

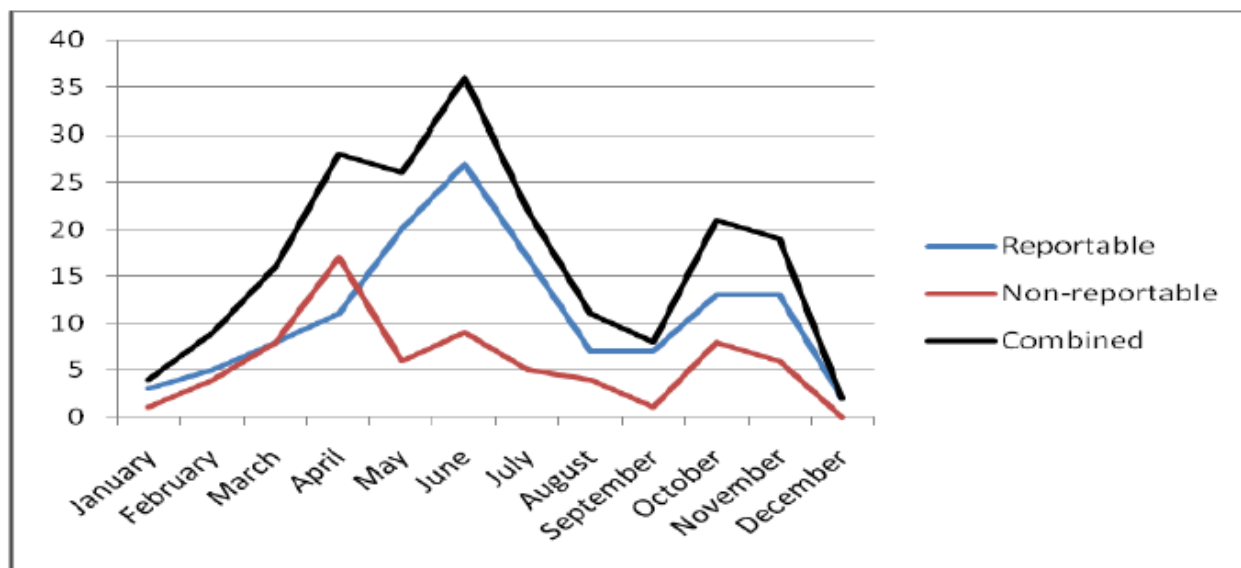
Background on my workload:

Month	Reporting Officer		Assisting Officer		Issuing Officer # of PONs
	# of Reportable	# of Non-reportable	# of Reportable	# of Non-reportable	
January	3	1	1	1	27
February	5	4	1		
March	8	8	5		17
April	11	17	2	2	23
May	20	6	2	2	29
June	27	9	2		23
July	17	5	3		
August	7	4	1		4+
September	7	1	4		5
October	13	8	2		12
November	13	6	3	1	3+
December	2	0			u/k
Total	133	69	26	6	143+

The above table shows the number of the reportable and non-reportable calls for service I was assigned and responded to in either a reporting or an assisting officer role (Exhibit 47a, Exhibit 47b, and Exhibit 47c) and the number of the Provincial Offence Notices (PONs) I issued during my probationary period at the Peterborough Detachment. Of the 69 non-reportable calls for service 30+ calls were motor vehicle collisions (Exhibit 47d).

Note: The figures in the table are a conservative estimate based on the data retrieved and compiled from the Niche RMS and from my monthly performance evaluation reports. I believe that I responded to more calls for service than shown in the table. Unfortunately, since I surrendered my officer notebooks to Sgt. Banbury (on December 15, 2009), I have no access to 100% accurate data.

In addition to the above workload, I also performed other numerous police officer duties such as cruiser checks, vehicle patrol, foot patrol, subpoena delivery and service, prisoner transport, prisoner fingerprinting, prisoner meal delivery, court attendance, community policing meeting participation, training session attendance, phone answering and assisting other officers with their respective tasks.



The above line chart graphically depicts the cumulative number of the reportable and non-reportable calls for service I took and handled exclusively as the reporting officer.

Missing calls for service:


The following table contains missing occurrence numbers from the list of my calls for service (Exhibit 47) that I was dispatched to and handled. They must have grown legs, but where did they go?

Non-reportable calls – Motor Vehicle Collisions (Exhibit 47d)				Reportable calls
SP09126652	SP09154944	SP09181694	SP09245861	SP09087157
SP09126689	SP09155763	SP09182523	SP09265894	SP09175128
SP09128905	SP09155836	SP09191569	SP09266114	
SP09134097	SP09164282	SP09220394	SP09275524	
SP09136700	SP09180612	SP09223281	SP09284534	

For example, on August 20, 2009, I was dispatched to a Motor Vehicle Collision (car vs. deer) call for service (SP09191569). While it is documented in my officer's journal (Exhibit 26c, page 23 before the Impaired arrest (SP09191712) on the same day):

NO	JUN 20-AUG-09
	TROTTER 960 NCE 9
	54 TROTTER RD, APBLEY
	PO BOX 99 MOLIAO
INS	TRE CO-OPERATIONS
	11502 505216804
	SP 09191569
	NORTH TARRANTIA
	TRAFIC ATS,
	TRAFIC CONTROL

And in the list of my traffic reports (Exhibit 47d, page 17):

 Ontario		Motor Vehicle Accident Report		SP09191569	
Report Type: <input checked="" type="checkbox"/> Original <input type="checkbox"/> Amended <input type="checkbox"/> Failed To Remain		Accident Number: 11-09-00710		Page: 1 Of 1	
Accident Date: 09/08/20		Day of the Week: THU		Time: 06:30	
Time Officer Arrived or Police Force Reported to: 07:05 HRS		Emergency Equipment in Attendance: NORTH TARRANTIA FIRE		Service Performed: TRAFFIC CONTROL	
Name of Investigating Officer: JACK, Michael		Badge No.: 12690		Div./Stat./Det.: 1100	
Name of Submitting Police Force: O.P.P.		MTO Use Only:		Highway: Distance: Unit: Dir:	

It is missing from the list of my calls for service that was printed on February 6, 2010 (Exhibit 47, page 85):

177)	SP09190752	OPP	Alarm	2009/08/19 08:27	Complete - solved (non-criminal) - CRYSTAL HEIGHTS and WEST CLEAR BAY RD, GALWAY-CAVENDISH&HARVEY ON (Area: 1045, Duty locn: 1103, Beat: 30a, ESZ: 100707) Non-reportable / SECURITY COMPANY REQUESTING POLICE CANCEL BEFORE / POLICE ARRIVAL - 12690 PC JACK / (NO_REPRT) / (FRONT DOOR ALARM, NO ANSWER ATS) / (MONITORING STATION 800-569-7311) / (KEY HOLDER TO BE CONTACTED)
178)	SP09191712	OPP	Impaired/over 80	2009/08/20 10:51	Cleared by charge - SELWYN RD between BUCKHORN RD and MUD RD, SMITH-ENNISMORE-LAKEFIELD ON Canada (Area: 1044, Duty locn: 1105, Beat: 30b, ESZ: 80742) Reportable / 12690-JACK- SUSPECT VEH INTERCEPTED MALE DRIVER / ARRESTED IMPAIRED SEE REPORT /

Where, when and most importantly why did the SP09191569 disappear between August 20, 2009, and February 6, 2010?

In my Month 8 PER (09 Aug 09 – 09 Sep 09) (Exhibit 27) in the Traffic Enforcement section Sgt. Flindall / PC Payne noted the following:

TRAFFIC ENFORCEMENT

Specific example:

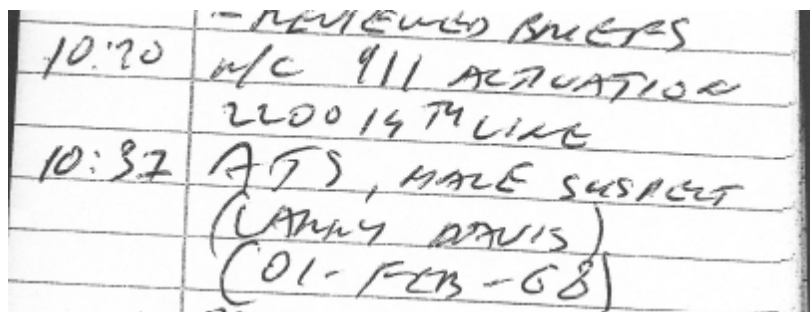
During this evaluation period, PC JACK has only worked 6 shifts due to his holiday schedule. He has laid only 4 provincial offence notices during this time period in which he investigated 19 non-reportable occurrences and 1 reportable occurrence which was an Impaired Driver SP09191712.

From the list of my calls for service (Exhibits 47, 47a, 47b) which was printed on February 6, 2010, the Tribunal can see that during my Month 8 performance evaluation period (09 Aug 09 – 09 Sep 09) (in actuality the evaluation period was between 09 Aug 09 – 20 Aug 09, inclusive) I only had 3 calls for service out of which 2 were non-reportable occurrences (176, 177) and one was a reportable occurrence (178):

175)	SP09178964	OPP	B-E bus/res/oth	2009/08/06 22:19
176)	SP09183483	OPP	Police assistance	2009/08/11 15:36
177)	SP09190752	OPP	Alarm	2009/08/19 08:27
178)	SP09191712	OPP	Impaired/over 80	2009/08/20 10:51
179)	SP09210832	OPP	Threats	2009/09/09 04:47

Where, when and most importantly why did the rest of the 17 non-reportable occurrences disappear to between August 2009 and February 6, 2010, from my list of calls for service?

The 911 call on August 15, 2009, at 10:20 (involving Mr. Larry Davis) that as far as I remember was cleared to my badge as non-reportable is missing from my list of calls for service.



One or two missing calls for service could be considered an act of error on a supervisor that is approving them. Yet again a supervisor or someone with supervisor's authority would have to make a conscientious act of removing them or re-assigning them. However, with so many calls for service missing from my list of workload it is nothing, but an act of willful malice!

Furthermore, the two calls I cleared to my badge as non-reportable in the evening of October 17, 2009, are also mysteriously missing from my list of calls for service (Exhibit 47). The Respondent has access to this information for I firmly believe they were deliberately moved to another officer(s) so as to show that I did not do many calls. There are many calls that I did do that are not on my list of calls for service. Interestingly, S/Sgt. Campbell addressed an e-mail to Sgt. Flindall on September 9, 2009, (Volume 1, I-24) with the following comment: ***'Also when you account for his time on the 6 shifts if there is a reason he only wrote 4 tickets what was he doing with his time. If he was completing follow-up or had a number of calls for service this should be mentioned and given credit for it.'***

(September 9, 2009) (Volume 1, I-24):

From: Campbell, Ron (JUS)
Sent: September 9, 2009 9:09 AM
To: Flindall, Robert (JUS)
Cc: Johnston, Mike P. (JUS); Lee, Dave E. (JUS); Kohen, Colleen (JUS)
Subject: FW: PCS66_JACK8.doc

Rob, Please review my comments in Red. I think you need to expand on some areas even though he only worked 6 shifts with your platoon and took vacation I think you can expand on some areas. Also when you account for his time on the 6 shifts if there is a reason he only wrote 4 tickets what was he doing with his time. If he was completing follow-up or had a number of calls for service this should be mentioned and given credit for it. Any proactive things he has done. Please review prior to disclosure. Tks Ron

In light of that e-mail it is easy to see the merits of reassigning calls for service that were completely investigated by me to another officer.

(September 27, 2009) (Volume 1, I-44):

From: Flindall, Robert (JUS)
Sent: September 27, 2009 9:59 PM
To: Nie, Richard (JUS)
Subject: PC JACK

Rich,

I've been approving a slew of occurrences for PC JACK tonight. Can you please go over with him how and why we link businesses to occurrences? He hasn't linked a single business in any of his occurrences.

Thanks,

Robert Flindall

The Tribunal should be naturally curious about these missing calls for service for they raise the inference when one just looks at the number of calls one did for a given date that I did not do much and hence should have dedicated more hours to traffic enforcement. This is a deliberate act of deceitfulness on the part of the Respondent and my request to have all records concerning me under the request for documents section of my Application has been deliberately violated by the Respondent. In doing so the Tribunal is also

deliberately manipulated by the Respondent into believing that that is all there was to the disclosure from the Respondent.

If, however, the Respondent is really interested in getting to the bottom of it and learning the truth then I respectfully suggest the Respondent does the following:

- Since the Respondent has access to all my officer journals, I suggest the Respondent looks for any evidence in them of me having the mandatory regular performance evaluation meetings with my accountable supervisor Sgt. Flindall and/or my coach officer Cst. Filman to verify that such meetings never took place contrary to the Ontario Provincial Police Orders.
- Since the Respondent has access to all my officer journals, I suggest the Respondent looks for any evidence in them of me refusing to sign my Month 8 PER to verify that such evidence does not exist contrary to the Ontario Provincial Police Orders and contrary to the Ontario Public Service policies.
- Furthermore, since the Respondent has access to my officer journals, I suggest the Respondent goes over all my journals, compiles a list of all calls for service I was dispatched to and handled according to what is documented in my notebooks and then prints a list of all calls for service that are still stored in the Niche RMS under my badge (12690). In comparing the two lists and the Respondent will see the discrepancies between the two – there will be considerably more SP occurrences in my journals than in the Niche RMS under my badge. The Respondent then could easily factor out the occurrences that appear in my journals, but “mysteriously” absent from the Niche RMS. Finally, since every Niche RMS transaction is recorded, the Respondent should check to see who reassigned the missing calls, when they were reassigned and to whom. This way the Respondent will be able to see who and when fraudulently diluted my workload and perhaps hold the perpetrators accountable for willful malice.