

Police Complaint

Parties

1. This complaint is made by Chris Rosen of the City of Kitchener.
2. This complaint is made against Constable A. Jack (#247), member of the Waterloo Regional Police Service.

Overview of the complaint

3. At approximately 3:40pm, on April 5, 2009, I was standing on the Charles Street sidewalk in front of the Kitchener Downtown Bus Terminal. I noticed a police cruiser traveling southbound on Charles Street. Cst Jack was driving. He pulled over in front of the Terminal and exited his vehicle to talk to a person. I began to move away from the front entrance of the Terminal, traveling north on Charles Street towards Gaukel Street. Cst Jack returned to his vehicle and made a U-turn to follow me. We turned east on Gaukel at which time Cst Jack pulled over and asked me through his passenger window to identify myself. I asked if I had done anything wrong and he said "no". I asked why he needed my name and he responded, "I ask the questions. I'm the police." He asked me if I had ever been in trouble with the police before. He put his vehicle into park, and told me, "give me your name right now". I asked if I could leave and he said, "no". I gave him my name because I was worried that he would get out of his car and arrest me or get physical. I felt that I had not choice but to give him my name, so that's what I did. I felt that I could not leave. I waited approximately 10 minutes until Cst. Jack told me that I was free to go, and then I left. While I was waiting, I asked Cst Jack to give me his name and badge number. He did so verbally, but refused to write the information down for me.

Complaint

4. Cst Jack had absolutely no reason to believe that I was involved in any offense which he might have been investigating.
5. Cst Jack detained me without reasonable suspicion that I was involved in any offence. Cst Jack detained me illegally.
6. Cst Jack intimidated me and forced me to provide my name when he had no legal grounds for doing so.
7. Cst Jack detained me in order to identify me. There is no police power to detain in order to identify a person.
8. Cst Jack did not read me my rights.

9. Cst Jack did not allow me to talk to a lawyer.
10. Cst Jack did not inform me of the reason for my detention.
11. Cst Jack did not read me my rights.

Resolution

12. I would like a full investigation, a written report, disciplinary action taken against officer involved, and an admission that actions of the officer were improper and unauthorized.

Police Services Act s. 58(1)

13. The complainant submits that this complaint is about the conduct of a police officer(s).

Chris Rosen

Date