of doing so with no uniform – should have stayed to identify driver
- PC Jack staying late to work on case from earlier in week – was interviewing suspect – covered off two possible outcomes given the information he provided in the case – told him no matter what to not lay breach charge for keep the peace alone – get call at home from day shift

that crown attorney freaked out over brief and gave it back to PC Paradis/D'amico – they laid 8 criminal charges – PC Jack was asked why he laid the one charge I told him not to as the court would freak out – said he didn't remember me telling him not to though he remembered everything else about my instructions that day – told him I was really upset and pissed off – explained how lack of information once again led to incorrect advice and a huge problem as a result

- Reviewed statements with him – questioned why he never explained to me that victim had her head bashed on floor 4-5 times, or that she saw the accused drink alcohol – explained that these basic points would have led to different advice being given
- Explained to him that he no longer will switch shifts to not work with me – I will have to hold his hand through each occurrence in order to ensure things are done as asked – said that I tried to give him some latitude as he has 10 months on but now I can't

09Nov09 - PC Nie

- PC Jack arrested male party for 253 while working with another officer
- Brought accused into cells though never advised me he was working on things – went to check on him and assisted with paperwork – told me he was going to release YO on PTA – asked when parent was coming and said they had left a message – reminded him of notice to parent and fact that he needed to release the kid to an adult – kid asked to lie down in cells, PC Jack asked my permission to do so – couldn't decide for himself – then let the accused go into cells with Jacket, belt and shoes on with laces – stopped the kid and then muttered something about searching him already and asked him if he put anything in his pockets since he was searched – I then pointed out he could not be in the cells with his Jacket, shoes, and belt – later confirmed that he had his notes complete, and all release documents were done – said he needed to stay as he told the mother he would be here when she arrived – told him there was no need for him to stay that dayshift could release – he then asked to stay for a learning experience and I told him no as he had done a release before – told him it was just an excuse to delay things so he could stay around – made him go to dayshift and ask for someone to release – as I was leaving he came to me and said we had missed a G2 charge – told him not to bother as the over 80 was good enough – he said PC McNab told him he had to lay it as well – said I wasn't telling him what to do but he could tell PC McNab thanks for the suggestion but all the paperwork was done – spoke with McNab the next night and he advised he only told Jack about the possible charge if he wanted it, not that he had to lay it

10Nov09 - PC Nie

- attended family dispute call – son on probation for domestic assault had gotten into fight with his grandpa, then came to the family residence and was arguing with father and brothers – PC Jack spoke with involved parties – he removed father from kitchen (like a suspect) and then spoke with him in living room – after he was done he sat for a minute and then asked the mans permission to speak with me – the man appeared very confused as to why he would ask this – at no point did he ask about the status of the grandpa and if he was injured – upon going outside to discuss he advised he was going to arrest the male for breach of probation for keep the peace – told him I couldn't understand how he just was reprimanded for doing this yesterday as a result of his charge last Friday – how could he be doing this again with the same charge – asked him if he didn't learn something – said he needed to think for a moment – told him it was obvious he was uncertain what to do with the occurrence – had to tell him his options – he had also told the father that they could have a no alcohol condition placed on their son – told him he needed to correct this because he was telling them the wrong things – he denied saying it that way but just prior to leaving the father asked how they could get the condition added that Jack had talked about – explained to him that information was incorrect and we apologized

13Nov09 - PC Nie

- during traffic stop on Highway 28, PC Jack stood in front of suspect vehicle making notes – discussed again how this was unsafe and that although they were seniors we had discussed proper safety concerns before
- during one vehicle stop he wanted to give an Alcotest – placed male in rear of cruiser without checking pockets – when he was asked to turn on the interior light to see the male he started pushing all the emergency equipment and shut off the lights while on the side of the road – took three attempts for him to get the correct light as he was so flustered – did not notice he had turned off emergency lights
- another point during the night we had a vehicle approach us in our lane – we were in left turn lane and vehicle was in our lane – PC Jack appeared very nervous, he recognized the car was in our lane but just moved over and let it go by – it was like he knew he wanted to do something but couldn't decide what to do – I told him to turn around immediately and stop the vehicle – when he did I noticed the car turned into a driveway – I pointed this out to him and he made a turn directly towards the ditch, about 150ft short of the driveway – when our tires touched the gravel shoulder he swore and drove up the shoulder until the driveway – this was all on Highway 7 – told him I would drive for a bit until he regrouped and got himself back together

- while driving down Birchview Road (60km/h zone) he was travelling at 90km/h – I pointed this out and he said it was a straight, clear stretch so it was okay – discussed how he drives below the speed limit on patrol and to calls but this time was 30km/h over the limit
- told by PC Read that PC Jack had approached him and told him he had heard a rumour that he had more than one coach officer while I was coaching him – Read said he told him that I was his only coach the entire time
- I called PC Jack on his way home from work and asked him about who told him the rumours – said that he had “overheard this is one of his ears in passing in the constable room” – said he went to Read to confirm the rumours – told him I wanted to know who had said the rumour because I was going to deal with them too – he said he didn’t feel comfortable telling me because he didn’t want to get someone else in trouble – asked him what business of his he thought it was to ask Read this information – said he thought he was being honest by going to the source to confirm the rumours – he told me he would tell me in person on Friday who he had heard the rumour from

13Nov09 - PC Nie

- when walking into work met PC Duignan in parking lot – he told me that PC Jack had approached him and was all scared and upset that I had confronted him on who was spreading rumours and that he didn’t know what to tell me – said he told PC Jack to tell me the truth – PC Duignan said that he felt sorry for PC Jack and was just trying to give him some helpful advice – said that he had asked PC Jack for a ride home one day and they talked in the car – said that he told PC Jack that he heard he was having some struggles and that he should talk to PC Read because he thought he had some difficulties as well – PC Duignan said he was only trying to help and he hoped I wasn’t taken things any further – told him I appreciated him telling me what he did

14Nov09 - PC Nie

- had discussion with PC Jack about why he approached PC Read asking questions about his probation period - wondered why he had not approached me about it the night before when he said he would – he began to say that he thought I already knew because PC Duignan had talked to me – he stopped what he was saying before he mentioned Duignan’s name – I asked him if he wanted me to finish his sentence and I put Duignan’s name in and he appeared very nervous – told him that I had spoke with Duignan who told me that they were in a car together and had a private one-on-one conversation about things – asked why he told me he had overheard things in the constables room in one of his ears instead of telling me the truth – said he knew that Duignan was in “lots of shit” and

he didn't want to get him in trouble – asked him to explain why he would lie to his coach, the one person trying to save his job, and side with the person who in his words was in shit – said that he was just trying to be honest by going to the source – he said that Duignan was the only person that provides him with emotional support and that's what he needs – told him I was sick and tired of playing games and could not stand it when I am being lied to – said that he thought he was being honest and was not trying to play games – told me I was making a mountain out of a molehill – said this was not the case when someone lies to me – he admitted he lied because I put him on the spot and didn't give him time to think of a response – then he said when he talked to Duignan that he suggested to tell me that he had just overheard things in passing and not to say where he had heard things from – asked him if I needed to give him notice next time I wanted to confront him with an issue and give him time to prepare an essay for me as a response - later he said "you say you are sick and tired of me – well I am sick and tired of being accused of playing mind games" – told him that was exactly what I was talking about – he was twisting my words to make me look bad – explained I never said I was sick and tired of him, just that I was sick and tired of the games and he agreed he knew what I meant – then he went on to say that people in their own countries are subconsciously biased towards people from other countries – said that we like to protect our own home and land from visitors – said when he first came to America that he hated Americans because they treated him poorly – said that as he stayed here longer he grew to like people but others did not like his accent and behaviours – said that we all are like that in our own countries – told him that I was upset that he could even suggest that about me and that if I ever heard that come up again I would lose my mind – said that I would not tolerate him accusing my of being biased towards him or his accent – said that he didn't mean me specifically just people in general – told him that I had been down this road before (briefly explained PC Chase) and said that neither I or my family needed this – gave him a brief account of the racism allegations that were suggested and how PC Chase told me that other officers were telling him to lie about me to save his job – PC Jack said he didn't mean to put me and my family in this position – told him again he was twisting my words – confirmed he understood that it was the other officers, not the recruit that had caused the problem – told him that I was the one trying to help save his job and it was very odd that he would lie to me – started to suggest that he had a sleeping disorder and that's why he talked to PC Read about his medical issues – told him again that PC Read's situation was none of his business and he should not have asked about it

19Nov09 - PC Nie

- Two hour meeting with Sgt. Butorac, myself, and PC Jack - PC Jack explained that he feels that when he is with me there is an axe above his head the entire time. He said it is a love-hate relationship - he loves my teaching but hates how intimidating it is to be in the car with me. He said that what I am seeing is not representative of how he would perform if he was alone. He said that he feels so much pressure to do things right with me that he screws up all the time. He then went on to explain the psychology of this and how when I point out the mistakes that he is making that everything is always negative. He said he does not have 100% trust in me for my motives - he said he feels that maybe I am documenting everything to cover my ass in case he is fired and there is a lawsuit that happens. He said that there were things written about him in the evaluation that were not true. When asked what motivation I had to lie he just nodded his head when I stated I had no reason to lie. He said that his biggest problem is me as I am watching over his every move - He was assured by both of us that we only had his interests at hand in attempting to help him pass. He confirmed he knew that but could not change how he felt. He was asked if he felt that if he was with someone else could he perform better. He advised that there was no point as a new person would have to learn all about him and it would be like starting over. He said if I was his coach from the start that he would not be in this position - he feels I expect too much from him and I said only what is expected from a recruit at their 11th month. He feels he would be at standard had I been coaching him from the start and that's why he is behind - The Sergeant explained to him that he has no choice but to work in this situation - that he is being watched by his coach. He acknowledged this but still felt he would be fine if by himself and not under pressure. It was re-iterated that stress and pressure were parts of the job and he needed to be able to perform under these situations as well. He commented how he forwards emails and work to his house so he can work on them without distraction, that there is always too much going on around him at the office and pressure to be out on the road. I told him this was exactly one of the points we were making - he has to be able to work effectively even with all the distractions

23Nov09 - PC Nie

- disabled M/V on County Road 2 - PC Jack stops to ask driver if she is okay and she states she has someone coming - he makes no inquiries about the vehicle and checks later in the day reveal it is now abandoned - could have prevented this if thought through
- stopped m/v on County Road 44 - elderly male seen without seatbelt - PC Jack misses seeing driver exit vehicle as he is distracted by turning on lights and finding his hat - coach officer points out that male is

approaching cruiser – PC Jack discovers three offences – has trouble deciding which charge to lay and needs help making decision

24Nov09 – PC Nie

- mvc on Selwyn Road, tanker truck into ditch – coach asks PC Jack to go to south end of scene and block traffic so it can't come through the scene – he parks his cruiser beyond the intersection thereby allowing east and westbound traffic to turn in front of him and enter the scene – this was noticed by witnesses and tow truck drivers at scene along with coach – while at scene PC Jack advised he wanted to gather all the information and he had all the documents – told him to go sit in cruiser and complete forms as I would assist with removal of vehicle – I also had him call Sgt. Re ministry of environment – when I went to check on him after some time he said MOE had called but he told them to call back as he had no information and was busy with statements – confirmed with him that he already knew about spill as we had discussed this prior to him starting report – we then switched spots so he could be near the actual scene – he was very indecisive with what he needed to do and claimed he misunderstood instructions on where to park cruiser to block road – talked about why he wouldn't interrupt me to change positions as the MOE call was more important than a witness statement
- advised by tow driver Mike Wellman that PC Jack came to one of his scenes in the summer on Cty Rd. 507 – said he had placed brand new reflective cones along the shoulder to mark the scene as it was on a curve – as PC Jack approached the scene he proceeded to drive over each of the reflective cones destroying them
- advised by PC Pitts that PC Jack interrupted him while talking on phone saying that PCC was looking for him – this has been a regular issue from the shift that while on the phone with someone, PC Jack will wave at them or tap them on the shoulder to advise that PCC is calling them – it was explained to him that he needs to realize that he can tell PCC that the officer is on the phone instead of creating the interruption – again, decision-making

27Nov09 – PC Nie

- traffic stop on County Road 8 with back to traffic again – car was driving 55km/h in 80 zone for over 5 minutes, coach observed weaving as well – took all this time for PC Jack to then ask if he should stop the car – I told him that it would have been stopped 5 minutes ago if I was driving – indecisive
- observed PC Postma stopped with m/v doing field sobriety tests – PC Jack realized importance of checking if he was okay but then proceeded to drive right past – said he was just going to give the “thumbs up” gesture – had him stop and stay behind PC Postma for added protection as he

was in lane of traffic for flat surface, and discussed potential for arrest and importance to stay instead of driving by – decision-making again

- when driving into Norwood near end of shift it was heavy traffic – at one point I looked up and noticed the car in front was stopped with brake lights on – we were still proceeded at 50km/h speed limit – I yelled for brakes and he slammed them on, causing us to lurch forward – he chuckled and said he saw the car was stopped that I didn't need to yell – I said "except for the fact we now have whiplash"

28Nov09 – PC Nie

- while stopped on side of County Road 6, elderly male parks behind us and approaches PC Jack on drivers side – he says that he saw us pull out of Little Chipmunk Drive and that he has friends who are in Florida and he looks after their house – he wanted to make sure we weren't at their home for something that was wrong – PC Jack was trying to tell the male to move in front of the cruiser for his safety but the male did not understand and continued with his story – it was clear that everything was fine and the male started to walk back to his car when PC Jack told him to wait so he could talk to the man – I told him everything was fine and he said he didn't have all the details about what was going on – I told him just to let the man leave but he proceeded to exit the cruiser – he came back shortly and said that he just wanted to move the male between or in front of the cars because it was safer as he had been taught – I told him that was correct however because he was unable to explain what he wanted in the first place to the man, he already had given PC Jack all the details and he was just making the situation worse – in 20 seconds I explained to him everything that the man said but PC Jack heard none of it because he was so focussed on trying to have the man move – couldn't multitask

29Nov09 - PC Nie

- PC Jack appeared to be in bad mood at start of shift (0500hrs) and I asked him what was wrong – he advised he did not get much sleep
- at 0620hrs PC Jack tells me that something is wrong, he is mentally not right to work – says he did not sleep very much and was sitting on his stairs at 0400hrs drinking juice and wondering if he should come to work – said he felt guilty because he was not physically sick but he was making mistakes in his notes and felt that something bad was going to happen if he worked – he asked if he could be an observer today and if I can do all the calls - I told him that it was okay to call in sick if he was not mentally able to do the work, and that I did not want a partner that was unable to focus for whatever reason and that he should speak with the Sergeant - I offered to go with him and he said that was what he wanted – we spoke to Sgt. Butorac and PC Jack gave the same reasons as above and added that he felt he was having a premonition for evil, that something would go

wrong if he was to work in this condition – the sergeant advised if that if he was unable to work because he couldn't focus or wasn't mentally right that he should go home sick which he did

From: Campbell, Ron (JUS)
Sent: November-26-09 8:29 AM
To: Kohen, Colleen (JUS)
Subject: FW: Emailing: Jack Chronology.09.doc
Attachments: Jack Chronology.09.doc

More to come

-----Original Message-----

From: Payne, Jennifer (JUS)
Sent: Thursday, November 26, 2009 12:37 AM
To: Filman, Shaun (JUS)
Cc: Flindall, Robert (JUS); Nie, Richard (JUS); Campbell, Ron (JUS)
Subject: Emailing: Jack Chronology.09.doc

Shaun,

I have added my information. If you could add yours and send it on to Flindall, he is expecting it after you so that he can add his information today.

Thanks
Jen

The message is ready to be sent with the following file or link attachments:

Jack Chronology.09.doc

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

This is a point form chronology of Cst. Michael JACK'S performance at the Peterborough Detachment. The author of the entry has placed their name adjacent to the date of entry.

Jan 2009 S/Sgt Campbell

S/Sgt CAMPBELL received a phone call from Peter Shipley at the Provincial Police Academy advising that Peterborough Detachment would be getting a recruit named Michael JACK who demonstrated behaviour of concern in relation to his judgement with firearms. Cst JACK would need to attend Block training ASAP and need to be monitored to address the concerns.

-prior to this Block training S/Sgt Campbell spoke to Cst. Shaun FILMAN who was identified as the coach officer and the importance of monitoring Cst. JACK'S performance as outlined by the Academy

12Jan09 S/Sgt Campbell

-Cst JACK attended Block training with Cst. PAYNE and S/Sgt Campbell no issues were noted during his 4 day training period.

Jan 09 S/Sgt Campbell

- S/Sgt Campbell verbally updated Cst FILMAN of activities on block training and observations of no issues.

May 2009 Cst Payne

- Sometime during the last couple of weeks of May 2009 I was approached by SGT FLINDALL who requested my assistance in mentoring CST JACK when I came back on the road. CST PAYNE was made aware that there were issues with CST JACK who needed a mentor or someone to go to on shift besides his coach, CST FILMAN. I was advised that CST FILMAN would still be doing CST JACK's evaluations and coaching and that I would be another resource to him. SGT FLINDALL advised he was being inundated with enquiries and direction from CST JACK who would not go to anyone else on shift nor his coach officer. I agreed to take on this responsibility of being available to CST JACK for guidance.
- Shortly thereafter (within a week), I was approached by CST JACK in the detachment who stated he wanted to talk to me, indicating in private. CST JACK discussed a Fraud investigation that he was working on and was seeking my advice to which I provided and advised him that I would assist him when I returned to uniform duties in June. I was in plain clothes at the time of this discussion which took place in the lunch room. CST JACK indicated he was excited that I was going to assist him and at the end of the conversation he looked me up and down from head to toe then winked at me and made a clicking sound with his mouth. It made me uncomfortable, however I never called him on it as I was in shock and

wanted to see if anything else would happen or if this was an isolated event.

02JUN09 Cst Payne

- On the 2nd June 2009 I returned to uniform duties. That morning while in the Constable's office at the computer, CST JACK approached me and stated "you look good in your uniform". Again I was caught off guard and didn't know how to take the comment. I stated to CST JACK that he had seen me before in uniform back last January at block training. In my opinion the comment was inappropriate as "how I look in my uniform" shouldn't be addressed.
- I had advised a few people on shift about the comments and actions CST JACK has made, including SGT FLINDALL. I stated and decided if he made any more comments I would speak to him about it at the time.

05JUN09 – Cst Payne

- Since the 5th June 2009, I haven't worked very closely with CST JACK as a result of being dispatched and responsible for my own calls for service. I have notice that CST JACK prefers to sit in the office and appears to be over-investigating minor calls for service as opposed to focusing on the major calls for service. He does not stop a lot of vehicles while out on patrol and most times I am not aware of where he is or what he is doing.

13JUN09 Cst Nie

- at marine safety day – observed PC Jack in uniform talking with female member of police committee – he then approached me for a piece of paper as he was either given her his number or getting her phone number – I teased him about not being able to find a girl the traditional way off duty that he needed to abuse the power of his uniform to obtain a phone number and he just laughed at me

30Jun09 -01Jul09 Cst Payne

- On the morning of the 1st July 2009, I double up with CST BRISCOE to assist CST JACK in Ennismore who was looking for a vehicle and occupants that were doing mischief to mailboxes. While in Ennismore we were dispatched to a report of a suspicious male who was in a housecoat driving a riding lawn tractor in Bridgenorth. The three of us located this male on the causeway and subsequent investigation led us to arrest the male for possession of stolen property. We transported the male back to

his residence north of Fowler's Corners in City of Kawartha Lakes jurisdiction. When we arrived we discovered that CKL OPP were investigating an arson at a residence which was situated across the road from where the lawn tractor was stolen. This was also down the road from the residence of our 10-92. Our person in custody now became the primary suspect for this arson. We assisted CKL and caught up on notes at the scene. CST JACK required some of my notes for times and names which I provided my dash pad with times and names which I was working off to make my notes.

- At approx 04:30hrs I asked CST JACK to watch the accused who was sitting my vehicle, while we went to speak with the owners of the lawn tractor.

When I returned from the vehicle I observed CST JACK sitting in the driver's seat having a conversation with the male in custody. When CST JACK exited the cruiser I asked him if he had supplementary cautioned the male before he spoke with him. CST JACK advised he hadn't and that he was talking to him "off the record" about the fan in his backpack. I advised him that he shouldn't speak with someone else's prisoner and that he should have given a supplementary caution. Further I advised him that his conversation may ruin/interfere with subsequent investigation as he was going to be interviewed the City of Kawartha Lakes Crime Unit.

- CST BRISCOE and I continued to do notes and I again provided my dash pad notes to CST JACK who declined.
- While back at detachment completing our notes to be faxed to CKL detachment CST JACK asked to see my notes. I advised him my notes were not done yet. I expressed that he should be making his own notes and I could provide him with names and times. I advised him that my notes were my notes about what I remember and what I did. I advised him I didn't want him to write his notes from my notebook. CST JACK got angry and snapped back. He stated he could just take my notebook from my diary slot at any time and read it. I asked CST JACK why he wanted my notebook and he stated to study them because he wanted to see how someone else does them. He stated he is finding it difficult with the culture and language barrier. He made reference to the word housecoat which he would have used a different term. I advised him that it is ok to write the different term in his notebook because that is how he recalls and remembers it by. I advised CST JACK that I would give him a copy of my notes after I completed and faxed them. I noticed during this time that CST JACK still was not working on his notes and hadn't completed them for this call and I believed he was waiting for mine so he could make his.
- I provided a copy of my notes to CST JACK advised him he needed to complete his and send them off to CKL by fax.
- At approx 06:40am PC JACK read the first couple of pages of my notes then threw them back in my diary slot. I confronted him about this in the constable's area. I was upset because he had made such a big deal about getting my notes and then he didn't want them anymore. I asked

him why he put them back if he had wanted them so badly to use and study from. He stated he was tired and couldn't concentrate to read them. CST JACK stated he was finding it difficult to do this job with his language barrier and accent. He stated he feels he hasn't been coached properly. I advised him that I was there for assistance. I also advised him that I was afraid he was using the "language barrier" as a crutch because I heard this from him many times in the past month. I told him that I didn't want this excuse to become a crutch for him. I advised him that CST FILMAN is a good and knowledgeable officer and I don't believe that he hasn't coached him properly. I felt comfortable stating this to him because I had read a couple of his reports, they were clear and concise, he was is clearly capable of articulating what happened during the occurrence into his report.

- I further advised CST JACK that I will help him with his assignment list and prioritize what needed to be done. I told him I felt he was spending too much time on calls that weren't going anywhere then on the important ones that required investigative follow-up.
- This conversation took place in the constable's office at the shredding bins. There were other officers present in the room.
- I could tell that CST JACK was upset with me confronting him about the notes. At one point when I was speaking he tried to cut me off and I asked him to let me finish.

3rd & 4th July 2009 Cst Payne

I noticed that during the shifts of 3rd & 4th July, CST JACK did not speak to me much, nor did he make a point of contacting me for any guidance or assistance. He basically ignored me, and I believe he was mad because I confronted him.

13Jul09 Cst Payne

- On the 13th July 2009, I returned from vacation. I had originally planned to double up with CST JACK, as my assignment list was clear. I wanted to evaluate him and help him get caught up. I reviewed CST JACK's Niche task list and sat down with CST JACK to discuss and prioritized a 'to do' list. At briefing I heard SGT FLINDALL advise CST JACK that he wanted him working from the CSO in Buckhorn instead of the detachment. I made a list of the things I need to discuss with CST JACK at some point:
 1. Time management skills
 2. Making mountains out of molehills re- calls for service
 3. More vehicle stops- PON's
 4. Getting GOR on Niche more quickly
 5. Coming to me with questions instead of SGT FLINDALL (who advised JACK was still coming to him with questions that could be handled by someone else)

6. Shopping for answers – he discusses a case with so many people, and gets different advice and doesn't actually accomplish anything it seems ie. Fraud – where he came to me for advice in May and I found out he had also approached D.CST JP CANTIN for advise and also his coach CST FILMAN was aware of the investigation.
 7. Needs to be out of detachment more and in his zone.
- In the past I have heard of the following issues with CST JACK:
 1. That he took a video/pictures of CST MORAN on a pen equipped with a camera that he wore on him while working. He also would use this pen at calls for service to record things.
 2. I was advised by CST FILMAN that CST JACK doesn't take direction well, and when CST FILMAN would speak with CST JACK about something he did wrong then CST JACK wouldn't speak with CST FILMAN.
 3. He's upset about previous negative evaluations and brought in his marks to show how smart/intelligent he is.
 4. That there are possible driving issues with CSTJACK
 5. There are possible problems with women
 - On the 13th July 2009 I met up with CST JACK at the Bridgenorth ESO to work on a Fraud brief, which he indicated he was ready to put an arrest, warrant out for the suspect. He didn't have the brief and other documents with him so I was only able to assist him in a limited capacity. I confronted him on why he didn't have the stuff with him if he knew we were going to be working on it today.

17Jul09 Cst Payne

- On the 17th July 2009 at approx 06:05hrs, CST JACK was sitting in the constable's office at a computer. I went to get a battery for my radio. CST JACK said good morning and winked at me.
- CST JACK stated he needed assistance with a PI MVC. He advised he wants to charge a male driver re an accident and has all the drivers' items (DL, ownership, insurance) because the driver left the scene when the tow truck arrived and he was unable to serve him before he left. I had already advised him previously to do up a long form summons and a brief for driver. He stated he didn't know how. I explained that he did up a brief just like he did for his recent impaired and submit it to the court and they would do up a summons. Then his story changed, and CST JACK now was stating that the driver may come down this weekend to pick up his ID, and said he could give him ticket. I said if he doesn't show then do up the brief for the long form summons if he wants to charge him.
- At this time I also spoke with him about the Fraud brief and told him I had some follow-up to do first then I would help him with it.

- While I was conducting follow-up a call for service came in. According to comms CST JACK was available. I waited to see if CST JACK going to respond to call. He didn't respond on the air. I took the details then spoke with CST JACK who stated he didn't hear the call and that he was doing follow-up. I asked which call he was following up on and he advised he was at a youth camp because of a mischief that week and spray painted that was done. He stated because he was Jewish he was angry/upset and wanted to assist. I asked CST JACK if this was his initial call for service and he advised it wasn't, he read about it (occurrences on Niche), it happened while we were off, he discovered that it was racially motivated and it affected him. I advised him that he needs to tell the comm centre whenever he gets out of the car so that we know where he is. He stated he will do this from now on. I advised him to take care of the call for service. I planned to discuss the matter further with him.

18th July 2009 Cst Payne

- On the 18th July 2009 at approx 06:40hrs, I spoke with CST JACK in the boardroom about a few issues I wanted to address with him. I advised him about telling comms where he is at all times and the importance of this if he ever hit 10-78. That no one knew where he was that morning and he never told anyone. Further, that this also lets dispatch and zone partners know where you are at and what you are doing. I spoke with CST JACK about following up on other people's calls when he wasn't asked to. CST JACK corrected me when I said he was angry about call and he corrected me and said he was "irritated". I advised him that if he felt he could assist in the call he should have approached the investigating officer to see if it was required. What is important to note is that CST JACK had enough things on his assignment list to do rather than following up on a call that did not require assistance/follow-up. I told CST JACK that he could interfere with an investigation and provide conflicting advice, which could create problems.
- I further discussed the 'wink' that happened the previous morning. I hesitated about it talking about it to him, but I didn't want further things to happen. CST JACK denied the wink happened the previous day he said that "his eye does that" I advised him that the only reason I brought it up was because of other things that happened in the past and explained the two previous incidents to him. (looking me up and down and winking and clicking; and telling me I looked good in my uniform). CST JACK stated he didn't do the first thing in lunchroom and admitted that he did say that I looked good in my uniform. He stated "I will admit that but not the other stuff". He said the winking of his eye happens all the time. CST JACK asked me if I thought he was hitting on me. I stated I didn't know, but either way it was inappropriate and unprofessional. I asked CST JACK if he wanted to discuss anything and he thought for a minute and said "yes,

but he would not want to talk about it right now". I advised him to let me know later if/when he wanted to talk.

- At approx 07:21, I then assisted CST JACK with his Fraud brief. I advised him he needed to do a synopsis of his witness statement onto Niche, he need a new CR check on accused, photocopy notes, photocopy other documents and told him when he was done doing a synopsis of the video statement to complete the rest at the CSO. I figured this should take him approx 1.5-2hrs to complete all.
- I received a call from CST JACK at 10:41am who advised he has just finished transcribing statement. I didn't believe he had just done a summary for the brief. He advised he was still at the office doing the brief. I was busy in the zone doing calls for service while he was working on the list of items I told him to complete.
- At approx 14:15hrs he contacted me via telephone as he was just dispatched to a B&E, he said he was busy with other calls. I didn't know what he was busy working on, he had a threats call first thing in the morning which he was still waiting for a phone call back from the complainant and I had only left him with approx 2hrs of work, and he was supposed to be in his zone by now.
- At approx 14:29hrs I spoke with SGT FLINDALL about CST JACK trying to get me to do one of his calls he was dispatched to, when has been in the office all day. We discussed time management issues that CST JACK has.
- At approx 15:49hrs I received a phone call from CST AGOLINI who advised a John LITTLE was at detachment to pick up an IPOD that was recovered and the witness told him she gave it to an officer (from MVC 14th July 09). I spoke with CST JACK who advised he had forgotten that he had it in his duty bag
- At 17:00hrs I noticed on the air that CST JACK started to now pitch in and assist with calls for service. It appeared as though this is because he will incur overtime for these calls. SGT FLINDALL advised night shift will take the calls.

Sun 19th July 2009 Cst Payne

- 4 people working and had to call people in on OT. I was officer in charge for the weekend.
- At approx 10:00am I assisted PC JACK with his Fraud brief. I asked to check the synopsis of the statement of the witness he had done. I wanted to see what took him so long. I discovered that it was pretty much verbatim. I asked him why he did it verbatim when I told him it just needed to be a synopsis. He stated he must have misunderstood. It took him 3 hrs to transcribe the statement. I advised him that we don't transcribe statements video statements unless requested by the crown. CST JACK asked me what notes he needed to copy for the brief. I figured he should know this by now and stated anything that pertains to the case. After

reviewing the witness statement I discovered that CST JACK hadn't taken any written or DVD statements from any witnesses prior to the photo line-up. He hadn't obtained a statement yet from the girl who was working the cash register and had rang the accused through at the till. I advised him this was required for the brief and to attend the business and obtain her statement. He didn't even have her name or contact details. CST JACK stated that this should be a crime unit call because he needs more time to work on it and cannot follow-up when responding to other calls. I advised CST JACK that everyone else can manage these types of calls and others at the same time. I asked CST JACK what he had done yesterday while he was in the office from 6am -2pm working on this brief. He said he worked on the GOR and reviewed the DVD 3 times to get the synopsis right.

- I directed CST JACK to contact 2 complainants regarding to calls for service and then get to the CSO and be in his zone. I was informed that he didn't get out on the road or leave the office until around 11:21am. I heard CST JACK attending the Home Hardware regarding the Fraud follow-up. I learned that while at the Home Hardware CST JACK never even got the cashiers basic details like, name address and phone #.
- CST JACK never contacted me on this date for any advice, direction or assistance.

22JUL 09 S/Sgt Campbell

- 1035hrs Sgt FLINDALL advises he has issue between CST Jennifer PAYNE and Cst. JACK. Cst PAYNE is assisting in the mentoring of Cst. JACK. Cst JACK is not able to multi-task or follows direction. Advised of issues with fraud and video transcription vs. summary. Cst JACK also has an issue of making his own notes. I advised Sgt FLINDALL to have the officer document problems and start work improvement plan. Track all issues on PCS066 this is why they need to be up-to-date. Sgt FLINDALL also advised of social issues on shift and advised it was up to him to ensure that the work place did not become a poisoned work environment to ensure persons acted professional.

22nd July 2009 Cst Payne

- CST JACK was sick
- I met with CST FILMAN and SGT FLINDALL regarding CST JACK. We discussed a old 23310 document to keep track of his issues and that a work performance plan needs to be completed

Thurs 23rd July 2009 Cst Payne

- I learned from SGT FLINDALL that CST JACK had requested to come in on overtime to interview the females regarding his fraud. He never did get their names, DOB or contact info. I learned that because CST JACK thought they were working on his rest days he could come in an interview them. He didn't think to get their details and contact them at home and interview them or make arrangements for when he was scheduled next.
- CST JACK was assigned a harassment call. At approx 12:20hrs he was asked to return to the office by SGT FLINDALL. At approx 18:05hrs I was sitting in the constable's office. I overheard a conversation between SGT FLINDALL and CST JACK in which SGT FLINDALL provided instructions to CST JACK about the criminal harassment case, which needed to be completed before he went home. SGT FLINDALL directed CST JACK to see if night shift could locate and arrest suspect and that he was to have the brief done, so if suspect wasn't arrested he could submit the brief for an arrest warrant. Specifically, SGT FLINDALL told CST JACK to complete the crown brief synopsis, the show cause, photocopy the written statements to add to the brief and do not type them into the brief it can be done by steno's later, summarize the victim DVD statement – do not transcribe it.
- At approx 21:32hrs while I was at home I learned from CST BROCKLEY who was working in the office that night on light duties that CST JACK has not asked him for assistance and that he left the office for approx 1 hour. I learned that CST JACK had gone to Staples business depot where he purchased headphones to listen to the DVD statement which he took a couple of hours earlier to transcribe it. This equipment is available in the office. Further, I would think that one should be able to summarize a statement they had taken a few hours earlier without having to listen to it again.
- I later learned from CST BROCKLEY that CST JACK asked him to finish the brief for him because he was too tired and needed to go home.
- I learned that CST BROCKLEY assisted CST JACK with a PTA/OIC and arrangements were made for CST JACK to come into work for a couple of hours the next day to arrest and release the accused.

24 Jul 09 S/Sgt Campbell

- On the evening of the 23rd of Jul 09 S/Sgt CAMPBELL attended the Detachment on another matter around 2300hrs. Cst. JACK was at the Detachment working on a brief. He was receiving instruction from Cst. BROCKLEY when I arrived. At approx. 0043hrs Cst JACK who appeared very tired requested permission to return to work the next day to complete the brief. He explained it was almost complete and in his present state he could do no

more. S/Sgt. CAMPBELL granted the OT thinking it would be a short time the next day.

Fri 24th July, 2009 Cst Payne

- I was off duty. I contacted OIC CST POSTMA to enquire on the progress of CST JACK and the criminal harassment case and indicated that he was supposed to come in and arrest the male and release him.
- At approx 18:15hrs I spoke with CST POSTMA again who advised me that CST JACK was still at the office and had just arrested the male and still had to deal with the firearms issue.
- I couldn't figure out what had taken so long if he had been in the office since the morning, why was he just arresting the male now.

Sun 25th July 2009 Cst Payne

- Scheduled rest day. I attended the office to review CST JACK'S notes regarding the Criminal Harassment call. SGT FLINDALL was out of country on vacation and Coach CST FILMAN had been on holidays.
- After reviewing CST JACK'S notes I discovered that on Fri 24th July 2009 CST JACK went on duty at 10:00am. At approx 10:25hrs he learned from the victims family that the suspect was working construction on Hwy 7 and just east of the detachment. CST JACK should have made arrangements to attend there and arrest the male which is what he was given the approval to do. Instead, CST JACK continued to work on the brief (which isn't required when you are just arresting and releasing on PTA/OIC. He can work on brief on next shift). It wasn't until 14:20hrs that CST JACK went to look for the suspect and discovered he had been there earlier but had left for the day. Now CST JACK had to look for him. He located him in Omeme and had him attend the office. CST JACK then had to return to the accused's house and seize the firearms. They left the office at approx 17:15hrs. 15 Firearms seized. At 8pm he started lodging the guns into the vault and didn't go off duty until 23:00hrs. He spent an additional 13hrs on call that probably could have been handled in about 6 or 7 if he had arrested male when he first came into detachment. In my view he was not efficient, and throughout this whole call he did not follow any direction that was provided to him first by SGT and second by a senior officer.
- I spoke with SGT FLINDALL while on vacation and updated him about the issue with this investigation and CST JACK'S inability to follow direction given to him by his supervisor.
- I had plans to meet with CST JACK to discuss his deficiencies regarding his investigation and brief for this Harassment call. I discussed this with his coach CST FILMAN who advised that I should let SGT FLINDALL address the issue because he was the one to issue the orders.

27th July 2009 Cst Payne

- I was the OIC for the shift. I didn't really have any dealings with CST JACK as I was busy with my own calls and arrest and he never came to me for advice that I recall.

28th July 2009 Cst Payne

- CST FILMAN, CST JACK and myself in same zone. I had auxiliary doubled up with me.
- I was acting as OIC for the shift. I learned from CST MORAN and CST DAVIDSON that a call for service had come in at approx 17:50hrs for Zone 3. CST DAVIDSON informed CST JACK who was in the Constables area. CST JACK refused to take the call stating he doesn't start until 6pm. Shortly, thereafter CST JACK approached me and asked me if there were any calls outstanding. I advised him to do the zone 3 property related call that was assigned to the zone 2 officer.

08AUG09 Cst Nie

- shortly after this he worked a few overtime shifts on our platoon when I was OIC – told me when he came to work that he was tired because he found it hard to switch between days and nights – asked him if he was telling me he couldn't work – told him he may as well go home if he is physically ready – said he was fine – later in the day I found out that he had doubled up with PC Pitts without asking saying he was too tired to drive – he was spoken to by PC Pitts about this

10 AUG09 S/Sgt Campbell

- 1116hrs S/Sgt CAMPBELL approached Sgt FLINDALL regarding the large amount of Overtime claimed by Cst. JACK on the 24th of JUL 09. Sgt FLINDALL advised while S/Sgt CAMPBELL was absent on vacation he met with Insp. JOHNSTON over the serious issues with Cst. PAYNE mentoring Cst. JACK. Sgt FLINDALL described issues with Cst. JACK understanding and following direction and understanding the offences. Sgt FLINDALL was asked what had been documented to which he advised that he had been verbally spoken to now he was placing him on paper. Cst PAYNE is putting together a chronology. Sgt FLINDALL could not provide any written documentation at this time. Sgt FLINDALL suggested given difficulties of Cst. JACK that his day and night wings be suspended until he could

multi-task and member supervised and assisted. I concurred with this approach so Cst. JACK could be supervised.

14AUG09 S/Sgt Campbell

- 1100hrs S/Sgt CAMPBELL spoke to Sgt FLINDALL requested to see Cst JACK'S evaluation. Sgt FLINDALL advised evaluation was not complete but would be completed that day.

15th August 2009 Cst Payne

- At approx 10:28hrs zone 3 units were dispatched to a report of a disturbance (possible domestic) at [REDACTED]. The complainant stated he heard "I'm gonna kill you and someone say, "put that down". CST JACK initial dispatched officer; I advised I was attending, as did CST MORAN, CST D'AMICO and SGT FLINDALL. While enroute waited to see if CST JACK would ask for a CFRO check or a Niche check. I asked for them after I figured I waited long enough for him to ask, as I wanted to know the information before I arrived on scene. When I arrived on scene CST D'AMICO was on scene speaking with someone out front. She directed me to the side of the house where CST MORAN was speaking with a male well known to police [REDACTED]. CST JACK was listening to their conversation while [REDACTED] son could have been pulled a side and spoken to. I tapped CST JACK on the shoulder and motioned for him move with me to speak with son. He must not have understood because he stayed listening to CST MORAN talk while I spoke with [REDACTED].
- At approx 10:54hrs we all left the scene. CST D'AMICO and CST MORAN headed east on the 14th line Smith to stop a vehicle that had passed the DAVIS' house. SGT FLINDALL, CST JACK and myself proceeded west bound on the 14th line of Smith in that order. We approached the stop sign at County Rd 23. SGT FLINDALL stopped and waited for traffic to pass then preceded south bound on Cty Rd 23. I pulled up to the stop sign and stopped and proceeded to make a left hand turn southbound onto Cty Rd 23. There was traffic south bound on Cty 23, but I was able to safely make my turn without interfering with the flow of traffic. I knew that CST JACK would not be able to make the turn safely by the time he pulled ahead the car length to the stop line, stopped, and looked for clearing, the traffic would have been too close. I watched CST JACK in my mirror and observed him stop at the stop sign. The next time I looked up in my rear view mirror CST JACK had pulled into the

intersection and was travelling southbound in the northbound lane. The south -bound traffic had to slow which allowed him to merge his way into the southbound lane. I'm sure his driving actions were seen by the public as arrogant. I contacted SGT FLINDALL to see if he had observed what had happened and he advised me that he had.

15AUG09 S/Sgt Campbell

-1130hrs S/Sgt CAMPBELL contacted by Sgt FLINDALL regarding Cst JACK'S driving action to a call and after the call. Sgt FLINDALL would be issuing Cst. JACK a traffic ticket for the violation he observed as Cst JACK almost caused a serious collision. Requested a briefing note.

16AUG09 S/Sgt Campbell

-1940hrs Sgt BANBURY contacted Sgt CAMPBELL at his residence to complain that he believed Cst JACK was feigning illness. Sgt BANBURY wanted to initiate an internal complaint. Sgt BANBURY advised to collect statements so both sides of the situation could be examined as there was two sides to every story.

16th Aug 2009 Cst Payne

- Didn't work with CST JACK today as he called in sick after being charged under the HTA by SGT FLINDALL
- Since the 15th August 2009 I haven't done any calls with CST JACK or spoke with him really. He has not come to me for advice or direction.

17AUG09 S/Sgt Campbell

-1330 S/Sgt CAMPBELL spoke to Sgt FLINDALL concerning allegation of sick time and importance of matter being investigated prior to coming to a conclusion.

-1400 S/Sgt CAMPBELL discusses with Sgt FLINDALL the potential of a Human Rights complaint and the importance of being objective, also getting a learning plan to correct Cst. JACK'S issues. S/SGT CAMPBELL would be re-submitting the Briefing note for the driving incident at the request of Acting Supt. BORTON.

18AUG09 S/Sgt Campbell

-0835 Acting Supt BORTON advises to move Cst JACK to have a fresh set of eyes, to switch platoons and coaches.

-0900 S/Sgt CAMPBELL contacts Cst. NIE to coach Cst. JACK. NIE agrees to complete coaching duties.

-1300hrs S/Sgt CAMPBELL speaks to denial of overtime to Cst. JACK. Cst. JACK advises that he had no supervision.

-1500hrs S/Sgt CAMPBELL advises Cst. JACK of meeting on 19th of Aug 09 with his Sgt to discuss issues of driving and a request for an assessment of his driving skills.

19AUG09 S/Sgt Campbell

-1145hrs Sgt FLINDALL and Admin. Sgt SMITH advised Cst JACK would be moved from his shift and the issues surrounding the move.

-1311hrs Sgt FLINDALL reports to S/Sgt CAMPBELL other issues of driving problems with Cst. JACK via Cst. HOBBS and Cst. JACK at a paid duty. Sgt FLINDALL advised neither Cst.HOBBS or Sgt SMITH had come forward nor from past experience both would do so if there were an issue.

-1320hrs Cst. JACK association rep Cst. Mitch ANDERSON, Sgt FLINDALL and S/Sgt CAMPBELL met to discuss the following issues:

Cst. JACK'S driving, not following direction; issues on his shift with answer shopping, and problems of transferring theory to practical application.

Sgt FLINDALL provided incidents and examples and informed Cst. JACK he would be issuing him two 233-10's in the does not meet category. Cst. JACK provided response to the issues. Cst JACK concerned he was not given proper direction or supervision in situations he was not familiar.

-Cst. JACK advised he would be moving shifts 30 Aug 09 and follow-up to his learning plans. Move of shifts would give him objective evaluation and fresh start. Present coach was going on parental leave and need for closer supervision and direction to correct issues.

Cst. JACK brought forward issue of WDHP and unprofessional conduct by members of his present shift. S/Sgt CAMPBELL requested information on the incidents and persons advising that there was a zero tolerance for such incidents. Cst. JACK refused to disclose any details. Cst JACK was happy with move from shift and action taken.

Cst JACK provides reasonable explanation for sick time usage. Sgt. FLINDALL and BANBURY advised legitimate use of sick time no further action.

20AUG09 S/Sgt Campbell

1615hrs - S/Sgt Campbell reviews Cst JACK PCS066 and returns to Sgt FLINDALL for service.

31AUG09 S/Sgt Campbell

-1400hrs Teleconference with Human Resources Inspector LEE, S/Sgt KOHEN, A/Sgt POSTMA, Sgt FLINDALL, Cst's NIE, FLINDALL, and S/Sgt CAMPBELL to review Cst. JACK files and work on solution to correct issues.

03SEP09 S/Sgt Campbell

-1650hrs S/SGT CAMPBELL met with Sgt FLINDALL to discuss performance issues

-1720hrs Sgt FLINDALL discloses that Cst. JACK is involved with [REDACTED] Organized Crime and is running OPP under cover cars involved in an ongoing investigation. Sgt FLINDALL advises information came from a gym photo shown by JACK to other shift members in the spring. Sgt FLINDALL advised to confirm his information and put it in writing. Sgt FLINDALL advised to forward these to Inspector JOHNSTON as CAMPBELL was away 04 Sep 09.

-Sgt FLINDALL and S/Sgt CAMPBELL discussed earlier comments made by Sgt FLINDALL WDHP and the vulnerability of probationary, immigrant and language difficulties.

09Sep 09 S/Sgt Campbell

0815hrs Discussed with Inspector JOHNSTON concerning the allegations of Cst. JACK involvement. Inspector JOHSTON had spoken to Sgt FLINDALL a short time ago and contacted Regional Headquarters Command Staff.

09SEP09 Cst Nie

- started at 0500hrs – notified by night shift Sgt. of pending threats call – asked him to gather info – he took one call for a stolen vehicle – asked him about threats call, said PCC said there were three calls and they had to go – told him to call back and get all three and we would prioritize – he called back and got all three - at 0542hrs still hadn't called comp. – tried to get me to leave call as not our zone
- at threats call the complainant [REDACTED] got upset with PC Jack and asked him to take off his sunglasses instead of hiding behind them – he would not at first – he was unable to resolve to gather the information – I

- stepped in and tried to calm situation but complainant said he would only talk to me and not Jack – ended with complainant asking us to leave
- explained to PC Jack that the hard/tough approach doesn't always work with every type of person – we have to change our approach with each call

10SEP09 Cst Nie

- 0530hrs working on crown brief for impaired case – had POA charges to add and one for no insurance – asked PC Jack if he had ever searched for MTO certified documents for a suspended driver – said he had – asked if he ever did a vehicle record search – said no – showed him where form was and attempt to fill in blanks and I would check
- At 0645hrs go to check – I pointed out two errors and he told me that he followed example that PC McNab had showed him at 0100 hrs some morning
- Questioned him why he told me no if he had already done one – told him that one of his issues was answer shopping and I would not tolerate it – told him this was his warning and not to do it again, I will not accept lying and blaming other officers for mistakes – he apologized and said he must have been mistaken by the form
- Advised while entering call for stolen vehicle that he needed assistance searching the address – it was [REDACTED] – he told me he had never been shown how to search for this – told him that in 8 months on the job I didn't believe him that he wouldn't know this, I said it was a day one teaching thing – explained in all the times that he had done reportable calls he had to have been shown this – he brought up an impaired occurrence [REDACTED] that had [REDACTED] entered incorrectly – said that PC D'Amico had showed him that – then changed and said that it was his mistake and he had been shown properly – told me that he was embarrassed and was not trying to be untruthful
- Advised PC Jack that he needs to be more aggressive/confident with his driving – he drives under the speed limit regularly, slows down and often stop at green lights, slows down completely when asked a question while driving – I keep reminding him to keep speed up
- MVC call on Blairton Road with [REDACTED] – immediately once he locates the driver he walks in and tells the man there will be no charges, he just needs to fill out the traffic report – I knew the suspect and upon checking his record it's discovered he is suspended four times over – PC Jack said that yesterday I told him to be softer on the approach with people – he realized his mistake but I reiterated that he has to adapt to each call
- He questioned me as to how to start off his notebook – said he was never taught – told him I didn't believe him because he would have been taught that on his first day – said that PC Filman never showed him, said he learned from PC Rusaw – again told him not to blame others, told him that I would look at how he does it and confirm it was okay, but I was not

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showing him my way so that he could later on use it against me – talked to him again about how he commits people to answers so that he can blame them if someone else tells him differently – told him I was not playing his games and he smiled and said he was sorry – it was clear to me that he knew what he was doing and that I had figured it out

- Appeared very stressed today with deciding what tasks to do and when – explained the need to prioritize and not just sit around the office all day doing paperwork – need to have a balance

10Sep 09 S/Sgt Campbell

-1330hrs S/Sgt CAMPBELL reviews work plan for Cst. JACK and also receives a note from Cst. PAYNE outlying WDHP complaint within it as to Cst. JACK'S behaviour towards her and inappropriate comments concerning her appearance. Allegation as well as to Cst. JACK secretly audio video taping fellow officers. S/Sgt Campbell brings this to the attention of Inspector JOHNSTON and also contacts Detective Inspector COX for direction.

11Sep 09 S/Sgt Campbell

0730hrs S/Sgt CAMPBELL speaks to Cst. PAYNE concerning her WDHP allegation and direction as to what would correct issue.

-1706hrs Cst. PAYNE advises that the change in shifts rectified situation she does not wish to pursue matter.

11Sep09 S/Sgt Campbell

Inspector JOHNSTON advises allegations of Cst. JACK'S crime involvement to be reviewed by Professional Standards Bureau. Peterborough Detachment is to do no investigation.

15SEP09 Cst Nie

- didn't offer to back up his zone partner on a 911 call – admitted he heard the call but didn't think he needed to go – blamed it on past calls he saw on his shift where officers went alone to 911 calls – explained to him how each call his different, can't make a standard set of rules
- PC Jack asks me last name of recruit that I coached named [REDACTED]
- stand-by keep the peace – he was unable to speak with the complainant or the homeowner so we attended the residence anyways – no one was present so he contacted dispatch and advised them to send the complainant to get her belongings – told him to stop and explained that it was not logical at all to have someone take belongings without the other

- half present – told him we could not do it that way – said he understood now why it could be an issue – again tried to excuse his decision based on a previous call and what he had seen – we discussed how the details were different
- 2130hrs – told him he needs to be more proactive – spending too much time in the office on paperwork, also that he needs to improve on his driving, again told him to stop blaming others for his mistakes – told him mistakes are understandable but to stop blaming everyone else

18SEP09 Cst Nie

- at start of shift were sent to PD MVC - enroute were asked to attend MVC scene with zone partner who had impaired driver – he told PCC that we already had a call but would attend the impaired accident – I then made arrangements for other officers to cover the original call we had, PC Jack had no idea what everyone else was doing because he wasn't listening to the calls – I explained that one officer was doing a stand by call for us and now another was doing an MVC
- approximately 10 minutes from the MVC we were sent to a sudden death and he decided to re-route from the MVC but asked for another officer to take that call – I explained to him how if he was listening he would have known that there was no one else available – also that since we were closer to the MVC, we would stop quickly, get the drivers information and tell him the officer would call him later – he said he thought sudden death was more important – I agreed but explained he needed to be able to deal with both calls quickly knowing that EMS were already ahead of us to the sudden death as the call came from them
- at the sudden death, he was unable to gather basic information right at beginning from the park owner to relay to the Sgt who was on his way – showed him what was required for a quick update – the park owner had no idea what PC Jack was asking until I stepped in to clarify – it was his first sudden death call though
- when attending hospital he was having difficulty deciding where to park in an empty lot – very nervous/indecisive, couldn't use common sense to park near emergency - said it was because he had never been there before but agreed patients are always taken to emergency at hospitals
- when leaving hospital a kid on a bike with no lights and no helmet drove right onto road in front of us behind our zone partner who had just passed – it was dark so the kid couldn't see we were police – PC Jack braked hard and then continued on – we finished our conversation about the call and then I asked why he didn't stop the bike – I asked him if he knew the two offences and he did, but when I asked why no stop he said he wasn't thinking like a police officer mind set – told him he was working the full 12 hours and that he needs to be able to multitask – just because we're talking doesn't mean we can't stop to deal with an offence – confirmed that this now did not mean to stop every kid on a bike with no helmet or

light, this was specific because he rode out in front of us – addressed multitasking skills again

- when back at office I told him to contact a fraud complainant that had called earlier in the night - as it was now 2330hrs or so, I told him to either explain that we would call back the next night at 1800hrs, or he could have an officer call her in the morning – I told him to take two minutes and quickly deal with it so we could work on the sudden death report, as he was already on overtime from his driving assessment – he spent over 20 minutes on the phone taking all the details of the call – told him that was not what I had instructed him – said he was not able to get her off the phone and I told him that he is the officer and can dictate how the call goes – be more assertive
- while driving to the sudden death call, he missed a turn because he relies solely on his GPS unit to get him to calls – I force him to read the map but he still inputs the address and watches the screen, often missing turns and having to circle back
- prior to writing sudden death report he said it won't be good because he is tired and exhausted – told him not to make excuses again because we have all been in the same situation and no one else says anything – especially new recruits

19SEP09 Cst Nie

- Baker Street fraud call – the complainant was trying to tell him that we were no longer required and he didn't listen and just took a full report – he spent 45 minutes on a call that could have been 5 minutes – time management addressed
- Upon leaving, he observed a male pedestrian who he thought was drunk, in his words, because he was walking with a drink in his hand (Tim Hortons' coffee) – he drove past the male and rolled down my window which I stopped him and told him to get out to approach the male – he left the car completely blocking the northbound lane of traffic with no emergency lights activated – traffic was not busy but those that came had to go into oncoming lane to go by - his approach with the male was very interrogative and the man asked if he was doing something wrong by walking with his coffee (he was obviously concerned about why he was stopped) – spoke with PC Jack about vehicle position, lights, tactics, etc. then asked why he didn't make a notebook entry – told me that he was still going to but we were talking – told him that wasn't true as we were 15 minutes down the road – he said that PC Crowder had told him that he didn't need to make his notes at the time of the call and that other times PC Filman was three hours behind in his notes – I asked him what his normal procedure was and he just again talked about the other officers – I sternly told him to stop playing games and to answer the question – When you stop someone for speeding, do you make your notes right away or drive down the road 15 minutes and then stop to do your notes. He got

mad and wouldn't answer so I pushed again for a response and he said he was thinking – he then said that he does each method 50% of the time – I told him this was a simple exercise to show him when he should make his notes – he said he didn't want to lie to me and I told him once again he was trying to set things up to blame someone else and he nodded in agreement

- Shortly after we stopped a speeder – he told me he didn't know how to fill in the township or where to sign the ticket – I told him to stop playing games with me, that after 8 months on the job he knew the answers – told him to look on his map for the township if he didn't know, and I told him to sign the tickets the way he always had – he said that he had been showed two different ways – I told him that I knew he wanted me to tell him how he should do it just so he could blame someone else if it was different than what I taught – he chuckled at me when I said this – it was very clear that he knows the games he is playing and I assured him I would point this out every time it happens

20SEP09 Cst Nie

- he asked me how to do a traffic report and provide the information to those involved – I told him to do what he was taught by PC Filman – again we discussed how it is completely inappropriate for him to set me up for a new answer to something he already knows and then blame another officer when it is different and he agreed – we discussed how there are several methods to provide traffic report information

23SEP09 Cst Nie

- PC Jack was served with an internal complaint about associating with undesirable people – he asked what he should do and I told him to call the association but I didn't want to know details
- Throughout the night he continued to bring up how he was not associated with those bad guys from the gym – he asked me if I remembered going to the [REDACTED] the other night and that it was owned by a drug dealer – asked if I remembered him talking about that guy [REDACTED] who he said had gone to [REDACTED] – I said that I remember telling him I had heard that the owner was into drugs and that I had stopped [REDACTED] for a twelve hour maybe five years ago – he said that he knew all those guys before he was police and hasn't talked to them for over five years – he said once he was police and found out they were bad he stopped going around them
- We attended a call a [REDACTED], the complainant, [REDACTED] immediately called PC Jack by his first name when we arrived and said "you don't remember me do you" - PC Jack said yes that it was from the gym and they discussed doing handstand push-ups – the complainant was very vague with his information about why he called and said "look Michael, you know all the history here so I don't need to get into it" – he

- then said that he knew that the conversation was being recorded – I stepped in and assured him that nothing was being recorded and the complainant said that PC Jack knew what he meant – I asked PC Jack what he was talking about and he looked very white and said nothing – I again told the complainant that nothing was being recorded – the brother of the complainant was arrested for prevent breach of peace after it was apparent to me that he would not calm down as he was drunk – I told PC Jack to arrest the male as I had had enough – at no time did he read RTC or Caution – when I brought it up 3.5 hours later he attempted to blame me saying that he was going to but I rushed him saying we needed to get back to the office quickly before the male damaged the cruiser – I explained that all he had to do was admit that he forgot but he kept trying to excuse it by blaming it on being rushed – I said if that was true he could have done it in the car on the way in or at any other time over the 3.5 hours – he said that he didn't do it there because he thought for safety the guy had to be in the car to read his rights because that is what he watched everyone do – again told him to just admit he forgot as that was better than to blame me for it – he just nodded his head but appeared angry
- He left to purchase gas and came back with a name on a piece of paper – he asked me if I knew that a Russian guy owned the Pioneer gas station – I said I had heard that and he showed me the paper and asked me to pronounce the name – I asked why and he said that he was in line to pay and noticed his name on his diploma – he said it was a Canadian version of the Russian name and again asked me to attempt to pronounce it which I did – he then walked away – very odd

24SEP09 Cst Nie

- stopped beside cruiser on shoulder in live lane of traffic – Highway 7 by Norwood – no emergency lights and traffic was coming up behind us
- upon entering EMS base in Norwood, PC Jack spoke with paramedic and had a short conversation which I was not present for all of it – when he left to go to washroom paramedic made symbol of a square and stated that “that guy can't think outside the box eh?” something he picked up on within a short time frame – also kept rolling his eyes at me listening to PC Jack attempt to clear a call with someone on the phone and get details
- discussed with him the fact I had heard twice about the recording device – denied it outright and had no explanation for call from last night – said it was a mistake that the guy thought he knew him, confirmed he had never been to 920 Kelly before and did not know any history as Steve Ryan had stated – told him it bothered me that I felt like the outsider not privy to details that he and Steve knew but weren't talking about – he said Steve was mistaken – I said I just was asking about what I heard and why he said it – PC Jack said he was probably just talking about police recording things in general and I said no, he was talking directly to you – again he denied knowing any history and had no explanation – told him if I ever

found out he was recording me without my knowledge we were finished and he could find a new coach – told him the Sgt. was aware that I was talking to him about this – he became upset and said it was just another thing he was being threatened with – confirmed that I was not threatening him, just giving him facts as I saw them – he said he couldn't understand why I was asking things, told him I was just connecting the dots that were in front of me and I wanted an explanation

02OCT09 Cst Nie

- attended crime scene near Burleigh Falls – PC Jack advised he had never done one before and needed direction – he was given a crime scene log from the prior officers that he was relieving and was told to fill in the blanks with the appropriate responses as it was straightforward – at one point he asked if licence plates should be written down and people that passed by – he was given direction as to what I thought was appropriate or not – he then got out and showed me a copy of a log that he had found with instructions on what to do – I told him this was another example of him setting me up to tell him something different than what he already knew to do
- teleconference with Kent Taylor and Staff Campbell discussing the need for remedial driving
- family dispute call – PC Jack got to the point where he had no idea what to do and told the complainant that he needed to have me explain what to do because I was more senior and had better knowledge – he tried to justify it by saying that I knew more about banking and mortgages which I explained had nothing to do with the complainants questions – the son of the complainants girlfriend attended and was irate- PC Jack appeared nervous and was very concerned by his words “oh no” when he saw the son punch his truck in the driveway - it was explained to PC Jack that I was not certain he felt confident to look after that situation had I not been there – it appeared it would have gone out of control quickly – he even needed direction at the beginning of the call to keep the involved parties separate

08OCT09 Cst Nie

- near start of shift had to transport a prisoner to court – attended cell area with PC Jack, two other members of the shift were present as well – PC Jack had all dealings with guard and a female prisoner walking by without talking his gun off – began completing prisoner form for a release as opposed to a transfer – when he went to get our prisoner I pointed out his gun and he said he knew – I told him he didn't or he would have taken it off – also pointed out that he didn't search the accused - once at court he