

# Who are we gonna blame... can't find that McHale guy

By Resident of Caledonia – May 24, 2007

For the past six-eight months or so, the Ontario Provincial Police have basically blamed Gary McHale for inciting emotions in this Community, for subjecting all of us to “dangerous” situations, and they’ve used Gary as a scapegoat to lay blame. In reality, blame really belongs squarely at the feet of the Ontario Provincial Police in conjunction with the Emergency Response Team (E.R.T.), the Major Events Liaison Team (M.E.L.T.) and the Aboriginal Relations Team (A.R.T.)

All this time, the natives were perfect little angels that did absolutely NOTHING wrong and they need to be protected from the “violent Caledonians”. Or that’s the impression put out to the general public. Recent events tell a different story about these angelic natives...

- Notre Dame Elementary School had to go into “lock down” mode, not once but twice? What led to those situations?
- The natives picked a fight on DCE resulting with a firearm being discharged and one person hospitalized. The O.P.P. say it had nothing to do with DCE, but in reality, that’s where the argument began! Who incited emotions this time around?
- Contractors hired to do maintenance work on The Baptist Church property came under attack one morning when the natives decided they wanted to be consulted first... Are the Contractors to blame for taking on a project?
- A threat was uttered to burn this same Baptist Church to the ground if the native demands were not satisfied. Is the Church at fault for wanting to improve the property it sits on?
- Yesterday in Hagersville, one rebellious native happened to drive along and noticed that some work was being done to a property. Clyde Powless has the brass bolts to say that “we can’t control these people”... I suspect he was referring to the natives that had descended on the construction site. He also wanted to be consulted (as if he has anything of value to contribute).
- Where was Gary all this time? Well it seems he was safely tucked in his bed at his home. Gary was nowhere near Caledonia, we were not even in his dreams! So who’s to blame here? Perhaps certain individuals should step up to the plate and point the “finger of blame” exactly where it belongs – at the hooded and masked natives! Or will they have the fortitude to admit that all along it was native interference into a peaceful process that posed threats? I suspect otherwise.
- For the second year, we’re seeing two tier justice. Who’s being blamed for these incidents? Not Gary, not the natives – masked and otherwise.... At the end of the day, nobody got blamed. The press release put out by the O.P.P. clearly supports the First Nations in

recent incidents ....and continues to pat itself on the back for “keeping the peace and ensuring public safety”.

- It appears that the O.P.P. have totally forgotten that maintaining the peace and upholding the written laws are supposed to go hand-in-hand. Suddenly, the Media Relations Unit in Caledonia has given the masked and hooded natives a new level of authority: they are referred to as “stakeholders”.

Some people are demonstrating that they can be very selective with their memory process. Just as an example, on January 16<sup>th</sup>, 2007, the O.P.P. put out a warrant for the arrest of an individual that was “observed” operating a front-end loader damaging Argyle Street and causing a specified amount of public damage. According to the O.P.P. this event occurred on May 22<sup>nd</sup> 2006.

In the scheme of things, it took the O.P.P. all of 239 days to figure out that the loud engine noise (100 feet away from where they stood) was the sound of the street being ripped apart in an act of destructive “mischief”. Again, the press release makes it sound like a frivolous event, nothing too serious, if you know where this guy is, call this number, nothing to get excited about...

The issue of policing responsibility can clearly be challenged: did certain O.P.P. officers commit acts of mischief themselves by allowing other certain individuals to destroy private and public property? Or were they being just too lazy and irresponsible to do the right thing and arrest the offender(s) when they had the chance? This certainly calls for a close re-examination.

According to the Federation of Law Societies of Canada, “mischief” is defined as:

***Criminal Code***

***PART XI: WILFUL AND FORBIDDEN ACTS IN RESPECT OF CERTAIN PROPERTY***

***Mischief***

***Mischief***            ***430. (1) Every one commits mischief who willfully***

***(a) destroys or damages property;***

***(b) renders property dangerous, useless, inoperative or ineffective;***

***(c) obstructs, interrupts or interferes with the lawful use, enjoyment or operation of property; or***

***(d) obstructs, interrupts or interferes with any person in the lawful use, enjoyment or operation of property.***

**Offence**

**(5.1) Everyone who willfully does an act or willfully omits to do an act that it is his duty to do so, if that act or omission is likely to constitute mischief causing actual danger to life, or to constitute mischief in relation to property or data,**

**(a) Is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years, or**

**(b) Is guilty of an offence punishable on summary conviction.**

By all appearances, certain members of the O.P.P., including Commissioner Fantino have clearly broken the law in preference to illegitimate tactics used by the natives to achieve their goals. The Ottawa Police exonerated certain individuals and Fantino was quick to “pat them on the head” for preserving the peace (while the law was being broken and certain parties were being physically assaulted). The exonerated officers are the same officers that willfully omitted to do an act where it is his/her duty to do so. According to the criminal code, section 430, these O.P.P. officers not only failed to do as was their duty, they clearly also committed a punishable offence.

By their own selective administration of a poorly devised scheme to “apply the law and keep the peace”, the O.P.P. have again confused themselves with the issue of “mischief”. Countless mischievous acts are being committed on a regular basis in Caledonia and the O.P.P. have seemingly determined “race based” laws are perfectly acceptable to their moral values by allowing a gang of hooligans to obstruct, interrupt and interfere with certain persons in the lawful use and enjoyment or operation of their property.

All I can say is “I’m so unimpressed”!