



File ref: 2531005-0453

December 13, 2005

Mr. Shawn A. Cassista
2360 Truscott
Mississauga, ON L5J 2B2

Dear Mr. Cassista:

This letter will acknowledge that your complaint was received by this Bureau on December 1, 2005. It has been determined to concern the Conduct of a member of the Ontario Provincial Police, namely Provincial Constable I.C. (Ian) MICHEL, Port Credit Detachment. It has been dealt with as such pursuant to the Police Services Act (PSA).

However, your complaint was made more than six months after the facts on which it is based. Subsection 59(4) of the PSA provides that the chief of police may decide not to deal with any complaint made by a member of the public if the complaint is made more than six months after the incident occurred. The offence date is June 14, 2004 and the subsequent court date was January 20, 2005. More than six months has passed since the incident. Therefore, after due consideration and pursuant to subsection 59(4) of the PSA, on behalf of Commissioner Gwen M. Boniface, it is my decision that this matter shall not be dealt with further and the file is closed.

You may submit a signed, written request within 30 days for a review of this decision to the Ontario Civilian Commission on Police Services (OCCPS), Public Complaints Bureau, 1st Floor, 25 Grosvenor Street, Toronto, Ontario M7A 1Y6, or by facsimile transmission to 416-314-2036 in Toronto or, elsewhere in Ontario, 1-888-311-7555 (toll free). The OCCPS is an agency of the Ontario government and not associated with this police service.

Yours truly,


Chris Newton
A/Staff Sergeant
Manager
Classification & Analysis Unit
/abp

c: Provincial Constable I.C. (Ian) MICHEL #10707, 5100 - PORT CREDIT (c. complaint)
Detachment Commander, 5100 - PORT CREDIT

Ontario Civilian Commission
On Police Services

Commission civile des services
policiers de l'Ontario



1st Floor
25 Grosvenor Street
Toronto ON M7A 1Y6

1^e étage
25, rue Grosvenor
Toronto ON M7A 1Y6

Telephone/Téléphone: (416) 326-1189
Fax/Télécopier: (416) 314-2036

Toll Free/Sans frais: 1-888-515-5005
Toll Free/Sans frais: 1-888-311-7555

January 31, 2006

Mr. Shawn Cassista
2360 Truscott Drive
Mississauga ON L5J 2B2

Dear Mr. Cassista:

Re: Ontario Provincial Police File 253-10-05-0453
Ontario Civilian Commission on Police Services File 05-COM-0554

We are writing in response to your request for a review of the decision by A/Staff Sergeant Chris Newton, on behalf of the Commissioner of the Ontario Provincial Police, regarding your complaint involving Provincial Constable I.C. Michel.

The Ontario Civilian Commission on Police Services is a civilian agency which is independent of and autonomous from the police services of this Province. Your file was presented to a Review Panel.

The Panel considered the contents of the file including the initial complaint, the information you sent for the review, the complaint file provided by the Professional Standards Bureau of the Ontario Provincial Police and the decision by A/Staff Sergeant Newton.

Upon review of the available information, the Ontario Civilian Commission on Police Services is satisfied that the decision of the Ontario Provincial Police dated December 13, 2005, is appropriate. The Review Panel is aware of your concerns outlined in your complaint, however, having taken the available information into consideration, the panel is of the view that there are not sufficient grounds or reasons to change the decision made under s. 59(4) of the *Police Service Act*.

Please be advised that under Part V of the *Police Services Act*, s.72(12), this decision is final and binding and will not be reviewed by the Commission. Accordingly, our file is now closed.

Sincerely,
ONTARIO CIVILIAN COMMISSION ON POLICE SERVICES

Per:

A handwritten signature in black ink that reads "Sheldon Prior". The signature is written in a cursive, flowing style.

Sheldon Prior

Cc: K.R. MacDonald, Superintendent, Ontario Provincial Police
Provincial Constable I.C. Michel #10707, Port Credit



ONTARIO PROVINCIAL POLICE
PROFESSIONAL STANDARDS BUREAU
Highway Safety Division
Phone Number (905) 841-5777 ext. 2073
Fax Number (905) 841-7888

Date: April 20, 2006

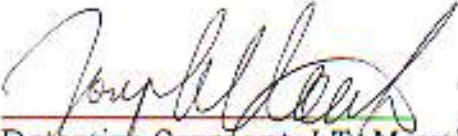
File Reference: 2531005-0453

Dear Mr. Shawn Cassista

Please be advised that I have been assigned to investigate a complaint that you lodged against Constable Ian Michel #10707, Port Credit OPP detachment.

If you have any information that you wish to add to your November 24th 2005, letter of complaint, or if you have any concerns, please contact me at the above phone number, or on my cell# 416-~~676-1567~~.

Yours truly,


Detective Sergeant J.T. Mauti
Highway Safety Division
Investigations Unit
Professional Standards Bureau

550-1567

100 Blenheim Rd West
AURORA ON L4G 7N5