

Gary McHale  
612 - 30 Harding Blvd. W.  
Richmond Hill, Ontario  
Canada L4C 9M3 Tel/Fax: (905) 770-5435

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VIA EMAIL, Fax

**Ontario Provincial Police Commissioner**

Julian Fantino  
Phone: 705-329-6199, Fax: 705-329-7593  
Julian.Fantino@jus.gov.on.ca

**Ontario Secretariat for Aboriginal Affairs**

The Honourable David Ramsay  
Phone: 416-326-4740, Fax: 416-326-4017  
David.Ramsay@osaa.gov.on.ca

**Premier**

The Honourable Dalton McGuinty  
Phone: 416-325-1941, Fax: (416) 325-3745  
dmcguinty.mpp.co@liberal.ola.org

**Attorney General**

The Honourable Michael Bryant  
Phone: (416) 326-2220, Fax: (416) 326-4007  
mbryant.mpp@liberal.ola.org

**Leader of the Opposition**

The Honourable John Tory  
Phone: 416-325-0445, Fax: 416-325-0491  
john.tory@pc.ola.org

**Re: March for Raising Canadian Flags set for Jan. 20<sup>th</sup>, 2007**

**Dear Commissioner Fantino:**

Many people in Caledonia, Ipperwash and throughout Ontario saw your appointment as commissioner as a positive first step in restoring Law & Order in Ontario. When you stated to the media that there was "One law for All", people believed you meant what you said.

However, on Dec. 2, 2006 the OPP once again demonstrated that OPP Two Tier Justice is alive and well in Caledonia under your leadership. Following is some background information for you, but to date the following people have stated that the OPP does have a Two Tier System in place in Caledonia.

- 1) The President of the OPPA stated it on June 8<sup>th</sup>.
- 2) The Mayor of Haldimand County has repeated it on radio, TV and to Newspaper reporters.
- 3) Local MPP Toby Barrett spoke at the March for Freedom on Oct. 15<sup>th</sup> and he clearly stated it.
- 4) Various Newspapers printed stories from OPP officers claiming it.
- 5) Residents of Caledonia & Ipperwash have repeatedly proclaimed it.

- 6) Media outlets from as far away as Nova Scotia & British Columbia have published stories showing examples of it.

Even the liberal media in Toronto – the Toronto Star printed on Dec. 21 the following, "But the line has to be drawn at enforcing the law. There cannot be different classes of law for different classes of people. That undermines the very equality we strive for and cherish in Canada. But the occupiers of the site are openly flouting that."

The Toronto Star also stated, "This past weekend was another ugly one. A Richmond Hill man protesting the protest was arrested – but not charged".

Allow me to demonstrate OPP Two Tier Justice with some simple facts:

- 1) # of people arrested for digging up part of Highway 6 = zero
- 2) # of people arrested for destruction of power station = zero
- 3) # of people arrested for all those nights of intimidation of residents = zero
- 4) # of people arrested for putting up Native flags = zero
- 5) # of non-Natives arrested for putting up Canadian flags = 4

To date it appears that only McGuinty and yourself are stating that Two Tier Justice is not a reality in Caledonia.

I have posted a radio interview you did where you state that if God Himself was Commissioner there would still be people who would find fault. You claim the task at hand is a complex issue and therefore there is no easy solution. May I offer one for you.

Start being a Police Force and not a Political Party. Your job is not to give time to the politicians to work their political double talk on the people of Ontario. Your job isn't to delay enforcing court orders until McGuinty can work behind the scene to force the owners to sell their land to the Ontario Government. Your job isn't to follow OPP Policies above the Canadian Constitution.

Your job, sir, is to uphold the Constitution and the Criminal Code of Canada. If anyone, whether black or white, Jew or Christian, British or Asian, assaults a camera crew then you arrest them. Your job isn't to force racial profiling upon the people of Ontario nor is it your job to bring about a desired ending for your political masters.

When someone is committing a crime in front of an OPP officer and he stands watching but does not arrest this person because the person committing the crime is Native is a violation of our Constitution, a violation of each OPP officer's Oath of Office and a moral violation against the People of Ontario.

If you wish to conduct your affairs in a political manner then please join a political party and run for office. Your job is to uphold the Constitution & Criminal Code impartially.

### **Supreme Court Ruling:**

In 1993 the Supreme Court Ruled that the Charter of Rights guaranteed that Canadians could post objects on Hydro poles under Freedom of Expression. The Government at the time argued that they had the right to stop people because of public safety.

The Supreme Court rejected the Government's arguments and stated that such arguments could not supersede Freedom of Expression. We see a similar type of ruling in the past month in British Columbia, where public safety was not a sufficient argument to overrule Native rights to night time hunting.

It is hard to imagine that no serious OPP officer is aware of this Supreme Court ruling that states quite clearly that people CANNOT be stopped from placing objects on Hydro poles.

On Dec. 16<sup>th</sup> the OPP once again violated the Charter of Rights and arrested myself and one other person for trying raise a Canadian flag. You claimed, "One rule for All", yet residents of Caledonia can clearly see that the OPP has already allowed Native flags to be raised while arresting non-Natives for the same actions.

Mr. Fantino, you and I both know that if a Native person was to raise a Canadian flag they would not be arrested. We both know that no Native person has been arrested for raising Native flags.

Therefore Sir, can you explain how you can claim, "One rule for All"?

### **Pending Lawsuit:**

Not only did the OPP violate the Charter of Rights when they illegally arrested me, but the OPP demonstrated just how far they are willing to violate people's rights by keeping me in jail without a charge and making me appear before a Judge, again without a charge.

This false imprisonment of me without a charge will be met with a lawsuit and a Police Service Complaint against the Officer who decided to keep me in over night.

This, of course, is of little concern to you, but once any officer is forced to take the stand and testify as to what OPP orders are in Caledonia then the People of Ontario will see just how corrupt the OPP has become.

### **Canadian Flag Raising Event on Jan. 20<sup>th</sup>, 2007**

The OPP illegal arrest and illegal imprisonment was pure intimidation on the part of the OPP to get me not to hold more Marches in Caledonia. This intimidation has failed.

On Jan. 20<sup>th</sup>, 2007 I am calling upon the People of Ontario to gather in Caledonia at 11:30 to raise up Canadian flags.

If you were not aware of it before I have now made you aware that the Supreme Court of Canada gives us the right to Freedom of Expression by placing Canadian flags on hydro poles.

Mr. Fantino, quit playing politics and start obeying our Courts, our Constitution and our Charter of Rights. The media will be present on Jan. 20<sup>th</sup> to see whether your words, "One Law for ALL" were just political B.S. or not.

Order your officers to obey the Laws of our Land and to uphold the Charter of Rights.

### **To avoid Jan. 20<sup>th</sup>**

The government and OPP have repeatedly asked me to March at different locations. Such a change in location would be completely meaningless which is why McGuinty and the OPP want me to do it.

I offer you another option. I will not go to Caledonia on Jan. 20 to raise Canadian flags if you do the following.

- 1) Hold a completely open public meeting in Caledonia.

- 2) Clearly explain three things:
  - a. Why Native flags are legal.
  - b. Why Canadian flags are illegal.
  - c. Why the OPP refuses to obey the 1993 Supreme Court Ruling.
- 3) Provide me with the answers to the above questions in text format to be posted.

If you refuse to answer these questions to the people of Caledonia or refuse to hold a completely open public meeting then I will be in Caledonia on Jan. 20<sup>th</sup> to raise the Canadian flag.

The following is found on the OPP web site, "Our Promise... commits to working continually to earn the confidence of the citizens of and visitors to Ontario—a confidence that will not be taken for granted... build... open and honest dialogue, with the communities it serves..."

Mr. Fantino, I call upon you only to do what the OPP promises to do – have "Open & Honest Dialogue".

### **Conclusion:**

In the Hamilton Spectator today they printed a story entitled, "*Policing must rebuild trust*". They state, "Commissioner Gwen Boniface, largely invisible throughout the Caledonia occupation, has moved on, with former Toronto police chief Julian Fantino taking over. Fantino is known as a law-and-order proponent, but he hasn't yet shown any firm leadership when it comes to Caledonia. It's not enough for him to say there is no double standard in Caledonia; he and his police force need to show us."

Mr. Fantino it is not enough to say, "One Law for All", you now must prove it.

The Government & OPP claim there are serious public safety issues each time I gather people in Caledonia. To date I have gathered people three times and to date there has not been one violent thing that has occurred.

However, it is now within your power to stop the Jan. 20<sup>th</sup> flag raising. You simply have to hold an open public meeting and fulfill the OPP promise of "Open & Honest Dialogue". You may email me your text answers to my questions or fax them.

Thank you for your time.

Gary McHale  
[info@CaledoniaWakeUpCall.com](mailto:info@CaledoniaWakeUpCall.com)