

Denial of positive documentation:

From: Campbell, Ron (JUS)
Sent: August 10, 2009 9:44 AM
To: Flindall, Robert (JUS); Laperle, Chad (JUS); Jack, Michael (JUS); Moran, Melynda (JUS); Filman, Shaun (JUS)
Cc: Johnston, Mike P. (JUS)
Subject: FW: Provincial Communication Centre Notification

Good work by those involved. I could not find the court brief synopsis though. Ron
-----Original Message-----

From: Notification Administrator@jus.gov.on.ca [mailto:Notification Administrator@jus.gov.on.ca]
Sent: Thursday, August 06, 2009 11:24 PM
To: OPP DL CR Notifications
Subject: Provincial Communication Centre Notification

From: Flindall, Robert (JUS)
Sent: August 10, 2009 2:26 PM
To: Campbell, Ron (JUS)
Subject: RE: Provincial Communication Centre Notification

I'm doing up a positive 233-10 for the officers involved. Our new auxillary [REDACTED] did a smash up job locating one of the suspects in the water. Chad is going to do up a 233-10 for her good work on the call as well.

Robert Flindall
Sgt. 9740

From: Johnston, Mike P. (JUS)
Sent: August 10, 2009 9:13 PM
To: Campbell, Ron (JUS); Flindall, Robert (JUS); Laperle, Chad (JUS); Jack, Michael (JUS); Moran, Melynda (JUS); Filman, Shaun (JUS)
Subject: Re: Provincial Communication Centre Notification

Excellent work guys and girls.

Mike J.

Sent from my BlackBerry Wireless Device

Mr. Michael Jack's Will-say:

Upon arrival at the detachment I found out through the Niche RMS that the investigation was assigned to me. Everybody completed their initial respective paper work, such as prisoner release papers and notices to parent and left the case in my hands. At around 3:00 am Cst. Filman went back on the road leaving me behind while I continued interrogating the suspects and then releasing them on a PTA one at a time into the custody of their parents. Later Ins. Johnston put out a detachment wide e-mail requesting in which Cst. D'Amico was named as the investigating officer. Cst. D'Amico was further commended by Inst. Johnston for leading the investigation (that had been assigned to me!) (Exhibit 26c, pages 13, 14, 18, 20, 29, 30; Exhibit 34a, Exhibit 34b) and her name was passed up to the OPP Headquarters as the investigating officer. By then I had understood that I was being targeted and it was pointless to argue any lack of recognition for my involvement.

It is noteworthy to mention that Sgt. Flindall advised all Platoon 'A' shift officers who responded to the call that he was going to write positive documentation for each. I never received any positive documentation despite that my involvement was the most significant one as not only did I respond and actively took part in the apprehension and the arrest of the perpetrators (I personally arrested only one of them), but I also investigated the case and led it to completion (Exhibit 34a and Exhibit 34b). However, I was the only one to receive a negative documentation for doing my job (Exhibit 23b).

The 233-10s that were issued to the officers were for their involvement at the scene and curtailing an alleged Break and Enter in progress. It was not for their subsequent involvement in the processing of the youths. Hence, I rightfully should have been treated similarly and given a positive 233-10 for my involvement at the scene. **I only received a negative 233-10!**

Respondent's Response to the Application (HRTO 2010-07633-I), paragraph 38:

Paragraph 21(3) – The Respondent denies that one officer was commended to the exclusion of the Applicant and the other involved officers. Eight officers attended at this particular incident including Sergeant Flindall. Sergeant Flindall commended the team for their work and the team included the Applicant. The Applicant did receive negative documentation in relation to a specific aspect of his involvement in this incident. The Applicant had been shopping for answers to submit to the court.

Respondent's Response to the Application (HRTO 2010-07633-I), paragraph 50:

accurately reflected the Applicant's performance. Contrary to the Applicant's assertion, both positive and negative performance was noted. Constable Nie did carefully document the Applicant's performance. This is the reason why

E-mail Re: large illegal drug grow-op from Detective Constable Ernie Garbut:

Jack, Michael (JUS)

From: Garbutt, Ernie (JUS)
Sent: October 16, 2009 9:35 AM
To: Stimson, David (JUS); Jack, Michael (JUS); Butorac, Peter (JUS)
Subject: Update

Gentlemen

Just want to thank you for the info you provided the other day about possible drug grow at 2021 Cty Rd 48. I executed a warrant on Tuesday and got over 2000 large marihuana plants behind the house. This was an organized asian crime house. They had been in the house trimming, but were gone when we showed up. We had no idea there was a set up at the house and your info put us onto it. Thanks for your help and observations.

Ernie Garbutt

It was a two-million dollar drug seizure as a result of my and Constable David Stimson initial investigation. One would think that such a large drug seizure would warrant a positive documentation to the officers who had led to it. Not for me!