

## PROBATIONARY CONSTABLE WORK IMPROVEMENT PLAN

This plan is designed to assist the supervisor in addressing employee performance problems. The objective of this plan is to correct identified work performance deficiencies or behaviour problems in order to elicit an acceptable level of work performance and meet the requirements for Probationary Constable.

This plan will be initiated when the PCS 066P indicates:

- DOES NOT MEET REQUIREMENTS in any category, or
- NO BASIS FOR RATING for the same category for two consecutive months.

**Note: Career Development Bureau shall be consulted regarding any evaluation for which a WORK IMPROVEMENT PLAN has been implemented.**

Probationary Constable: Badge:	M. JACK  12690	Accountable Supervisor: Badge:	R FLINDALL
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### DESCRIPTION OF DEFICIENCIES THAT REQUIRE IMPROVEMENT TO "MEET" WORK PERFORMANCE STANDARDS

Listening Skills - Have normally shown to be a good listener however recently he has been given specific instruction in relation to what to do for a certain case and what not to do. PC JACK ignored these instructions and did what he was told not to do and in the other case did not follow the direction he was given.

Coach Officer's Comments:

An easily corrected issue

Coach Officer's  
Signature:

Date:

Probationary Constable's Comments:

Probationary Constable's  
Signature:

Date:

### ACTIONS/STEPS TAKEN TO CORRECT PERFORMANCE DEFICIENCIES: (specify time frame to compete) *To be completed by Accountable Supervisor*

When a supervising officer instructs PC JACK to do something, especially a sargeant these instructions should be followed exclusively. Also when an experianced officer tells him he is not to do something like re-write a statement verbatim but make a synopsis for the sake of expiditing the case this should also be followed.

#### Comments mandatory at all levels

Accountable Supervisor's Comments:

## PROBATIONARY CONSTABLE WORK IMPROVEMENT PLAN

Accountable Supervisor's Signature:	Date:
Probationary Constable's Signature:	Date:
Detachment Commander's Comments:	
Detachment Commander's Signature:	Date:
Regional Commander's (or designate) Comments:	
Regional Commander's (or designate) Signature:	Date:

<b>RESULTS ACHIEVED</b> <i>To be completed by Accountable Supervisor</i>

Standards "met" have been indicated in the **RESULTS ACHIEVED** area. Standards that have not been "met" will continue to be documented in the next month's improvement plan.

Probationary Constable's Signature:	Date:
Accountable Supervisor's Signature:	Date:
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Planning and organization -PC JACK is a very organized person. He usually comes to work with a pre-written task list

However, it is viewed that PC JACK cannot multitask. He has difficulty prioritizing what needs to be done on his list.

Part of the issue is that PC JACK will go too far in his investigation completeing tasks that don't need to be done or over investigating. This could be identified by typing a statement verbatim that didn't have to be or contacting and taking statement from witnesses that have no releavant information to provide.

Coach Officer's Comments:

Coach Officer's  
Signature:

Date:

Probationary Constable's Comments:

Probationary Constable's  
Signature:

Date:

### ACTIONS/STEPS TAKEN TO CORRECT PERFORMANCE DEFICIENCIES: (specify time frame to compete)

*To be completed by Accountable Supervisor*

All officers working are at times required to stop what they are doing and take on a task which may be less or more important that the one they were actively working on. PC JACK needs to be able to take these tasks and work on them in an order that allows the most important to be completeted and the less important to be put aside until time permits. Time management also has to be implimented to get these tasks done

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Accountable Supervisor's Comments:	
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### DESCRIPTION OF DEFICIENCIES THAT REQUIRE IMPROVEMENT TO "MEET" WORK PERFORMANCE STANDARDS

Provincial Statutes - Although for the most part PC JACK has been able to identify the elements of most provincial statutes he was not able to identify the elements associated with the Mental Health Act.

Coach Officer's Comments:

An easily corrected issue

Coach Officer's Signature:

Date:

Probationary Constable's Comments:

Probationary Constable's Signature:

Date:

### ACTIONS/STEPS TAKEN TO CORRECT PERFORMANCE DEFICIENCIES: (specify time frame to compete) *To be completed by Accountable Supervisor*

Review the Mental Health Act and identify to his coach officer what would be required to make an arrest under the Mental Health Act and when someone may show signs of Mental Health issues but nit be a candidate for an arrest.

**Comments mandatory at all levels**

Accountable Supervisor's Comments:

Accountable Supervisor's Signature:

Date:

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### DESCRIPTION OF DEFICIENCIES THAT REQUIRE IMPROVEMENT TO "MEET" WORK PERFORMANCE STANDARDS

Resolution - PC JACK did not meet requirements in this field because a a stand by keep the peace that he attended and was unable to resolve the issue until another officer arrived. The main issue is that PC JACK did not request the other officer one of the parties involved did when they found that the problem was not being resolved and in fact said to the communications center "this is going no where". The underlying issue to this call was that the dispatch was taken over the phone by PC JACK at his request and he did not advise or bring another officer with him to a stand by and keep the peace.

Coach Officer's Comments:

Coach Officer's  
Signature:

Date:

Probationary Constable's Comments:

Probationary Constable's  
Signature:

Date:

### ACTIONS/STEPS TAKEN TO CORRECT PERFORMANCE DEFICIENCIES: (specify time frame to compete) *To be completed by Accountable Supervisor.*

When a problem is taking to long to resolve or you are unsure of how to resolve a problem call another officer or better bring a second officer with you.

#### Comments mandatory at all levels

Accountable Supervisor's Comments:

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Respectful relations - Does not meet requirements was selected here because several officers advised PC JACK of appropriate charges that should be laid in a break and enter. At the time PC JACK did not say anything to the officers involved but on a later date PC JACK was overheard asking other officers what they thought and giving them partial information. This answer shopping can paint the other officers in a bad light, creates rumors and deteriorates moral.

Coach Officer's Comments:

Coach Officer's  
Signature:

Date:

Probationary Constable's Comments:

Probationary Constable's  
Signature:

Date:

### ACTIONS/STEPS TAKEN TO CORRECT PERFORMANCE DEFICIENCIES: (specify time frame to compete) *To be completed by Accountable Supervisor*

The main issue is answer shopping as indicated previously this should be avoided at all costs and if you are unsure ask the officer who gave the advice for clarification or consult the criminal code or other relevant source.

### Comments mandatory at all levels

Accountable Supervisor's Comments:

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Self confidence - During this evaluation period, PC JACK has been involved in numerous situations which has required either disciplinary action or instruction on how to complete tasks properly. It has been found that PC JACK does not take criticism well and will avoid that person for a period of time.

Coach Officer's Comments:

Coach Officer's  
Signature:

Date:

Probationary Constable's Comments:

Probationary Constable's  
Signature:

Date:

### ACTIONS/STEPS TAKEN TO CORRECT PERFORMANCE DEFICIENCIES: (specify time frame to compete) *To be completed by Accountable Supervisor*

Take ownership for mistakes, discipline or instruction and use these circumstances as learning oppoirtunities and better yourself from them

**Comments mandatory at all levels**

Accountable Supervisor's Comments:



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**From:** Flindall, Robert (JUS)  
**Sent:** August-31-09 7:40 AM  
**To:** Kohen, Colleen (JUS)  
**Cc:** Campbell, Ron (JUS)  
**Subject:** RE: PCS066 for Mike Jack

Good morning S/Sgt. Kohen,

Please find attached a copy of PC JACK's last PCS66 which has identified all of his current issues. PC FILMAN completed all of the associated WIP's for this evaluation period and emailed them to me last night, however I can't seem to find his email. I'm not sure if he did a recall on the email and he's now gone home. We will both be in for the teleconference call this afternoon at 1400hrs and I will have him provide them at that time.



Best regards,  
Robert Flindall

Best regards,

Robert Flindall  
Sgt. 9740  
Peterborough County OPP  
VNET 508-4120  
Tel : (705) 742-0401  
Fax : (705) 742-9247

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**From:** Campbell, Ron (JUS)  
**Sent:** August 27, 2009 4:22 PM  
**To:** Flindall, Robert (JUS); Filman, Shaun (JUS); Postma, Jason (JUS); Nie, Richard (JUS)  
**Cc:** Kohen, Colleen (JUS); Johnston, Mike P. (JUS)  
**Subject:** PCS066 for Mike Jack

Rob, Please read the below emails. S.Sgt Kohen requires electronic copies of Cst. Jack's evaluations emailed to her. We will have a phone meeting 2pm on Monday 31 Aug 09 I think we will call from the board room phone. Ron

You sure can.. 505 4030.

Are you sending the PCS66P via e mail as my office is in Burlington Det... I only go to GHQ once a week to pick up the originals

Colleen

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**From:** Campbell, Ron (JUS)  
**Sent:** August 27, 2009 4:07 PM  
**To:** Kohen, Colleen (JUS)  
**Subject:** RE: PC Jack

could we call you about 2pm on Monday??

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

**From:** Kohen, Colleen (JUS)  
**Sent:** Thursday, August 27, 2009 3:58 PM  
**To:** Campbell, Ron (JUS)

**Cc:** Johnston, Mike P. (JUS)  
**Subject:** RE: PC Jack

Hi Ron

I am more than willing to assist. I have reviewed my file and can say that I have received month 1 and 2 ( combined ) and month 3 and 4 PCS66P

I was at GHQ yesterday and no other PCS66P for Prob Jack was there. He is currently in month 8 . I assume they have been submitted to Region ?

For the conf call would it be possible to get an e mail copy of month 6 and 7 .. For me to review.

I am good Monday or Tuesday next week and just let me know what time and where to call into .

Colleen

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



Ontario  
Provincial  
Police

File: 291

## PROBATIONARY CONSTABLE PERFORMANCE EVALUATION REPORT (PCS-066P)

<b>Probationary Constable Category (select one):</b>	<input checked="" type="checkbox"/> 4 <sup>th</sup> Class Constable, Probationary Status    Report Month:    6 <input type="checkbox"/> Experienced Officer    Report Month:    select month <input type="checkbox"/> Amalgamated Officer    Report Month:    select month
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<b>Surname:</b> JACK		<b>Given Name:</b> Micheal	
<b>Badge:</b> 12690		<b>WIN:</b> 393080	
<b>Detachment/Section:</b>	Peterborough County	<b>Region/Bureau</b>	Central
<b>Evaluator:</b>	CST FILMAN	<b>Badge:</b>	11212
<b>Evaluation Period:</b> (DD/MM/YY) <b>Start:</b> 09 June 2009		<b>End:</b> 09 August 2009	
<b>Probationary Period Start Date*</b> (DD/MM/YY)    09 Jan 09			
**4 <sup>th</sup> Class Constables begin their probation period on the date of their graduation from the Provincial Police Academy			
** Experienced Officers and Amalgamated Officers begin their probationary period on their start date with the OPP			

Coach Officers and Accountable Supervisors have responsibilities associated with the day-to-day coaching, development and supervision of the Probationary Constable utilizing the Recruit Field Training Manual.

**All completed PCS 066P documents are to be sent to the Career Development Bureau after Regional Command comments and signatures are obtained.**

Ontario Public Service (OPS) policy requires every OPS employee to have an annual Performance Development Plan (PDP) and Learning and Development Plan. The Probationary Constable Evaluation form, in conjunction with the Constable position description constitutes the PDP for OPP Constables while on probation. This form specifies the criteria by which the performance of Probationary Constables is evaluated and establishes the basis for recommending (or not) a change from probationary to permanent status.

The Recruit Field Training Manual is the generic Performance Evaluation Plan for Probationary Constables. It is supplemented with an individualized Work Improvement Plan when necessary to help a Probationary Constable satisfactorily meet all expectations set out in this form. The Coach Officer and Supervisors roles are essential to the Probationary Constable's success in obtaining permanent status.

## PERFORMANCE ASSESSMENT

The Performance Assessment Criteria have been developed to provide a standardized rating for levels of performance. **Probationary Constables must achieve "Meets Requirements" in all categories in order to be recommended for permanent status.**

<b>Meets Requirements</b>	Performance consistently meets requirements.
<b>Does Not Meet Requirements</b>	Performance fails to meet requirements. (Mandatory that Work Improvement Plan be completed)
<b>No Basis for Rating</b>	Not demonstrated or observed. (Mandatory comment required)

<b>JOB KNOWLEDGE &amp; SKILLS</b>	<b>RATING</b>
<p><b>ATTITUDE TOWARDS LEARNING</b></p> <p>Able to re-evaluate personal opinions, judgments and assumptions based on new information and experiences; able to learn from mistakes and accept disappointments as well as successes.</p> <p>Specific example: PC JACK has an obvious desire to learn and takes his own initiative to do so. However, having said this, his ability to take advice or constructive criticism or direction from experienced officers is sometimes met with "I know". This has led to some question about his attitude from these officers.</p> <p>SPO9148553 - As the result of a traffic complaint about a possible impaired driver PC JACK located and stopped the vehicle. He appropriately issued a roadside demand and when the subject failed the roadside he arrested the driver and issued the Demand for the intoxilyzer. PC JACK however, did not issue the rights to counsel and caution to the accused until he was back at the detachment after I questioned him about this time. PC JACK acknowledged the mistake and immediately corrected the issue.</p>	<p><b>Meets Requirements</b></p>
<p><b>PROVINCIAL STATUTES</b></p> <p>Able to identify, articulate and process applicable elements in Provincial Statutes.</p> <p>Specific example: SPO9175350 - Mental Health Act.</p> <p>On the 3<sup>rd</sup> August 2009 PC JACK attended this call with PC CROWDER (who was the back-up officer). The complainant was reporting that people living upstairs had equipment that made her head buzz. PC JACK obtained details from the female. He didn't appear to know what to do. Once outside the residence he asked PC CROWDER how he would have handled the call. PC CROWDER asked PC JACK how he would handle it and what his authorities are under the mental health act. PC JACK stated he would take her to the hospital for an evaluation. PC JACK did not know his apprehension authorities under the mental health act.</p> <p>From 10<sup>th</sup> June 2009 to 09 August 2009 PC JACK has issued the following Provincial Offences notices:</p> <p>HTA : 21 , CAIA : 2</p>	<p><b>Does Not Meet Requirements</b></p>

**FEDERAL STATUTES**

Does Not Meet Requirements

Able to identify, articulate and process applicable elements in Federal Statutes.

Specific example:

SPO9148553 - As the result of a traffic complaint about a possible impaired driver PC JACK located and stopped the vehicle. He appropriately issued a roadside demand and when the subject failed the roadside he arrested the driver and issued the Demand for the intoxilyzer. PC JACK however, did not issue the rights to counsel and caution to the accused until he was back at the detachment after I questioned him about this time. PC JACK acknowledged the mistake and immediately corrected the issue.

SPO9178964 - B&E in progress

PC JACK and other Peterborough County members were dispatched to a call of a B&E in progress at an old school in Youngs Point. Damage was done to the windows and once inside the building the alarm was tripped in 3 different locations by the suspects. 4 males arrested at scene shortly after by police. Canine and Ert called in to assist.

PC JACK was informed by SGT FLINDALL appropriate charges. Subsequent to this call PC JACK began asking around to officers on other shifts as to their opinion of what charges should be laid. PC JACK was of the opinion that it was not a break and enter, despite obtaining a confession from one of the accused. PC JACK again spoke with his Sgt who in turn reiterated the appropriate charges. Again, PC JACK turned to another officer to seek out their opinion on the matter. In both cases, PC JACK with held information from both officers as to the confession, which caused them to provide erroneous advice. PC JACK has been spoken to by his peers as to what constitutes a break and enter. 233-10 documentation on file.

SPO9143413 & SP09143389 - Suspicious Male turned Arson Suspect - PC JACK assisted in arrest of male on a stolen lawnmower in Peterborough OPP area. When taken back to scene of theft and accused's residence, City of Kawartha Lakes OPP were there investigating an arson on the same street. Accused now became suspect in an Arson. At one point PC JACK was advised to watch the accused who was handcuffed in a cruiser while the other officers attended at a residence, when they returned to the police vehicle PC JACK was inside the vehicle speaking with the accused. PC JACK was questioned if he had read the accused a supplementary caution, which he hadn't and he wasn't aware he needed to. PC JACK was spoken to about supplementary caution and about speaking with the accused which could put the investigation in jeopardy as the crime unit were interested in interviewing/interrogating the suspect.

**POLICE ORDERS/PROCEDURES/TECHNICAL SKILLS**

Meets Requirements

Able to identify, locate, articulate and demonstrate applicable elements of Police Orders pertaining to policy, procedure, and guidelines. Able to utilize CPIC, E-mail, RMS Systems.

Specific example:

PC JACK has versed himself well in using the OPP systems. He has even taken it upon himself to get the proper training manuals and review them on his own personal time.

**POLICE VEHICLE OPERATION**

Meets Requirements

Drives a motor vehicle in compliance with traffic laws in a safe and proficient manner. Employs appropriate pursuit and emergency driving strategies in compliance with policy. Able to multitask effectively.

Specific example:

PC JACK has been patrolling day and night on his own. He has attended emergent calls for



<p>service. At this time there has been no issues that I am aware of. He is arriving at his destinations in a safe and timely manner.</p>	
<p><b>TRAFFIC ENFORCEMENT</b></p> <p>Able to maintain a consistent level of proactive visible deterrence patrol in conjunction with enforcement and motorist contacts. Generates a level of productivity and enforcement quantity consistent with a conscientious effort balanced against the requirements of other duties. Takes ownership of Road Safety, participates in initiatives, ensures data integrity, seeks and identifies solutions to problems, and shares relevant information/ideas.</p> <p>Specific example: As listed in the Provincial Statues section PC JACK issued 15 HTA PON's in Jun and 6 in July. It appeared that most of these charges stem from motor vehicle collisions that he was dispatched to. Three of the charges were in conjunction with from Impaired/over 80 investigation. It is recognized that this evaluation period falls over an extremely busy time at the Detachment. He is encouraged to keep up his proactive enforcement.</p> <p>Further, PC JACK issued 2 CAIA charges during this evaluation period.</p> <p>On one occasion PC JACK set up RIDE by himself which resulted in an impaired and over 80 charge. SP09178258</p>	<p>Meets Requirements</p>

COMMUNICATION SKILLS	RATING
<p><b>ORAL</b></p> <p>Questions and interviews others appropriately to gain information. Communicates ideas and concepts clearly, effectively and in a professional manner.</p> <p>Specific example: PC JACK continues to receive detailed statements from witnesses, victims and accused persons. The statements are positive and adequate for court purposes. I have found that PC JACK is cautious and detailed when conducting his interviews SP09148533.</p>	<p>Meets Requirements</p>
<p><b>WRITTEN</b></p> <p>Expresses self clearly and concisely in writing. Documents information accurately in a timely manner and includes all necessary information that is required for reports utilizing electronic forms such as RMS.</p> <p>Specific example: During this evaluation period PC JACK has responded to approximately, 94 calls for service. He has had many reportable occurrences.</p> <p>PC JACK'S reports are articulate, and detailed. They are not confusing to the reader and provide a lot of detail about the particular investigation. SP09146471 refers as an example.</p> <p>RE: Timely manner: On 13<sup>th</sup> July 2009 PC JACK was spoken to by PC PAYNE, who was assisting him with paperwork, regarding 2 investigations that were approximately 1 month old in which he had still not entered an initial report on Niche. SP09087157 -FRAUD (from 26 Apr 09) and</p>	<p>Meets Requirements</p>

SPO9124113 Fraud (from 10 June 09)

PC JACK was advised he had written a report on a word file and save it to his drive. PC JACK had worked on the report from home while on rest days. PC JACK was advised that reports need to be entered in a more timely manner, especially for more serious calls for service so others have access and can understand the progress of the case should they require it. PC JACK was advised to use Supplementary reports for follow-up.

### LISTENING SKILLS

Expresses active listening skills; accurately understands and attends to the facts and feelings of the sender. Able to clarify and re-frame the message with the sender in a professional manner.

**Specific example:**

PC JACK is fully capable of receiving proper information and attending to the facts. To date his statements have been very detailed.

PC JACK attended to an assault SP09146471, although charges weren't laid in the matter the statement taken was proper and had the relevant facts in issue required if it were to be used in court.

SPO9087157 -FRAUD - PC JACK requested assistance with a Fraud investigation from PC PAYNE. PC PAYNE provided PC JACK with some advice/direction with putting the brief together for an arrest warrant. PC PAYNE had made it clear to PC JACK not to transcribe the witness video statement verbatim as it was not required and was time consuming. Further PC PAYNE instructed PC JACK to put at the top of the witness summary " The following is a synopsis of a video statement taken from (person ) and is not to be taken as verbatim". PC JACK failed to listen to PC PAYNE'S direction and spent 3 hours transcribing the video statement verbatim. He viewed the statement 3 times which took a couple of hours to get it correct. PC JACK failed to listen to instructions provided and follow the direction.

SPO9154458 - Criminal Harassment --- On the 23<sup>rd</sup> of July 2009, PC JACK was involved in a Criminal Harassment investigation. PC JACK was provided instruction by his Sergeant on how to complete the task, including instruction to not complete a video statement transcription. PC JACK was expected to complete the crown brief on overtime, with the end result of having the accused in custody or the brief complete for an arrest warrant the following day. PC JACK disregarded the direction given to his Sergeant and only completed a video transcription and General Occurrence report. 233-10 documentation on file.

Does Not Meet Requirements

### NON-VERBAL

Uses appropriate body language, gestures, and demeanor; is aware of their effect on others.

**Specific example:**

PC JACK is aware of how his appearance and demeanour can effect his interaction with complainants and accused parties. He uses appropriate interview stance techniques with these individuals.

Meets Requirements

### RADIO COMMUNICATIONS

Uses appropriate and respectful language when utilizing the communications system, communicates effectively, uses 10 codes.

**Specific example:**

PC JACK is now patrolling on his own. His communication skills are improving. PC JACK is conscious of his thick accent and makes an effort to speak clearly and consisely.

SP09152940 --SP09158516 - On the 17<sup>th</sup> July 2009 PC JACK attended at a camp to follow-up on a call that occurred during his rest days and had already been investigated by another

Does Not Meet Requirements

<p>officer. PC JACK did not notify the PCC or his zone partner nor anyone else on shift where he was. It was only when he was dispatched to another call for service (SP09158516) that he advised he was busy conducting follow-up. It was discovered this wasn't even one of his investigations and PC JACK was advised to attend at the outstanding call for service. On the 18<sup>th</sup> July 2009 PC JACK was spoken to about the importance of notifying the PCC of his 10-20 when he gets out of his vehicle especially for 10-78 reasons.</p>	
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COMMUNITY FOCUS	RATING
<p><b>COMMUNITY FOCUS</b></p> <p>Demonstrates a desire to help and serve others; works to discover and meet community needs; demonstrates a customer service orientation towards the public; develops culturally appropriate contacts that can provide support to victims of crime.</p> <p>Specific example: PC JACK attends both Community Policing Offices in his zone on a daily basis to complete paperwork and follow up related matters. In doing so, PC JACK routinely makes himself available to the public. This approach will certainly assist him in the future as he gains the communities trust.</p>	<p>Meets Requirements</p>
<p><b>VALUING DIVERSITY</b></p> <p>Works effectively with a wide cross-section of the community representing diverse backgrounds, cultures and socio-economic circumstances.</p> <p>Specific example: PC JACK has no issues working within a diverse community in which Peterborough County Detachment polices.</p>	<p>Meets Requirements</p>

PROBLEM SOLVING SKILLS	RATING
<p><b>DECISIVE INSIGHT</b></p> <p>Uses knowledge and training to effectively problem solve situations and make the best decision at the most appropriate time.</p> <p>Specific example: SPO9148553 - Impaired Driver - On July 6<sup>th</sup> 2009, PC JACK received a traffic complaint in which the caller was reporting a possible impaired driver. Based on the information provided by the complainant, PC JACK knew that he was out of position to look for the impaired driver. PC JACK was able to determine the best course of action to put him in the best position to intercept the possible impaired. As a result of actions, PC JACK was ultimately able to locate the suspect vehicle and impaired charges were laid as a result.</p>	<p>Meets Requirements</p>
<p><b>ANALYTICAL THINKING</b></p> <p>Demonstrates logical cause and effect thinking; systematically identifies basic patterns or connections between situations, persons or events; identifies key elements in complex situations.</p> <p>Specific example: SPO9087157 - Fraud - PC JACK has been involved in a lengthy credit card fraud investigation in which a credit card was used to obtain merchandise on two occasions from a home hardware store north of Peterborough. A credit card fraud is not typically an investigation a probationary would tackle and one not as involved as this matter. As a result of PC JACK's investigation, he has been able to determine that the suspect in his investigation has been involved in other criminal activity elsewhere in the province. PC JACK prepared documentation for these jurisdictions and has provided them with information concerning these frauds. PC JACK has completed a crown brief package in this matter and a warrant has</p>	<p>Meets Requirements</p>

been sought for the suspect's arrest.

### RESOLUTION

Selects the most effective problem-solving strategy and (when appropriate) implements this strategy involving the community.

Specific example:

SPO9133110 - PC JACK attended at a stand-by and keep the peace. PC JACK has attended at these types of calls in the past. This is a 2 person call and part of issues stemming from this call are due to the fact he did not request a second unit to attend to assist. While on scene at the incident, one of the parties involved contacted the PCC and requested another officer attend as things were not progressing. Once second officer attended and the matter was quickly resolved. PC JACK explained that he was unaware of the act that legislated over trailer parks and that was the main problem. PC JACK was given advice should this happen again in the future.

Does Not Meet Requirements

### FOLLOW-UP ORIENTATION

Conducts appropriate follow-up as required to complete a thorough investigation.

Specific example:

SPO9087157 - PC JACK was assigned this call on the 26<sup>th</sup> April 2009. On the 18th July 2009 CST PAYNE was assisting PC JACK with putting an arrest warrant/brief package together. PC JACK had finally added the GOR. PC PAYNE advised PC JACK to complete a synopsis of the video statement, print out new CR for the accused, photocopy his notes and other documents and when complete he can go to an ESO to put brief together and still be in his zone. On the 19<sup>th</sup> July CST PAYNE assisted PC JACK with putting the brief together. PC JACK commented that this call should be a crime unit call because he doesn't have the time for the follow-up and requires more time to work on it. After reviewing the one and only statement, it was discovered that PC JACK hadn't obtained the name or details of the female cashier who processed the transaction with the accused at the business. This person is a key witnesses in the investigation and her details and statement should have been obtained much earlier in the investigation. PC JACK was instructed to obtain her details and a statement for the investigation and brief. On the 19<sup>th</sup> July 2009 PC JACK attended the business to enquire about the female cashier. He left the business again without obtaining basic contact details to contact her at home. He learned she would be working on one of his rest days and asked SGT FLINDALL if he could come in on overtime on a day off to meet with the girl when she was working. PC JACK was advised he can interview the female when he is working next.

I have observed PC JACK call insurance companies regularly when provided with expired insurance slips by drivers. This is something some officers may not always do if the slip is fairly current.s

Does Not Meet Requirements

## LEADERSHIP ATTRIBUTES

## RATING

### INITIATIVE

Tries to make a positive difference, improve outcomes and effectively manage problems.

Specific example:

During this evaluation period, PC JACK has made a concerted effort in attempting to arrest an impaired driver. During one of his RIDE stop checks he initiated, he was

Meets Requirements

<p>successful in locating and arresting an impaired driver. He is encouraged to continue these proactive traffic initiatives and to include his shift mates in meeting these goals.</p>	
<p><b>PERSONAL ACCOUNTABILITY</b></p> <p>Takes responsibility for one's own actions and consequences and willingly deals with any identified performance deficiencies.</p> <p>Specific example:  SP09164458 - Criminal Harassment - 233-10 documentation on file as indicated in other sections of PCS066.</p> <p>PC JACK has difficulty accepting responsibility for his actions where these actions have either been deemed inappropriate or deficient. In this above noted incident, PC JACK has not taken responsibility for not following the directions of his Sergeant.</p> <p>In the future, PC JACK is expected to take responsibility for his own actions, learn from his mistakes and apply this to his future investigations so that these deficiencies don't happen again.</p>	<p>Does Not Meet Requirements</p>
<p><b>PLANNING &amp; ORGANIZING</b></p> <p>Sets priorities, co-ordinates and schedules each task in a logical manner while exercising time management skills.</p> <p>Specific example:  PC JACK is a very organized person. He usually comes to work with a pre-written task list</p> <p>However, it is viewed that PC JACK cannot multitask. He has difficulty prioritizing what needs to be done on his list.</p> <p>SP09164458 - Criminal Harassment - PC JACK was giving a list of specific instructions for dealing with this call by SGT FLINDALL. They were to have night shift make attempts to locate and arrest suspect; do up brief for this case and submit before going home. Brief to include; synopsis, photocopies of witness statements; summary of victim video statement; show cause hearing report. If not arrested then brief can be submitted for warrant. PC JACK entered a GOR which was not required that evening. He transcribed the video statement which was not required (after leaving the detachment and attending Staples Business Depot and purchasing headphones - to listen to the statement) . PC JACK did not complete and submit a bail /warrant brief as he was directed to do by SGT FLINDALL . He requested CST BROCKLEY complete his brief synopsis for him. This reflects his poor time management skills, working on items he wasn't told to do an weren't required at the time</p> <p>On the 17<sup>th</sup> July 2009 PC JACK was following up on an investigation that he wasn't asked to assist with, while he had his own investigations that required follow-up. PC JACK's notebook for this date refers to his follow-up relating to SP09152940. His task list at the time had a 2 frauds, a theft call, and a neighbour dispute that S/SGT CAMPBELL was requesting he follow-up on.</p>	<p>Does Not Meet Requirements</p>
<p><b>FLEXIBILITY</b></p> <p>Adapts to a variety of changing situations, individuals and groups.</p> <p>Specific example:  PC JACK has made himself available on numerous occasions to assist other officers in the Detachment by working their shifts. He has also worked many overtime details without complaint.</p>	<p>Meets Requirements</p>

INTERPERSONAL ATTRIBUTES	RATING
<p><b>INTEGRITY</b></p> <p>Demonstrates courage of convictions and ethical standards as set out in The Promise of the OPP. Protects the rights of all persons (inclusive of victims, accused persons and marginalized persons) consistent with the Canadian Charter of Rights and Freedoms and the Ontario Human Rights Code.</p> <p>Specific example: PC JACK has never been seen to show bias towards victims or accused and has always demonstrated an ethos in keeping with the Promise of the OPP, Canadian Charter of Rights and Freedoms and the Ontario Human Rights Code.</p>	<p>Meets Requirements</p>
<p><b>RESPECTFUL RELATIONS</b></p> <p>Exercises the skill and willingness to react sensitively; to be empathic, compassionate and sincere. Recognizes the positive contributions of others; demonstrates trust in others by acknowledging their strengths, skills and expertise.</p> <p>Specific example: SPO9178964 - B&amp;E - Youngs Point - PC JACK and his shiftmates were called to a B&amp; E in progress at an old school in Youngs Point. PC JACK was given direction from his supervisor SGT FLINDALL and PC D'AMICO regarding applicable charges in the case. A couple of days later he spoke to another officer at detachment about the case omitting pertinent details and asking how he could get the charges changed because he felt they were the wrong charges. He did not trust that his supervisor or senior member on shift were directing him properly when in fact they were. PC JACK again spoke with SGT FLINDALL who in turn reiterated what the appropriate charges were. Disregarding this information again, PC JACK again went to another officer, omitting pertinent details. In both cases, both officers came to learn all of the details and vocalized their concern with PC JACK at how he was using them in an attempt to get the charges changed.</p>	<p>Does Not Meet Requirements</p>
<p><b>SELF-CONFIDENCE</b></p> <p>Believes in one's abilities, understands one's own strengths and limitations; able to receive constructive criticism while maintaining professionalism.</p> <p>Specific example: During this evaluation period, PC JACK has been involved in numerous situations which has required either disciplinary action or instruction on how to complete tasks properly. It has been found that PC JACK does not take criticism well and will avoid that person for a period of time.</p>	<p>Does Not Meet Requirements</p>
<p><b>TEAM WORK</b></p> <p>Works effectively with others towards a common purpose while putting the group's goals ahead of personal achievement.</p>	<p>Meets Requirements</p>

**Specific example:**

PC M. JACK is a quiet individual that has had some difficulties assimilating into the platoon team environment. Although he'll readily assist officers, he typically has to be asked to do so. As outlined in "Initiative" above, PC JACK will readily set up RIDE spot checks, but he will do so alone. He is encouraged to involve his peers in meeting objectives like RIDE.

**PERSONAL IMPACT**

**RATING**

**SELF-AWARENESS**

Recognizes and manages personal biases, assumptions and stereotypes that can influence actions, communication, relationships, judgments and decisions.

**Specific example:**

SP09152940 - Racial Graffiti on a vehicle at Camp MOSHAVA (Jewish Camp). This call was reported on 11<sup>th</sup> July 2009, PC JACK's scheduled day off and was investigated by another member at the detachment. The investigating officer did not request for anyone to follow-up and simply requested patrols as time permits. On the 17<sup>th</sup> July 2009 PC JACK attended at Camp MOSAVA after reading about the occurrence. He informed PC PAYNE that he was "irritated" about the call because of his background and thought he would go up and offer his assistance. PC PAYNE commended PC JACK on taking initiative, however he was advised by PC PAYNE that in the future he should speak with the investigating officer before he steps in on a call that has already been dealt with. This is because issues could arise if PC JACK gave contradictory advice to the complainant/victim. Further, it was suggested that because he was "irritated" and it obviously personally affected him, he should have stayed away from the call. He should have asked first if he could be of any assistance if he had any expertise to offer. PC PAYNE informed PC JACK that depending on what happened he could put the investigation in jeopardy.

I have yet to observe a circumstance where PC JACK has shown a bias or jumped to a conclusion about anyone or anything. PC JACK will attack an issue head on, he is frank in his manners and doesn't appear to make judgement ahead of time.

Meets Requirements

**DEPORTMENT**

Controls emotions, especially when provoked or when facing opposition or hostility. Takes constructive action, deals with situations while maintaining professionalism.

**Specific example:**

PC JACK remains professional. To date I am unaware of any instance that PC JACK has been faced with a confrontational person.

Meets Requirements

**APPEARANCE**

Projects a positive and professional image; maintains uniform and equipment.

**Specific example:**

PC JACK is always early for his scheduled shift. PC JACK continues to attend work with his uniform neat and clean and properly maintained.

Meets Requirements

## COMMENTS AND SIGNATURES

### Evaluation Meeting

- I have met and discussed my performance with my coach officer or my accountable supervisor.
- I have reviewed and discussed with my coach officer or my supervisor, my responsibilities under the policy on Safe Storage and Handling of Firearms.
- I have reviewed and discussed with my coach officer, or my supervisor, my performance in relation to my responsibilities under the Professionalism, and Workplace Discrimination and Harassment Prevention policies.

Employee's Comments:

Employee's Signature:

Date:

Coach Officer Comments:

Coach Officer's Signature (Performance has been observed that supports the rating assigned for each category):

Date:

Accountable Supervisor's Comments (Mandatory):

PC JACK had been progressing positively during his early evaluations, but it is apparent from this current evaluation that he requires continued direct supervision. PC JACK has been spoken to about the deficiencies noted in this evaluation and a series of Work Improvement plans are being created to best assist PC JACK in successfully completing his probationary period.

Accountable Supervisor:

Accountable Supervisor's Signature:

Date: 20 August 2009

### Detachment Commander

Comments (Mandatory):

Detachment Commander:

Detachment Commander's Signature:

Date:

### Instructions:

At the conclusion of each evaluation period:

- Forward the completed and signed ORIGINAL document to Region/Bureau for signatures and tracking purposes.



**Regional Commander (or designate)**

Comments (Mandatory)

Regional Commander (or designate):

Regional Commander's (or designate)  
Signature:

Date:

**Instructions:**

At the conclusion of the evaluation period:

- Return a signed COPY of completed document to the member.
- Forward the completed and signed ORIGINAL document to Career Development Bureau for tracking purposes.

Personal information on this form is collected under the authority of Sec. 17(2) of the Police Services Act, R.S.O. 1990, and will be used for the purpose of evaluating your job performance with the Ontario Provincial Police.



**From:** Campbell, Ron (JUS)  
**Sent:** August-27-09 4:07 PM  
**To:** Kohen, Colleen (JUS)  
**Subject:** RE: PC Jack

could we call you about 2pm on Monday??

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

**From:** Kohen, Colleen (JUS)  
**Sent:** Thursday, August 27, 2009 3:58 PM  
**To:** Campbell, Ron (JUS)  
**Cc:** Johnston, Mike P. (JUS)  
**Subject:** RE: PC Jack

Hi Ron

I am more then willing to assist. I have reviewed my file and can say that I have received month 1 and 2 ( combined ) and month 3 and 4 PCS66P

I was at GHQ yesterday and no other PCS66P for Prob Jack was there. He is currently in month 8 . I assume they have been submitted to Region ?

For the conf call would it be possible to get an e mail copy of month 6 and 7 .. For me to review.

I am good Monday or Tuesday next week and just let me know what time and where to call into .

Colleen

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

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**From:** Campbell, Ron (JUS)  
**Sent:** August 27, 2009 3:31 PM  
**To:** Kohen, Colleen (JUS)  
**Cc:** Johnston, Mike P. (JUS)  
**Subject:** FW: PC Jack

S/Sgt Kohen

I have spoken to you in the past concerning Neal Read and would ask that I be able to approach you for assistance again concerning another recruit we have in Peterborough. His name is Michael Jack and I think you may be familiar with him.

Mike was having some difficulties and it was my opinion from review of his first 6 evaluations and information that came to light on the 7th was he was not receiving the help he needed and Mike needs some more one on one tutoring.

Added to this were his Supervisors comments at the beginning of the whole scenario that I think added to Mike's stress and were not warranted at the time. With these comments that "his job was in jeopardy" and that "he would be documenting everything he did" it appeared to me that the Supervisor was not being objective and Mike's work environment may be poisoned.

In addition when he needs a good look and some direction his present coach is going off on parental leave. Not wanting it to escalate and to give Mike a fresh look he has been switched from platoons and coach officers. His old platoon has been tasked to work on a work improvement plan and meet with this new coach and supervisor. As such I have a request to have the two shifts meet and discuss with you the plans that will be put in place. Since one shift is working days and the other nights if possible could we do this later in the afternoon say 2pm if you are available? Please let me know.

S/Sgt Ron Campbell

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

**From:** Postma, Jason (JUS)  
**Sent:** Thursday, August 27, 2009 4:59 AM  
**To:** Campbell, Ron (JUS)  
**Cc:** Nie, Richard (JUS)  
**Subject:** FW: PC Jack

Staff,

Could we set up a meeting to address Point #1 with Colleen on Monday or Tuesday? I know it may be difficult to get everyone together on this, and absent Colleen, it would be helpful to have atleast you and/or the Inspector present when we meet with Rob & Shawn. Rich and I will be working days then. Rob & Shawn are working nights this weekend and I understand they will attend any meeting on this issue for our dayshift. Hopefully we can have a game plan in place for P/C Jack's arrival.

Let me know. Thanks,  
J.

---

**From:** Nie, Richard (JUS)  
**Sent:** August 27, 2009 4:43 AM  
**To:** Postma, Jason (JUS)  
**Subject:** PC Jack

Jason - I was just thinking over a few things in regards to the transfer of PC Jack to our shift and have a few request/suggestions that I feel are needed to do this right.

1. Meeting between us, Sgt. Flindall, PC Filman, Inspector Johnston, Staff Campbell, and HR rep (Staff Kohen) to go over all documentation/evaluations done to date and what improvement plans are already in place. We need a starting point to go from so that PC Jack knows what our expectations are of what he already knows and what he needs to work on. I think it is best to have everyone mentioned present so that we all can see and hear what has been done so far - perhaps next Monday or Tuesday dayshift would be a good chance?
2. Once we have a starting point, then we, Insp, and both Staff Sgt.s sit down with PC Jack to discuss the plan with him and where he stands. Rumours that I have heard are that he has refused to sign some evaluations and has called the OPPA for advice. If this is true, then I want it documented with him and HR and our detachment command staff present so that we all are in agreement.
3. I assume that the 2% coach officer pay gets transferred to me starting Aug. 30 when he comes to shift?

I am not trying to be difficult here, just prudent. All of the rumours going around are that PC Jack calls the OPPA, human resources, or whoever else the minute he doesn't like what is happening. I want it made clear to him (which I will do) that I am not about to waste my time on someone that doesn't want to learn or accept constructive criticism. I want to give him a fair chance, but he needs to do the same for us.

Let me know,

Rich.



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**Cc:** Johnston, Mike P. (JUS)  
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Let me know,

Rich.





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 11<sup>th</sup> 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 2<sup>nd</sup> 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 5<sup>th</sup> 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 1<sup>st</sup> 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 3<sup>rd</sup> & 4<sup>th</sup> 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.

#### **08Jul09 - 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 13<sup>th</sup> 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 13<sup>th</sup> 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 17<sup>th</sup> 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 18<sup>th</sup> 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 [REDACTED] as at detachment to pick up an IPOD that was recovered and the witness told him she gave it to an officer (from MVC 14<sup>th</sup> 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

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.

## 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 – Sgt. R. Flindall

- On the 23<sup>rd</sup> of July 2009, PC Jack investigated a Criminal Harassment complaint in which allegations were substantiated that a brother had been criminally harassing his sister as a result of an ongoing civil related issue. PC Jack took the appropriate video taped and hand written statements from the victim as well as a number of witnesses. The statement phase of the investigation took PC Jack to the end of his scheduled work day and overtime was approved for him. Prior to going off duty myself for the day, I gave PC Jack direction as to what was expected to be accomplished prior to PC Jack going off duty for the day. PC Jack was advised that 2IC PC Hanna was made aware that PC Jack was remaining in the office to complete the paperwork and that if possible, night shift would make attempts to bring the suspect into custody. The suspect was to be held for a bail hearing. PC Jack was advised that if the suspect were to remain at large for any reason, his crown brief would at least be complete that evening, left for the court staff and an arrest warrant be sought the following day.

I instructed PC Jack to complete a standard show cause crown brief by completing the following : Crown brief synopsis, show cause hearing report, photocopy his notes, photocopy hand written statements and copy the video statements. PC Jack was advised to not complete a transcription of the video statements and not to type in the hand written statements. He was advised to leave completing a brief synopsis of the video statements until the end, should he have time to complete.

I had spoken with PC Jack approximately one week earlier directing him to the fact that officers do not complete transcriptions of video statements unless requested by the crown attorney. At that time, PC Jack had spent 3 hours on a page and a half transcription.

I advised PC Jack that should he have any questions or difficulties to ask PC Hanna or any other night shift officer for assistance. I reiterated to PC Jack my expectations on what needed to be completed in relation to the completion of the brief for either a bail hearing or to obtain an arrest warrant. PC Jack wrote the directions down and indicated that he understood when asked. See August 2<sup>nd</sup> 2009 entry for outcome of this investigation.

### 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 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.
- 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 23<sup>rd</sup> of July 09 S/Sgt Campbell attended the Detachment on another matter around 2300hrs. PC. Jack was at the 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 24<sup>th</sup> 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 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.

### **02Aug09 - Sgt. R. Flindall**

- Upon my return to work on the 2<sup>nd</sup> of August 2009 (away on holidays) I learned that PC Jack failed to complete the assigned tasks given to him on the 23<sup>rd</sup> of July 2009 in relation to the criminal harassment investigation.

After I had left for the day on the 23<sup>rd</sup> of July, PC Jack transcribed the complainants video statement and entered in a General Occurrence report that evening. This is the exact opposite to what I had advised him to do. The remaining items he was instructed to complete were not completed.

PC Jack failed to seek assistance from a light duties officer, PC Brockley, who was present in the office until approx. midnight. At that time, PC Jack asked PC Brockley to read his victim statement and also requested PC Brockley to write his crown brief synopsis. PC Brockley declined advising it was PC Jack's responsibility to complete the same. As such, a crown brief was not completed that evening in order to request an arrest warrant the following day.

Late in the evening on the 23<sup>rd</sup> July, S/Sgt. R. Campbell had attended the Detachment on an unrelated matter and approved overtime the following day at the request of PC Jack.

PC Jack returned to work the following morning at 1000 hrs to continue his paperwork that should have been completed the evening previous. Shortly after beginning his overtime shift, PC Jack learned that his suspect was working with the construction company just outside the Peterborough County Detachment on Hwy 7. Instead of attempting to take the suspect into custody, PC Jack continued to work on his crown brief. Four hours later, PC Jack attempted to locate the suspect at his worksite, but learned he had gone off duty for the day. PC Jack was unable to locate the suspect until 1509 hrs, where he turned himself in at 1632 hrs. The suspect was subsequently arrested and firearms seized.

As a result of not following the instruction given to him by myself, PC Jack put the safety of his complainant into jeopardy. He also claimed a total of 30 hrs of overtime on this occurrence.

After learning this information, I met with PC Jack and PC Filman to discuss PC Jack failing to follow my orders. When speaking with me about this, he confirmed the instructions that I had given to him and the fact that he had understood them. When I asked him why he didn't complete the assignment as directed, he did not provide an explanation, other than to state that he was tired, felt abandoned and did not have any help. This was despite the fact that 2IC Hanna was aware of his assignment and that PC Brockley sat across from him for the better part of the evening.

Also spoke with PC Jack about "answer shopping". Complaints had been received from his peers, both on shift and from other shifts. He was advised to seek direction from his coach officer or Sergeant and that he is to follow these directions. See August 6<sup>th</sup>, 8<sup>th</sup>, 10<sup>th</sup> and 15<sup>th</sup> for examples of PC Jack continuing to answer shop.

**05Aug09 - PC Filman**

- PC Jack forwarded an incident to me for review in involving Jeff Standaert and Doug Anderson. I reviewed the report made some suggestions and returned it to him.

**06Aug09 – Sgt. R. Flindall**

- On the 6<sup>th</sup> of August 2009, PC JACK as well as other members of the Peterborough County OPP Detachment were called to a break and enter in progress at the abandoned Young's Point Public School. PC JACK was involved in the successful apprehension of 3 youths and 1 adult who had broken into the school and caused mischief.

PC JACK completed video statements with each accused and one of the accused parties provided a cautioned inculpatory statement, admitting they had broken into the school, broken some windows and toppled over the brick chimney.

PC JACK was provided with guidance by Sgt. R. FLINDALL as well as his peers in regards to the appropriate charges to lay - those being break, enter and mischief as well as a number of misc. other charges. Cont'd 08Aug09.

**08Aug09 – Sgt. R. Flindall**

- On the 8<sup>th</sup> of August 2009, PC JACK had occasion to work on another platoon for shift coverage. During his shift, PC JACK approached another officer asking him questions in regards to the break and enter (06Aug09). PC JACK explained to this officer that he did not feel that the charges of break and enter were warranted as they had only found the suspects on the school roof and did not have evidence that they had broken into the school. PC JACK felt that they should have only been charged with trespassing. Another officer who was present was familiar with the matter and it was upon his intervention that PC JACK admitted to the inculpatory statement, including the multiple hits to interior alarms in the school. The officers were upset that PC JACK provided misleading information to them and had them provide advice based on that information. They provided PC JACK with a definition of break and enter and advised him to speak with Sgt. R. FLINDALL about any future concerns.

**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 – Sgt R. Flindall**

- At shift briefing, PC JACK brought up his concern that he felt the appropriate charges were only trespassing in relation to the break and enter on 06Aug09. Sgt. R. FLINDALL again explained to him why the appropriate charges were laid. Cont'd 15Aug09.

**10Aug09 - S/Sgt Campbell**

- 1116hrs S/Sgt Campbell approached Sgt. Flindall regarding the large amount of overtime claimed by PC Jack on the 24<sup>th</sup> 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**

- On the 15th of August 2009, PC R. PARADIS was instructing PC JACK on how to properly complete information's using the Niche RMS system. PC R. PARADIS had just completed a secondment to the court office and was in the process of teaching fellow officers how to write information's. During this instruction, PC JACK and PC PARADIS were reviewing the break and enter information and crown brief synopsis. In his synopsis, PC JACK wrote that it was believed the suspects were in the school. PC PARADIS advised him that he should not write "believed they had been in the school" if he knows they were in the school. PC JACK advised PC PARADIS that he didn't know if they were in the school. PC PARADIS

asked him why he was laying the charge to which PC JACK advised him that he was told to. Again, PC JACK provided less than truthful information to a senior officer by omitting the fact that he had a confession in place as well as other evidence.

- In both cases, on the 8<sup>th</sup> and 15<sup>th</sup>, the officers involved approached Sgt. R. FLINDALL and provided him with their concerns. Both officers indicated that they did not trust PC JACK to provide truthful information.

#### 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 DAVIS' son 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] son.
- At approx 10:54hrs we all left the scene. PC D'Amico and PC Moran headed east on the 14<sup>th</sup> line Smith to stop a vehicle that had passed the DAVIS' house. Sgt. Flindall, myself and PC Jack proceeded west bound on the 14<sup>th</sup> 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.

#### 15Aug09 – Sgt. R. Flindall

- On Saturday the 15<sup>th</sup> of August 2009, officers of the Peterborough County OPP Detachment attended a residence located on the 14<sup>th</sup> Line of Smith, Smith-Ennismore-Lakefield Twp in regards to a family dispute. After the call was cleared, Sgt. R. FLINDALL left the scene headed westbound on the 14<sup>th</sup> Line of Smith and was being followed by PC J. PAYNE and PC M. JACK in turn. The officers came to the intersection of Cty Rd 23 and the 14<sup>th</sup> Line of Smith and came to a stop. Both Sgt. R. FLINDALL and PC J. PAYNE turned southbound onto Cty Rd 23. Despite southbound traffic approaching the intersection, PC M. JACK also turned onto Cty Rd 23 with the intent to head southbound. As a result, southbound traffic had to brake hard to avoid colliding with PC M. Jack's cruiser and PC M. JACK had to take evasive maneuvers by turning hard into the north bound lane. PC M. JACK continued southbound in the northbound lane and had to accelerate in order to get ahead of the traffic and pull back into the southbound lane. PC M. Jack's driving was dangerous to not only himself but to the motoring public as well.
- On the 14<sup>th</sup> of August, 2009, at 1255hrs, the day before, Sgt. R. FLINDALL had served PC M. JACK with the Commissioner's memo concerning cruiser collisions and officer driving safety. As a result he has been charged under S. 136(1)(A) HTA - Fail to yield to through traffic on highway.
- Also on the 15<sup>th</sup> of August, 2009, Sgt. R. FLINDALL received an email from court officer John HOBBS dated the 12<sup>th</sup> of August, through Sgt. T. BANBURY. PC J. HOBBS outlines a conversation he had with an upset court clerk (unnamed at her request) who advised that PC JACK had attended her residence looking for a male party. The court clerk did not have issue with PC M. JACK attending the address, as he had the incorrect address, but had an issue with PC M. JACK using her front lawn to turn his cruiser around to leave the driveway. Although there was no permanent damage to her lawn, the cruiser left tire marks across her lawn.
- PC M. JACK has been spoken to about his driving behavior and it's potentially serious consequences should his driving behavior continue. His file has been appropriately documented and his police cruiser operations has been deemed to not meet requirements.

#### **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 15<sup>th</sup> 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 19<sup>th</sup> 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.
- Also during this meeting, PC JACK was spoken to by S/Sgt. R. CAMPBELL and Sgt. R. FLINDALL about continuing to shop for answers, specifically when he was given direction by his Sergeant. PC JACK was accompanied by the Detachment OPPA rep PC M. ANDERSON. PC JACK was also spoken to about how he willfully omitted information while attempting to elicit advice from his fellow officers. In both cases, he was advised to stop immediately and to seek advice or further guidance in relation to matters from his coach officer or Sergeant.

#### **20Aug09 - S/Sgt Campbell**

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

#### **20Aug09 – Sgt. R. Flindall**

- Service of PCS 066 on PC Jack as well as two 233-10 documents. PC Jack allowed opportunity to review. PC Jack made aware of all matters on PCS 66 and 233-10 documents the day previous. PC Jack refuses to sign any document.



### 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 [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 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 JOHNSTON 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 46 County Road 4 – 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 AI
- 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 Coffee Time 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 at [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 920 Kelly 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 7<sup>th</sup> 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 me 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 [REDACTED] 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

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**\*\*\*\*\* THIS IS A COMPILATION OF ENTRIES BY THE OFFICER'S NOTED BELOW IN REGARDS TO PC MICHAEL JACK. \*\*\*\*\***

**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 11<sup>th</sup> 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 2<sup>nd</sup> 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 5<sup>th</sup> 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 1<sup>st</sup> 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 3<sup>rd</sup> & 4<sup>th</sup> 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.

#### **08Jul09 - 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 13<sup>th</sup> 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 13<sup>th</sup> 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 17<sup>th</sup> 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 18<sup>th</sup> 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 [REDACTED] was at detachment to pick up an IPOD that was recovered and the witness told him she gave it to an officer (from MVC 14<sup>th</sup> 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 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.

## **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 – Sgt. R. Flindall**

- On the 23<sup>rd</sup> of July 2009, PC Jack investigated a Criminal Harassment complaint in which allegations were substantiated that a brother had been criminally harassing his sister as a result of an ongoing civil related issue. PC Jack took the appropriate video taped and hand written statements from the victim as well as a number of witnesses. The statement phase of the investigation took PC Jack to the end of his scheduled work day and overtime was approved for him. Prior to going off duty myself for the day, I gave PC Jack direction as to what was expected to be accomplished prior to PC Jack going off duty for the day. PC Jack was advised that 2IC PC Hanna was made aware that PC Jack was remaining in the office to complete the paperwork and that if possible, night shift would make attempts to bring the suspect into custody. The suspect was to be held for a bail hearing. PC Jack was advised that if the suspect were to remain at large for any reason, his crown brief would at least be complete that evening, left for the court staff and an arrest warrant be sought the following day.

I instructed PC Jack to complete a standard show cause crown brief by completing the following : Crown brief synopsis, show cause hearing report, photocopy his notes, photocopy hand written statements and copy the video statements. PC Jack was advised to not complete a transcription of the video statements and not to type in the hand written statements. He was advised to leave completing a brief synopsis of the video statements until the end, should he have time to complete.

I had spoken with PC Jack approximately one week earlier directing him to the fact that officers do not complete transcriptions of video statements unless requested by the crown attorney. At that time, PC Jack had spent 3 hours on a page and a half transcription.

I advised PC Jack that should he have any questions or difficulties to ask PC Hanna or any other night shift officer for assistance. I reiterated to PC Jack my expectations on what needed to be completed in relation to the

completion of the brief for either a bail hearing or to obtain an arrest warrant. PC Jack wrote the directions down and indicated that he understood when asked. See August 2<sup>nd</sup> 2009 entry for outcome of this investigation.

### **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 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.
- 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 23<sup>rd</sup> of July 09 S/Sgt Campbell attended the Detachment on another matter around 2300hrs. PC. Jack was at the 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 24<sup>th</sup> 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 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.

#### **02Aug09 - Sgt. R. Flindall**

- Upon my return to work on the 2<sup>nd</sup> of August 2009 (away on holidays) I learned that PC Jack failed to complete the assigned tasks given to him



on the 23<sup>rd</sup> of July 2009 in relation to the criminal harassment investigation.

After I had left for the day on the 23<sup>rd</sup> of July, PC Jack transcribed the complainants video statement and entered in a General Occurrence report that evening. This is the exact opposite to what I had advised him to do. The remaining items he was instructed to complete were not completed. PC Jack failed to seek assistance from a light duties officer, PC Brockley, who was present in the office until approx. midnight. At that time, PC Jack asked PC Brockley to read his victim statement and also requested PC Brockley to write his crown brief synopsis. PC Brockley declined advising it was PC Jack's responsibility to complete the same. As such, a crown brief was not completed that evening in order to request an arrest warrant the following day.

Late in the evening on the 23<sup>rd</sup> July, S/Sgt. R. Campbell had attended the Detachment on an unrelated matter and approved overtime the following day at the request of PC Jack.

PC Jack returned to work the following morning at 1000 hrs to continue his paperwork that should have been completed the evening previous. Shortly after beginning his overtime shift, PC Jack learned that his suspect was working with the construction company just outside the Peterborough County Detachment on Hwy 7. Instead of attempting to take the suspect into custody, PC Jack continued to work on his crown brief. Four hours later, PC Jack attempted to locate the suspect at his worksite, but learned he had gone off duty for the day. PC Jack was unable to locate the suspect until 1509 hrs, where he turned himself in at 1632 hrs. The suspect was subsequently arrested and firearms seized.

As a result of not following the instruction given to him by myself, PC Jack put the safety of his complainant into jeopardy. He also claimed a total of 30 hrs of overtime on this occurrence.

After learning this information, I met with PC Jack and PC Filman to discuss PC Jack failing to follow my orders. When speaking with me about this, he confirmed the instructions that I had given to him and the fact that he had understood them. When I asked him why he didn't complete the assignment as directed, he did not provide an explanation, other than to state that he was tired, felt abandoned and did not have any help. This was despite the fact that 2IC Hanna was aware of his assignment and that PC Brockley sat across from him for the better part of the evening.

Also spoke with PC Jack about "answer shopping". Complaints had been received from his peers, both on shift and from other shifts. He was

advised to seek direction from his coach officer or Sergeant and that he is to follow these directions. See August 6<sup>th</sup>, 8<sup>th</sup>, 10<sup>th</sup> and 15<sup>th</sup> for examples of PC Jack continuing to answer shop.

#### **05Aug09 - PC Filman**

- PC Jack forwarded an incident to me for review in involving Jeff Standaert and Doug Anderson. I reviewed the report made some suggestions and returned it to him.

#### **06Aug09 – Sgt. R. Flindall**

- On the 6<sup>th</sup> of August 2009, PC JACK as well as other members of the Peterborough County OPP Detachment were called to a break and enter in progress at the abandoned Young's Point Public School. PC JACK was involved in the successful apprehension of 3 youths and 1 adult who had broken into the school and caused mischief.

PC JACK completed video statements with each accused and one of the accused parties provided a cautioned inculpatory statement, admitting they had broken into the school, broken some windows and toppled over the brick chimney.

PC JACK was provided with guidance by Sgt. R. FLINDALL as well as his peers in regards to the appropriate charges to lay - those being break, enter and mischief as well as a number of misc. other charges. Cont'd 08Aug09.

#### **08Aug09 – Sgt. R. Flindall**

- On the 8<sup>th</sup> of August 2009, PC JACK had occasion to work on another platoon for shift coverage. During his shift, PC JACK approached another officer asking him questions in regards to the break and enter (06Aug09). PC JACK explained to this officer that he did not feel that the charges of break and enter were warranted as they had only found the suspects on the school roof and did not have evidence that they had broken into the school. PC JACK felt that they should have only been charged with trespassing. Another officer who was present was familiar with the matter and it was upon his intervention that PC JACK admitted to the inculpatory statement, including the multiple hits to interior alarms in the school. The officers were upset that PC JACK provided misleading information to them and had them provide advice based on that information. They provided

PC JACK with a definition of break and enter and advised him to speak with Sgt. R. FLINDALL about any future concerns.

**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 – Sgt R. Flindall**

- At shift briefing, PC JACK brought up his concern that he felt the appropriate charges were only trespassing in relation to the break and enter on 06Aug09. Sgt. R. FLINDALL again explained to him why the appropriate charges were laid. Cont'd 15Aug09.

**10Aug09 - S/Sgt Campbell**

- 1116hrs S/Sgt Campbell approached Sgt. Flindall regarding the large amount of overtime claimed by PC Jack on the 24<sup>th</sup> 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**

- On the 15th of August 2009, PC R. PARADIS was instructing PC JACK on how to properly complete information's using the Niche RMS system. PC

R. PARADIS had just completed a secondment to the court office and was in the process of teaching fellow officers how to write information's. During this instruction, PC JACK and PC PARADIS were reviewing the break and enter information and crown brief synopsis. In his synopsis, PC JACK wrote that it was believed the suspects were in the school. PC PARADIS advised him that he should not write "believed they had been in the school" if he knows they were in the school. PC JACK advised PC PARADIS that he didn't know if they were in the school. PC PARADIS asked him why he was laying the charge to which PC JACK advised him that he was told to. Again, PC JACK provided less than truthful information to a senior officer by omitting the fact that he had a confession in place as well as other evidence.

- In both cases, on the 8<sup>th</sup> and 15<sup>th</sup>, the officers involved approached Sgt. R. FLINDALL and provided him with their concerns. Both officers indicated that they did not trust PC JACK to provide truthful information.

#### 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] son 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] son.
- At approx 10:54hrs we all left the scene. PC D'Amico and PC Moran headed east on the 14<sup>th</sup> line Smith to stop a vehicle that had passed the DAVIS' house. Sgt. Flindall, myself and PC Jack proceeded west bound on the 14<sup>th</sup> 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.

#### **15Aug09 – Sgt. R. Flindall**

- On Saturday the 15<sup>th</sup> of August 2009, officers of the Peterborough County OPP Detachment attended a residence located on the 14<sup>th</sup> Line of Smith, Smith-Ennismore-Lakefield Twp in regards to a family dispute. After the call was cleared, Sgt. R. FLINDALL left the scene headed westbound on the 14<sup>th</sup> Line of Smith and was being followed by PC J. PAYNE and PC M. JACK in turn. The officers came to the intersection of Cty Rd 23 and the 14<sup>th</sup> Line of Smith and came to a stop. Both Sgt. R. FLINDALL and PC J. PAYNE turned southbound onto Cty Rd 23. Despite southbound traffic approaching the intersection, PC M. JACK also turned onto Cty Rd 23 with the intent to head southbound. As a result, southbound traffic had to brake hard to avoid colliding with PC M. Jack's cruiser and PC M. JACK had to take evasive maneuvers by turning hard into the north bound lane. PC M. JACK continued southbound in the northbound lane and had to accelerate in order to get ahead of the traffic and pull back into the southbound lane. PC M. Jack's driving was dangerous to not only himself but to the motoring public as well.
- On the 14<sup>th</sup> of August, 2009, at 1255hrs, the day before, Sgt. R. FLINDALL had served PC M. JACK with the Commissioner's memo concerning cruiser collisions and officer driving safety. As a result he has been charged under S. 136(1)(A) HTA - Fail to yield to through traffic on highway.
- Also on the 15<sup>th</sup> of August, 2009, Sgt. R. FLINDALL received an email from court officer John HOBBS dated the 12<sup>th</sup> of August, through Sgt. T. BANBURY. PC J. HOBBS outlines a conversation he had with an upset court clerk (unnamed at her request) who advised that PC JACK had attended her residence looking for a male party. The court clerk did not have issue with PC M. JACK attending the address, as he had the

incorrect address, but had an issue with PC M. JACK using her front lawn to turn his cruiser around to leave the driveway. Although there was no permanent damage to her lawn, the cruiser left tire marks across her lawn.

- PC M. JACK has been spoken to about his driving behavior and it's potentially serious consequences should his driving behavior continue. His file has been appropriately documented and his police cruiser operations has been deemed to not meet requirements.

#### **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 15<sup>th</sup> 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 19<sup>th</sup> 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.
- Also during this meeting, PC JACK was spoken to by S/Sgt. R. CAMPBELL and Sgt. R. FLINDALL about continuing to shop for answers, specifically when he was given direction by his Sergeant. PC JACK was accompanied by the Detachment OPPA rep PC M. ANDERSON. PC JACK was also spoken to about how he willfully omitted information while attempting to elicit advice from his fellow officers. In both cases, he was advised to stop immediately and to seek advice or further guidance in relation to matters from his coach officer or Sergeant.

#### **20Aug09 - S/Sgt Campbell**

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

#### **20Aug09 – Sgt. R. Flindall**

- Service of PCS 066 on PC Jack as well as two 233-10 documents. PC Jack allowed opportunity to review. PC Jack made aware of all matters on PCS 66 and 233-10 documents the day previous. PC Jack refuses to sign any document.

#### **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 [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 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 46 County Road 4 – 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