

Analysis of the Respondent's Disclosure (December 2008)

Anticipated evidence of Mr. Michael Jack (Schedule A):

From September 1, 2008, until November 27, 2008, I attended the Ontario Police College in Aylmer from which I graduated with a 91.6 cumulative average (course average was 81.5; number of recruits approximately 470) (Exhibit 13a). At the college I was the recipient of the 100% Ontario Police Fitness Award (only 5 recruits (1%) received the award) (Exhibit 13b). From November 30, 2008, until January 9, 2009, I was trained at the Ontario Provincial Police Academy (Exhibit 13d). At the academy I was the recipient of a "Top Dog" award for being the best in my class (110 recruits) in handgun use based on draw speed, shooting speed and accuracy (Exhibit 76).

It was during my schooling at the Ontario Police College (Sept to Dec. 2008) that I received information that my coach officer was supposed to be Cst. Jennifer Payne. I looked forward to meeting my coach officer as many of the recruits I interacted with already talked about who their coach officer was and some even had met with them. I learned there were three other recruits attending Peterborough Detachment - Cst. Dan Gay, Cst. Michael Davidson, and Cst. Amanda Knier. Upon speaking with them I found out that they had met with their coach officers in person already, whereas I had not even been offered an opportunity to meet with my coach officer.

While at training at the Ontario Police College I was assigned a coach officer – Constable (Cst.) Jennifer Payne. This assignment was done via e-mail. She was to coach me once I reported to the Peterborough Detachment. My training continued at the Ontario Provincial Police Academy in Orillia Headquarters. I was there that I was re-assigned to another coach officer – Cst. Shaun Filman as Cst. Payne was seconded to the Peterborough Detachment Crime Unit for a term of six months as of December 2008.

In mid-December 2008, while at the Ontario Provincial Police Academy (in Orillia), I received an email from S/Sgt. Campbell that my coach officer was going to be Cst. Filman. I emailed Cst. Filman twice, but he never responded to me. Though I felt a little left out and uncomfortable I did not realize the gravity of what was to come. Later on when I was shared information from Cst. Kevin Duignan in October 2010 that the nick name of "Crazy Ivan" was given to me prior to me commencing duty at the Peterborough Detachment (Exhibit 69) I realized why I had been left out. Furthermore, according to Constable Tapp I later learned that ever since he started at the Peterborough Detachment he had always seen or heard of officers leaving the detachment to meet their recruits. While he was Second-in-Command (during 2004) on 'A' platoon, his shift supervisor, Sgt. Butorac advised the platoon officers, during a shift meeting that a coach officer had to attend the graduation ceremony in Orillia to welcome the new recruit. Sgt. Butorac indicated that this was mandatory as per Non-Commissioned Officers (NCO) directives. In reflection and much later on I realized that it was after those two "ride-along" patrols that I was nick named "**Crazy Ivan**". I reasoned this based on the following:

Counsels' Response to the Application (HRTO 2010-07633-I), paragraph 36:

Constable Filman was not disinterested in the Applicant's training or development. On the contrary, it was the Applicant who was not open to constructive criticism or suggestions. At times when Constable Filman would point out something where improvement was needed, the Applicant would not speak to him for hours, even when they were traveling in the same car.

(December 24, 2009) (Volume 1, I-95):

From: Chapman, Kathy (JUS)
Sent: December 24, 2008 8:36 AM
To: Jack, Michael (JUS)
Cc: Filman, Shaun (JUS); Flindall, Robert (JUS)
Subject: WELCOME TO PETERBOROUGH
Attachments: WELCOME JACK.doc

*Kathy Chapman,
Admin. Assistant - Peterborough County Detachment
E-Mail: Kathy.Chapman@ontario.ca
(705-742-0401 Ext. 4603 -- Vnet 501-4603)
Fax: 705-742-9247*

The date at the bottom of the page is the date it was printed out and provided as disclosure to Counsel for the Respondent in preparation for the response to the Application. The page containing the above e-mail is dated January 28, 2011:

28/01/2011

(December 24, 2009) (Volume 1, I-94):

From: Chapman, Kathy (JUS)
Sent: December 24, 2008 9:18 AM
To: Filman, Shaun (JUS); Flindall, Robert (JUS)
Subject: Gun locker for Michael JACK

Michael Jack can have gun locker #C-12

*Kathy Chapman,
Admin. Assistant - Peterborough County Detachment
E-Mail: Kathy.Chapman@ontario.ca
(705-742-0401 Ext. 4603 -- Vnet 501-4603)
Fax: 705-742-9247*

The page containing the above e-mail is dated January 28, 2011:

28/01/2011

Moreover, I hope the Tribunal will note the date stamp at the bottom of the pages containing the e-mails from Kathy Chapman to me, Sgt. Flindall and PC Filman. It is January 28, 2011!

28/01/2011

Counsel's additional disclosure (April 3, 2012):

December 24, 2008

MEMORANDUM TO:

Probationary Constable Michael JACK, #12690

RE: WELCOME TO PETERBOROUGH COUNTY DETACHMENT

Welcome to Peterborough County Detachment. We are looking forward to your arrival and membership on our team.

Peterborough is a great place to live and work. You will be working in a large detachment where you will be exposed to a wide variety of policing experiences.

An Employee Handbook, Peterborough County Business Plan, map and two pairs of epaulets will be issued to you upon arrival. Your Coach Officer is Prov. Const. Shaun FILMAN, an experienced and accomplished officer.

Your supervisor is Sgt. FLINDALL and can be reached at 705-742-0401, extension 4621 or by e-mail (Robert.Flindall@ontario.ca). Please contact him at your convenience to discuss your shift schedule.

Please report for duty at 1800 hrs. on Monday, 12 Jan 2009. At that time you will be briefed.

Again, congratulations and welcome to Peterborough. I look forward to meeting you on your first day.

Welcome,



M.R.J. CAMPBELL

Staff Sergeant
Program Manager.

Atts.

/kc

I will not guess about the reason the two separately disclosed Welcome letters have the same contents yet different dates, with one dated (January 28, 2011) being plain ridiculous. However, I clearly remember that after receiving this letter I immediately emailed PC Shaun Filman and after not hearing from him back I emailed him again a few days later. Still, he never got back to me. Had the Respondent disclosed my e-mails then the Tribunal would have had proof of them and further proof of my allegation that PC Filman did not care about me contrary to the Counsel's assertion in the Response to my Application.

Counsels' Response to the Application (HRTO 2010-07633-I), paragraph 36:

Constable Filman was not disinterested in the Applicant's training or development. On the contrary, it was the Applicant who was not open to constructive criticism or suggestions. At times when Constable Filman would point out something where improvement was needed, the Applicant would not speak to him for hours, even when they were traveling in the same car.