

Rebuttal to Probationary Constable Performance Evaluation Report (PCS-066P)

By: JACK, Michael (former OPP badge # 12690)

Report Month: 5

Evaluation period: 09 May 2009 to 09 June 2009

The evaluation was overdue by two months.

Attitude Towards Learning Rating: Meets Requirements

While I must have responded with an "I know" response to advice or correction received from experienced officers, I cannot recall the exact circumstances under which I responded with an "I know" response. Further to that, is there anything wrong with saying "I know" when in fact I knew how to do something? This comment is too vague for me to recall what it was about and to respond to it accordingly in an objective manner. When one is not questioned at the time concerning any specific responses it stands to reason that when those responses are documented during a later evaluation period, the person documenting those responses fully intended to use them negatively and to use them for the sole purpose of discrediting a person in a specific area of rating.

Federal Statues Rating: Meets Requirements

Cst. Filman is correct. I did forget to read the accused Rights to Counsel at the scene. It was my first arrest for "Over 80" on my own and I was nervous. Upon arrival at the detachment Cst. Filman asked the accused if he wished to speak with a lawyer or a duty counsel, to which the accused responded that he had not been offered such option. I admitted to having forgotten to read the accused his Rights to Counsel and immediately remedied the situation by reading the accused Rights to Counsel and putting him on the phone first with a lawyer of his choice and then with a Duty Counsel as per his request.

Resolution Rating: Meets Requirements

The narrative is only partially true. First, I attended the "stand-by and keep the peace" call alone as I was unaware that this call required the presence of two officers on scene. Also, to the best of my knowledge all other zone units were tied up with their respective calls for service at the time. Second, I was unaware that one of the involved parties contacted the PCC and requested another officer to attend. Third, when I realized things were not progressing, I called Cst. Payne and requested back-up. Cst. Payne advised me that she was sending Cst. Filman to assist me. When Cst. Filman arrived, he promptly resolved the matter.

The same example is used by Sgt. Flindall in the *Resolution* section in my Month 6 & 7 performance evaluation with a caption of "Does Not Meet Requirements."

Team Work

Rating: Meets Requirements

I became a relatively quiet and reserved officer after a few incidents in which I initially had offered my opinion in an attempt to show proactivity and foster my team working skills with my peers and in which I was subsequently reprimanded by my peers for doing that and advised to keep quite.

For example, sometime in the spring of 2009 during a morning shift briefing a court officer, Cst. Robert Paradis was advocating the switch from the paper Crown Brief preparation and submission process to digital. Cst. Paradis expressed his frustration with the inefficiencies involved in the preparation of the paper Crown Briefs that was utilized at the time at the Peterborough Detachment. Having a solid background in the Computer Science field I saw an opportunity to put my skills to use and thereby feel that I was contributing something unique. I also saw an opportunity to try to be a team player and hence I volunteered to offer my computer expertise in the matter. After the shift briefing I was told by Platoon 'A' 2IC (second-in-command) Cst. Mary D'Amico in a vexatious manner and in the presence of other Platoon 'A' officers, "You should keep quiet when a senior officer speaks. You might come across as knowing too much and it is not good for your career". Cst. D'Amico further told me that there had been another officer who "knew too much" and that he no longer worked at the Peterborough Detachment. Her comments, which were vexatious and tantamount to explicit harassment, threw me into a state of agitated confusion and humiliation. Further to this, it instilled an inferiority feeling in me and made me self conscious of expressing my opinion and being proactive that from that day on, unless I was explicitly asked something, I never opened my mouth at shift briefings for the fear of displeasing some of my colleague officers and ruining my rapport with them.

Yet another example was when I was working a night shift sometime in late April 2009. Cst. Filman and I were enroute to a family dispute call. As Cst. Filman was driving he told me that before he became a police officer his father, Cst. Brad Filman who had served at the Peterborough Detachment for many years, had told him not to say anything during his first year on the job. He further added that he followed his father's advice to the letter and remained quiet throughout his first year on the job. The message was clear: I should not be speaking unless spoken to.