

Petition asks for inquiry into Fantino and OPP

By THE CHRONICLE STAFF WRITER

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On Wednesday afternoon, a man came into The Chronicle office to sign a petition that asks for an inquiry into the actions and decisions of OPP Commissioner Julian Fantino and into the OPP actions Caledonia over the past three years.

His signature will be one of 10,000 collected by April when the petition will be taken to the Ontario legislature.

Launched last week by Caledonia residents Dave Brown and Ken Hewitt, the petition had about 2,500 supporters by Jan. 14. Through the petition, they are asking for an immediate and unpaid suspension for Fantino while the inquiry into his actions is underway.

In the petition's background statement, organizers said police violations of the Criminal Code and the Police Services Act have been documented. They also say the people of Ontario have the right to know the true costs of policing in Caledonia.

Anyone who has signed the petition on the internet will have to sign a hard copy which is the legally accepted document to have their voices heard. Copies are available at The Chronicle office and at the Dunnville Chamber of Commerce office. If the petition is not available at the chamber's front desk, people are encouraged to ask as it may be in Haldimand Norfolk MPP Toby Barrett's office.

This week Brown delivered copies to stores and restaurants in Cayuga, Hagersville, Jarvis and Dunnville.

Hewitt said he had requests for copies from Ottawa, Barrie, London, Thorold, Niagara Falls, Toronto and Hamilton.

"It's exploding," said Brown. "I can't believe how powerful it's getting...It's overwhelming the amount of people who support this."

"We just need law enforcement," he added.

To pack the biggest wallop with politicians and media, Hewitt planned to deliver the petition to Queens Park during the week of April 12. He wanted 1,000 people to come with him.

Anticipating a large gathering, Hewitt said the timing will coincide with the third anniversary of the April 20 OPP raid on Douglas Creek Estates.

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In February 2006, several persons from Six Nations moved into the subdivision construction site claiming it as part of their people's territory. The Caledonia property is within the Haldimand Tract that extends six miles from both sides of the Grand River. Granted in 1784 to Six Nations by Sir Frederick Haldimand, the land replaced territory lost when they fought with the British in the American War of Independence.

What threw Hewitt over the edge was Fantino's endorsement of Clyde Powless, a Six Nations resident. He faced mischief charges for allegedly pulling a hydro tower across Argyle Street South on Dec. 1 during a smoke shop protest. In his letter, Fantino said Powless has acted as a negotiator and a go-between for his people and OPP.

Reporters and politicians have seen Powless acting in that capacity at a few incidents over the past three years.

Fantino crossed the line in submitting that letter of support and is no longer unbiased or neutral, said Hewitt.

"I think he needs to go," said Dunnville resident Dennis James. "We need someone who can abide by the rules. Breaking the law is breaking the law no matter what race you are."

He believed political influence was the biggest problem in the immediate area.

Hamilton police officer David Hartless signed the petition as did other officers including some OPP members, he said. Eager to see an inquiry into what was really going on, the Caledonia resident will ask more officers and friends to sign.

This is being done professionally without blocking any roads or burning not even one tire, said Hartless. Ultimately an inquiry will make sure no one else has to endure what Caledonia residents have, he pointed out.

OPP are following flawed recommendations from the Ipperwash Inquiry, stated Hewitt. Five years ago, Premier Dalton McGuinty ordered the inquiry to look into the death of Dudley George and to determine how to avoid a fatality can be prevented in future land claim disputes.

In Sept. 1995, George was one of the natives who moved into the Ipperwash Provincial Park. In a confrontation between protesters and police, a shot was fired and mortally wounded him.

"It will bring a lot of things out in the open," said James of a Caledonia inquiry. "This is going to open up coast to coast."

Failure is not an option according to South Cayuga resident Donna Pitcher. "We will be relentless with this...and we will accept nothing but an inquiry being done," she said.

Barrett signed the petition. An attempt to confirm reports that MP Diane Finley only signed for the OPP inquiry was not successful. Her communication director Julie Vaux replied by email saying policing is a provincial matter.

"What I can say is that Minister Finley supports her constituents and shares their frustrations as we approach the third anniversary of the Caledonia occupation," stated Vaux.

Calling from an agricultural meeting in Canfield, Barrett said he suggested that Hewitt bring the petition to his New Year levee on Jan. 11 in Caledonia. The MPP only signed in support of the public inquiry into OPP actions.

As a publicly elected servant, he said he could not stick his nose into court issues so he did not sign for the Fantino inquiry.

In June 2006, Tory formally tabled a call for an inquiry and it was passed in the legislature but no action has been taken on it. Now Barrett was in full support of this new campaign for an inquiry as it will reveal solid factual evidence and hopefully will come up with a better approach to dealing with land claims.

Barrett gave petition organizers credit for their responsible approach in seeking answers. This conscious effort also takes off the pressure as the third anniversary of Feb. 28 is looming, he added.

After the petition was launched, Gary McHale who founded the Caledonia Wake Up Call web site challenged Haldimand County council members to show their support for residents by signing the petition. Councillors Craig Grice, Buck Sloat and Leroy Bartlett did. Mayor Marie Trainer did not.

Even though she agreed with an inquiry, she felt she could not sign since she had testified about two-tier policing in McHale's bail condition hearings. She is also a member of the county's police services board and soon council will be asked to enter into another contract with OPP.

"I thought it just wasn't appropriate (to sign for an inquiry into Fantino)," said Trainer. "He might think I was picking on him."

The mayor hoped the general inquiry will look into the handling of the entire situation, the change in OPP policing on Sixth Line and damage to and blockage of county roads.

Caledonia's councillor Craig Grice, who signed for both questions, said an inquiry was needed so residents can regain power over their daily life. This petition is a quiet form of protest without commotion on the streets, he added.

"Every time a skirmish happens, OPP say the peace was kept but the peace should not have broken down," he said.

As a result, many Caledonia residents no longer have respect for OPP, he added.

Some people have asked him to bring them a copy of the petition to sign. "There are a lot of residents who are afraid to sign the petition (in a public place) for fear of repercussions," said Grice who will not vote in favour of a new OPP contract.

According to Pitcher, the petition holds a lot of weight for people because it was launched by county residents. In the same way people rallied in opposition of the proposed sale of Haldimand County Hydro, people are putting their differences aside to work for the common goal of an inquiry, she added.

When \$100 million in taxpayers' money is spent as it has been in Haldimand County, an inquiry should automatically be done, said Pitcher of making the government accountable.

Mary Lou LaPratte said an inquiry was essential because the situation in Caledonia has gone beyond the bounds of ethics and beyond Fantino. She hoped the inquiry will be successful with all interested parties allowed to testify. This inquiry will not be about how someone was killed but will be about the actual actions of police and their failure to follow the Police Services Act, she pointed out.

"There is a real scandal about to unfold," said LaPratte.

Two tier justice started in 1992 in her community, West Ipperwash and 17 years later it continues in some ways, said LaPratte who has moved to another community. Race-based policing was adopted more widely after the inquiry and resulted in decreased protection from extremists, she continued.

At an informal session with the Ipperwash inquiry commissioner, residents voiced their concerns and provided recommendations on how to better take non-native interests into consideration during land claim disputes. None were added into the final report, said LaPratte.

Also disturbing was the OPP's approach of arresting people to prevent them from getting hurt by extremists, said LaPratte. This is comparable to a dictatorship in a Third World country, she added.

At least one supporter of Six Nations has signed the petition. Hamilton resident Connie Kidd only agreed to an inquiry into the actions and decisions of the OPP.

This will be a follow up on how the OPP are implementing Ipperwash Inquiry recommendations and if they are doing it right and if it worked, she added.

The findings would be very useful as a public information item for Canada, said Kidd. She also expected the inquiry would address laws and court precedents requiring government to consult and accommodate First Nations when their rights or lands were affected.

Kidd said the local dispute is the result of government failure to consult and accommodate Six Nations prior to development.

Michael Corrado, who is completing a residential development in Cayuga, said Haldimand County is no further ahead on the land dispute than three years ago. Now provincial taxpayers are facing tens of millions of dollars in expenses for policing, negotiator wages and court hearings.

He pointed out that this bill continues to grow when every tax dollar counts and the province is considering cutting social programs and going into deficit spending. The extraordinary costs for OPP is staggering, he noted.

"The residents of Haldimand County have taken the direct hit but so have the taxpayers of Ontario," added Corrado, who has not signed the petition.

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