

**Ministry of Community Safety
and Correctional Services**

Office of the Deputy Minister
Community Safety

25 Grosvenor Street
11th Floor
Toronto ON M7A 1Y6
Tel: 416-326-5060
Fax: 416-327-0469

**Ministère de la Sécurité communautaire et
des Services correctionnels**

Bureau du sous-ministre
Sécurité communautaire

25, rue Grosvenor
11^e étage
Toronto ON M7A 1Y6
Tél. : 416-326-5060
Télec. : 416-327-0469



CU08-02260
CU08-02875

JUL 18 2008

Mr. Mark Vandermaas
Director of Research
Canadian Advocates for Charter Equality
371 Vesta Place
London ON N5Y 1G4

Dear Mr. Vandermaas:

I am writing in response to your joint complaint of May 30, 2008, on behalf of yourself and Messrs. Gary McHale and Jeff Parkinson against Ontario Provincial Police (OPP) Commissioner Julian Fantino. Your complaint was received in the Office of the Honourable Rick Bartolucci, Minister of Community Safety and Correctional Services, on June 2, 2008. I also acknowledge receipt of your follow-up letter of July 10, 2008. Please note that I have treated your complaint as a complaint received under section 66 of the *Police Services Act* (PSA).

Under the PSA, the Minister has the discretionary authority to deal with all complaints against the OPP Commissioner as he sees fit. That authority has been delegated to me, and I am responding to your complaint on the Minister's behalf.

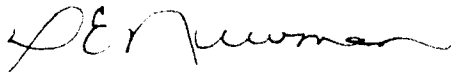
I have reviewed the content of your complaint. I am only dealing with the portion of your complaint that is current, which relates to a press release issued December 1, 2007. The portion of your complaint that alleges that the Commissioner influenced a municipal official on the basis of an e-mail of April 7, 2007, was dismissed by the former Minister in July 2007, and I will not revisit that decision. The portion of your complaint alleging an OPP "policy" of race-based policing is currently before the Ontario Human Rights Commission. Furthermore, any issues dealing with policy are subject to sections 60(3) and 63 of the PSA and are not the subject matter of a complaint under section 66. Therefore, I have declined to deal further with that portion of your complaint.

With respect to the portion of your complaint against the Commissioner that I will address, essentially, you allege that the Commissioner obstructed justice in issuing a press release on December 1, 2007. After careful review, I am exercising my discretion not to deal further with this complaint.

Mr. Mark Vandermaas
Page two

Please be advised that this decision is final and binding under the PSA and not subject to appeal.

Yours truly,

A handwritten signature in black ink, appearing to read "Deborah Newman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Deborah Newman
Deputy Minister of Community Safety

c: The Honourable Rick Bartolucci
Minister of Community Safety and Correctional Services

The Honourable Chris Bentley
Attorney General