

LAW UNION OF ONTARIO

31 PRINCE ARTHUR AVENUE
TORONTO, ONTARIO M5R 1B2

DIRECT RESPONSES TO:

VILKO ZBOGAR
TEL. (416) 855-6710
FAX 1 (877) 887-6754
VZBOGAR@ZBOGARADVOCATE.CA

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BY FAX TO: 416-494-4948

Michael McCormack
Toronto Police Association
200-2075 Kennedy Rd
Toronto, ON M1T 3V3
Canada

Dear Mr. McCormack:

Re: Toronto Police Association calls for Resignation of Alok Mukherjee

Section 46 of the *Police Services Act*, R.S.O. 1990 c. P.15 states: “No municipal police officer shall engage in political activity, except as the regulations permit.”

Recently, the Toronto Police Association, and you in particular, have undertaken a political campaign calling for the resignation of the Chair of the Toronto Police Services Board. In addition to your public statements, you have lobbied the Premier and Solicitor General (Minister of Community Safety and Correctional Services) to dismiss the Chair, and you have lobbied the Mayor to press the Premier to do so. The publication of a press release attacking the Chair, the public statements you have made, and your communications with the Mayor and the Premier are overtly political activities. These activities are not among the prescribed kinds of activities that are permitted by the regulations under the *Police Services Act*.

The Toronto Police Association represents police officers who are sworn to uphold the law. We respectfully request that you respect and uphold the law. We are writing to request that the Toronto Police Association immediately cease its illegal political activity, remove its political literature from its website, and publicly apologize for undertaking this activity.

We appreciate that the Toronto Police Association has a vested interest in influencing who chairs the Toronto Police Services Board, given that the Board is responsible for setting the budget and

the pay scale for its members. We understand that you do not want a Chair who is committed to budget reform and to other reforms that are unpopular with your members. However, your members are public servants, and their duty is to serve the public in accordance with the *Police Services Act*. It is not appropriate for the Toronto Police Association to interfere in the civilian oversight structure.

The Toronto Police Services Board has been making efforts to build public confidence in the Toronto Police Service. For example, it has recently instituted a carding policy aimed at reducing discriminatory policing, after hearing how these insidious practices hurt communities and their relationships with the police. Your political campaign, however, risks undoing the progress that has been made and causing irreparable harm to police-community relations.

Lastly, we note that the flyer that was shared on Dr. Mukherjee's Facebook page explicitly concerned American policing. It was a commentary about the frequency with which Americans are killed by police, in comparison to other threats to public safety which have been hyped up by the American media. It is not a bad thing to want fewer people to die violently, whatever the circumstances are. In any event, however, Dr. Mukherjee did not indicate that the American experience was reflective of policing in Toronto. It is dishonest to suggest otherwise. It is dishonest to suggest he has likened Toronto police to terrorists. It is the Toronto Police Association who determined that a commentary on the American experience was somehow reflective of yourselves. You should be disassociating yourselves from the kinds of policing practices that resulted in the deaths of Eric Garner, Michael Brown, and others, rather than identifying yourselves with them.

You talk about ethical behavior. Police officers have an ethical obligation to comply with the law rather than flout it. We reiterate our request that you cease your illegal political activity and offer a public apology.

Yours sincerely,



Vilko Zbogar
on behalf of the Law Union of Ontario, Policing Committee

c.c.: John Tory, Mayor, City of Toronto
Kathleen Wynne, Premier, Province of Ontario
Yasir Naqvi, Minister of Community Safety & Correctional Services
Alok Mukherjee, Chair, Toronto Police Services Board
David Gavsie, Associate Chair, Ontario Civilian Police Commission