
TOWN OF ORANGEVILLE INTEGRITY COMMISSIONER,
GUY GIORNO

Citation: Montforts v. Brown, 2021 ONMIC 10

Date: July 19, 2021

REPORT ON COMPLAINT

TABLE OF CONTENTS

- The Complaint..... 3
- Summary..... 3
- Background..... 3
 - The Trial of Police Constable Stephen Fisher – R. v Stephen Fisher..... 5
 - Allegation of Assault Against Former Councillor Don Kidd 7
- Positions of the Parties..... 9
 - Position of Complainant..... 9
 - Position of the Mayor (Respondent) 10
- Comments of Interested Persons..... 11
 - Persons Not Participating 11
 - Comments of Stephen Fisher 12
 - Comments of Don Kidd..... 13
 - Comments of Social Media Users..... 13
- Process Followed..... 14
- Findings of Fact..... 15
- Issues and Analysis..... 17
 - A. Did the Respondent knowingly false make statements, contrary to section 3.1 of the Code? 19
 - B. Did the Respondent contravene section 14.2 by failing to treat people with dignity, understanding and respect? 20
 - C. Did the Respondent engage in abuse, bullying, intimidation or harassment contrary to section 14.3? 23
- Conclusion and Recommendation..... 24
- Content..... 25
- Appendix: Social Media Posts..... 26

THE COMPLAINT

1. Ms Stephanie Montforts (Complainant) alleges that 16 Facebook posts of Mayor Sandy Brown (Respondent) contravened the *Libel and Slander Act* and six sections of the Code of Conduct for Council, Local Boards and Committees, By-law Number 044-2016.
2. I conducted an inquiry into whether sections 3.1, 14.2, and 14.3 of the Code were contravened. This is my report.

SUMMARY

3. The inquiry is limited to the Mayor's compliance with the Code of Conduct in his role as a Member of Council. It does not address whether he complied with the obligations of a member of the Police Services Board.
4. I find that the Mayor's January 16 social media posts did not contravene Code section 3.1 (General Standards of Conduct), or Code sections 14.2 and 14.3 (Respect for Others).
5. The factual portions of the Mayor's posts were accurate. The opinion portions of his posts were made in good faith and reasonably supported by the facts.
6. The Mayor was commenting on a matter of public interest: the trial and acquittal of an Orangeville Police Service whistleblower, Constable Stephen Fisher.
7. The Mayor had a reasonable basis to be angered by what the trial revealed about the leadership and operations of the former Orangeville Police Service – as demonstrated by the treatment of Constable Fisher.
8. Indeed, it would have been unreasonable for a civic leader to follow the entire trial, as Mayor Brown did, and not be troubled by what was revealed.

BACKGROUND

9. After years of discussion in the community, two municipal elections in which the issue figured prominently, and a 2017 Council vote (4-3) that went the other way, Orangeville Town Council decided to disband Orangeville Police Service and transition to Ontario Provincial Police services effective October 1, 2020.

10. Council decision-making on the OPP policing issue was related to two previous Integrity Commission inquiries, *Re Wilson*, 2017 ONMIC 13 (CanLII) and *Re Bradley*, 2017 ONMIC 15 (CanLII).

11. It is inappropriate for me, as Integrity Commissioner, to take sides in a municipal public policy debate. Nothing in this report should be interpreted as a statement of support for, or a statement of opposition to, the delivery of policing services by either the OPP or the former Orangeville Police Service.

12. On January 15, at the conclusion of a week-long trial, the Honourable Justice Shannon B. McPherson acquitted former Orangeville police constable Stephen Fisher of charges of breach of trust and disseminating a private communication.

13. The Respondent had been following the entire trial. Late Thursday night, he had posted the following in anticipation of the next day's proceeding:

Friday at 9:30 final submissions will be given in the criminal matter involving former OPS Constable Stephen Fisher. I have watched virtually the whole trial and witnessed the sworn testimony of the toxic environment of bullying and harassment that was caused by and supported by management. It's quite a story and if you are one of the handful of people who thought that OPS was worth saving – tune in on the link below Friday morning at 9:30 for a bit of an eye opener. Public is welcome to the virtual court proceeding

<https://ca01web.zoom.us/j/68967383689...>

14. At 2:08 p.m., Friday, the Respondent posted that first of what would be many posts by him in reaction to the verdict. He posted: "Update – 30 second acquittal on both counts."

15. On Saturday, January 16, that is, the day following the conclusion of Constable Fisher's trial, the Respondent posted a longer reaction on his Facebook account:

I'd like to share some thoughts about the Stephen Fisher trial.

- Kalinski suspended Fisher in fall of 2018 with full pay

- Fisher sits home for two years at a cost of \$205,000 to the Orangeville taxpayer – equivalent to burning this money in a barrel, because the Town received no product or service for this money

- oh wait, it's actually worse, because Kalinski reduced the complement of uniformed officers by one, meaning

a) there was one fewer officer on a shift meaning the safety of the Town or the safety of on duty officers was compromised (this did happen) or b) officers filled Fisher's spot on overtime

16. "Kalinski" was Chief Wayne Kalinski, who led the Orangeville Police Service until it was disbanded.

17. Ms Montfort posted a comment in response to the Mayor. She told the Mayor that his post violated the Code of Conduct, and explained her position. Mayor Brown quickly replied that he “certainly” would not take advice from her.

18. Numerous comments, posted by the Complainant, the Respondent, Constable Fisher, former Council members, and many other individuals, quickly followed. Within less than two days, there were 222 comments that filled 86 pages when printed. I have reviewed and considered them all.

19. In the Appendix I have reproduced the Mayor’s original post and his 19 subsequent comments. For ease of reference I have numbered his posts using roman numerals I through XX.

20. On January 19, the Complainant filed a formal Complaint under the Code of Conduct. She alleges that 16 of the Mayor’s posts and comments (of 20 posts by the Respondent in total), including the post that started the thread, contravene the Code.

21. On March 24, the Mayor announced, in a public letter to Council, that he is being investigated by the Ontario Civilian Police Commission under Ontario Regulation 421/97 (Members of Police Services Boards – Code of Conduct). The Mayor did not provide specifics of the complaint against him, but wrote that he “has a duty to speak freely and report on issues of concern, particularly fiscal management and should not be muzzled.” I infer from this comment that the complaint relates to things the Mayor communicated in public. The Mayor resigned from the Police Services Board that day.

22. On April 23, the Ontario Civilian Police Commission issued a public admonition to Mayor Brown, in his capacity as a Police Services Board member, for comments he had made about a police officer in 2019. The admonition relates a complaint that had been made by the police association in 2019, and not the one recently revealed by the Mayor.

23. Several relevant posts relate to Constable Fisher’s trial. Some other relevant posts involve an incident affecting former Councillor Don Kidd. The background to these posts is set out below.

The Trial of Police Constable Stephen Fisher – R. v Stephen Fisher

24. Constable Stephen Fisher was charged with disseminating a private communication contrary to subsection 193(1) of the *Criminal Code* and with breach of trust for disclosing a private communication contrary to section 122 of the *Criminal Code*. He was tried in the Ontario Court of Justice, Court File No. Orangeville 0611 998 18 1523, before Justice S. McPherson. On January 15, the judge acquitted him. On February 11, the judge issued written reasons for judgment.

25. I have read the reasons for judgment, which are 24 pages and 144 paragraphs long. However, certain information related to the trial is subject to a common law publication ban pursuant to the case *R. v. Mentuck*.¹ It is not clear which passages of the judge's reasons are subject to the publication ban. Consequently, I have decided that in this report I will not mention any portion of Justice S. McPherson's reasons.

26. Instead, I will very briefly summarize the facts that are publicly available in news media reports and a labour arbitrator's decision. In June 2018, Constable Fisher came across a recording of two Orangeville Police Service members saying troubling and inappropriate things. Constable Fisher was aware of his duty to report under the law and under the applicable workplace harassment policy, but he did not have confidence to report through the chain of command what he had found. His reasons for lack of confidence included the relative seniority of the individuals on the recording (both ranked above him in the OPS hierarchy), his perception that OPS leadership ignored workplace harassment complaints, and the fact that an individual in the recording was the spouse of the Deputy Chief. Instead of disclosing the recording through the chain of command, Constable Fisher disclosed it to a special constable. The special constable, in turn, shared the recording with an OPS staff sergeant, with the Town of Orangeville human resources manager, with an OPS sergeant who was the police association president, and with an OPS constable who was the former police association president.

27. OPS leadership took no action against the two individuals who were recorded making inappropriate comments. Instead, it proceeded against Constable Fisher, the whistleblower. In August 2018, Constable Fisher received notice that a complaint had been made against him that, without authorization, he had "removed and disclosed property of the Orangeville Police Service." The OPS referred the matter to the OPP, which investigated and laid two charges under the *Criminal Code*. The OPP issued the following news release on December 19, 2018:

ORANGEVILLE POLICE OFFICER CHARGED

(ORILLIA, ON) - In August 2018, the Ontario Provincial Police (OPP) received a request for assistance from the Orangeville Police Service into the conduct of one of their officers.

On December 18, 2018, members of the Professional Standards Bureau of the OPP arrested and charged Stephen FISHER an Orangeville Police Officer with Breach of Trust and Disclosure of Private Communication contrary to the *Criminal Code* of Canada. The officer is scheduled to appear before the Ontario Court of Justice in Orangeville on February 5, 2019.

More information as to the employment of the officer should be directed to Orangeville Police Service.

¹ [2001] SCC 76, [2001] 3 S.C.R. 4.

28. The same day, Orangeville Police Service suspended Constable Fisher with pay. According to news stories,² the official OPS reaction was as follows:

"We always hold our staff to a very high standard of accountability. This is not a reflection on the dedicated and professional members of the Orangeville Police Service, who keep our community safe. We are committed to upholding the values and ensuring the integrity of our oath of office," said Chief Wayne Kalinski.

Since this matter is now before the courts, no further comments will be made.

29. Constable Fisher was separately served with a notice of misconduct under the *Police Services Act*.

30. Orangeville Police Service took no action against the second whistleblower, that is, the special constable who received the recording from Constable Fisher.

Allegation of Assault Against Former Councillor Don Kidd

31. Mr. Don Kidd served on Orangeville Town Council until his defeat in the 2018 municipal election.

32. Mr. Kidd was and (according to his interview in this inquiry) remains a supporter of the move to OPP policing in Orangeville.

33. An employee of the Orangeville Police Service alleged that Mr. Kidd touched her on April 27, 2017, following a public meeting on the cost of a proposal for OPP policing. The employee said that when asked about potential job losses by civilian members of the OPS (if the OPP were to assume responsibility for policing), Mr. Kidd replied, "don't worry, the OPP will look after you," and then repeatedly poked the employee in the chest, on the crest of an Orangeville Police Association golf shirt. The employee subsequently brought a complaint for assault and sexual assault.

34. Due to the nature of the complaint and the fact that the complaint was made by an OPS employee, it was decided that an external police service should conduct any investigation. Consequently, the matter was referred to the Owen Sound Police Service.

35. I obtained a copy of the Owen Sound Police Service investigation report, and I thank Owen Sound Police Chief Ambrose for assisting this inquiry.

36. The police report appears to have been written August, 2, 2017, but not entered into an online database until May 29, 2018.

² *Orangeville Citizen*, "OPS officer charged by OPP" (December 21, 2018), online <http://citizen.on.ca/?p=13510&upm>; 91.5 The Beat, "Orangeville Cop Facing Criminal Charges" (December 20, 2018), online, <https://scottandkat.ca/orangeville-cop-facing-criminal-charges/>; Matt Carty, CJOY/Global News, "Orangeville police officer charged with breach of trust" (December 19, 2018), online <https://globalnews.ca/news/4777144/orangeville-police-officer-charged/>

37. According to the police report, the employee recalls being poked by Mr. Kidd's index finger approximately nine times in the left chest directly on the crest of her Orangeville Police Association golf shirt. A witness, who was also present, recalls that Mr. Kidd poked the crest "a few times."

38. The police investigation determined that the crest on the shirt sat on the employee's upper chest and, "in addition, there is no evidence to suggest that the poking by KIDD was done for any sexual purpose whatsoever. It is clearly evident that KIDD was poking the crest on the shirt to emphasise the verbiage he was using in his conversation."

39. According to the police report, "The [employee] was not injured or physically impacted in any substantial way as a result of the poking of [the] chest by KIDD." It further found "that the actions of KIDD in this incident, though inappropriate, are trifling in nature and therefore do not warrant the laying of an information for a charge of assault."

40. The police report concluded, "The involved parties are to be notified of the results of the investigation. This matter can be considered closed."

41. Three days before the October 22, 2018, municipal election, the *Orangeville Banner* ran a front-page story beneath the headline, "Orangeville police employee alleges Coun. Don Kidd assaulted her at OPP meeting, no charges laid," and sub-headline, "Owen Sound police report into allegations involving Orangeville councillor obtained by media one year later."³

42. According to the story, the *Orangeville Banner* had received the police report on October 18, 2018.

43. The *Banner* did not explain from whom it obtained the police report, but it reported that then-Councillor Kidd said he had not even seen it. After receiving the police report, the *Banner* was telephoned by an individual who declined to be named, but who claimed to be the employee involved and who was able to cite the Owen Sound Police Service occurrence number for the investigation. The *Banner* also reported that the Owen Sound Police Service declined to confirm whether or not Mr. Kidd was investigated.

44. On election day, Mr. Kidd finished in seventh place. (The top five candidates for Councillor were elected.) He received 828 fewer votes than when he was elected in 2014 and had finished in second place.

³ Chris Halliday, *Orangeville Banner*, "Orangeville police employee alleges Coun. Don Kidd assaulted her at OPP meeting, no charges laid: Owen Sound police report into allegations involving Orangeville councillor obtained by media one year later" (October 19, 2018), online <https://www.orangeville.com/news-story/8975888-orangeville-police-employee-alleges-coun-don-kidd-assaulted-her-at-opp-meeting-no-charges-laid/> and <https://www.toronto.com/news-story/8975888-orangeville-police-employee-alleges-coun-don-kidd-assaulted-her-at-opp-meeting-no-charges-laid/>

POSITIONS OF THE PARTIES

Position of Complainant

45. The Complaint alleges that the Mayor's posts contravene sections 1.1, 3.1, 3.2, 14.1, 14.2 and 14.3 of the Code, and the *Libel and Slander Act*. I inquired into the allegations under sections 3.2, 14.2 and 14.3. My reasons for not inquiring into the other allegations are set out at paragraphs 116 through 120.

46. The Complainant alleges that 16 of the Mayor's posts were contrary to the Code and provides detailed submissions related to every single one.

47. The Complainant makes the following arguments:

- The Mayor was "making false statements" about unverifiable information, such as suggesting that former members of the OPS engaged in sexual harassment and bullying.
- The Mayor made a "grossly incorrect" statement about matter of fact, when he stated that a Crown Attorney was "bullied" by Chief Kalinski into laying charges against Mr. Fisher.
- The Mayor's Facebook posts were "instigating harassment" by people who read and acted on his posts.
- The Mayor engaged in "complete degradation" of the Police Services Board by using abusive language.
- The Mayor was "defaming" former municipal elections candidates using abusive language.
- The Mayor "eroded public confidence" by labelling individuals who disagree with him as "Internet trolls."
- The Mayor made allegations based on "information that was heard, not documented or pursued in public" and that this hearsay erodes public confidence in municipal institutions.

48. The Complainant argues that the merits of the debate over moving to OPP policing are not relevant to the inquiry. Instead, the only question is whether the Mayor contravened the Code. The Complainant does not want to "re-litigate OPS [versus] OPP but rather identify blatant Code of Conduct violations."

49. The Complainant suggests that, by accepting a position of public service, the Mayor made a “contract with the community” that ought to prevent him from criticizing or “putting down” his constituents. This means that the “role of elected official should always put the people they represent and the Municipality above oneself.”

50. The Complainant also submits that a Council Member who posts inflammatory content on social media should be responsible when other individuals are incited to harass, to intimidate, or to engage in inappropriate conduct.

51. The Town of Orangeville is no different than any other organization, the Complainant says. There should be consequences when its officials misuse social media:

What goes on my social media is my responsibility. I cannot comment on my company's behaviour without expecting discipline or consequences

52. In reply submissions, the Complainant argues that most of the Mayor's responses do not directly address the allegations that the Code was contravened.

Position of the Mayor (Respondent)

53. The Mayor confirmed during his interview that he “stands by each and every one of the statements” he made in the posts because “they are the truth and the public has a right to know the consequences of the decisions” made by Orangeville Police Service leadership.

54. The Mayor states that the Complainant has been a vocal supporter of the Orangeville Police Service for years, and opposed his election as Mayor. He says the Complainant has criticized him both on social media and in person.

55. Further, Mayor Brown contends that the Complainant has long-considered weaponizing the Code of Conduct as a political attack. He observes that the Complainant never made any effort to seek an an informal resolution, and instead proceeded immediately to the formal Complaint Procedure.

56. In his view, serving as Mayor does not mean he must respect people in the Town who don't deserve respect. He believes that, where warranted, a sitting politician remains free to identify, to name, and “call out” anyone deserving public criticism.

57. Mayor Brown rejects any suggestion that, under the Code of Conduct, elected officials bear responsibility for the actions of supporters on social media. First, a politician must be free to communicate facts to the public, even facts difficult to accept, without fear of sanction when members of the public take their own actions as a result of those facts. Second, he believes holding politicians accountable for the actions of other individuals on social media is unworkable and ludicrous because there is no credible way to determine who is a genuine supporter.

58. The Respondent stands by his comments about the leaking of the police report on former Councillor Don Kidd. He believes that the allegations were “despicable” and designed to silence and defeat a vocal supporter of the OPP. He also stands by his view that the circumstances and timing of the news story raise legitimate suspicion that it was a member of the Orangeville Police Service that leaked the report to the media.

59. In relation to the social media users with whom he engaged in posts VII, IX, XIII, and XIX (see Appendix) and who were interviewed as part of this inquiry, the Mayor claimed they were long-time, vocal critics of his, who have been posting “offensive comments” about him for years.

60. In response to the Complainant’s observation that this statement was incorrect, the Mayor acknowledges that the charges against Constable Fisher were laid by the police and not, as one of his posts said, by the Crown Attorney.

61. The Mayor states that in 2018 (prior to the election), the Police Services Board agreed to clauses in the two collective agreements and in several employment contracts that provided six weeks’ severance for each year of service. He said these were “poison pill” provisions intended as a financial penalty in the event the Town ever again considered moving to OPP policing.

COMMENTS OF INTERESTED PERSONS

62. This inquiry involves social media comments in which the Mayor mentioned other people. While the only question in this inquiry is whether the Mayor contravened the Code of Conduct, I felt that it was appropriate to give notice and an opportunity to be heard to the people specifically named in the Mayor’s posts. My reasons for doing so are set out at paragraph 87.

Persons Not Participating

63. I wrote individually to former Police Chief Wayne Kalinski and former Deputy Chief Leah Gilfoy. I attached the text of relevant social media posts and invited each to address the content, including whether it was false or misleading, disrespectful, harassing or abusive, an encouragement or incitement of harassment or abuse, and fair comment on a matter of public interest. Mr. Kalinski declined. Ms. Gilfoy did not respond. (I wrote to her March 6.)

64. I wrote to the former Mayor, attached the social media posts that related to him, and invited him to address them, including whether they were false or misleading, disrespectful, harassing or abusive, an encouragement or incitement of harassment or abuse, and fair comment on a matter of public interest. On March 12, he said he would reply as time allowed, but he never did.

65. I wrote to the Orangeville Police Services Board member named in the posts. I wrote separately to the only other current Police Services Board member who served on the Police Services Board at the time of the events discussed in the Mayor's posts. I asked the same questions and made the same invitation. Through a representative, they declined to participate in this inquiry.

66. I subsequently became aware, from information made public by the Mayor in an open letter, that the Ontario Civilian Police Commission is currently investigating a complaint against him. The PSB has now confirmed to me that respect for any OCPC process is the reason its members declined to participate. When I originally contacted the Police Services Board members, I was unaware of the matters described in the Mayor's open letter. I now understand and appreciate why no current Police Services Board member is able to take part in this inquiry.

Comments of Stephen Fisher

67. Former Constable Stephen Fisher accepted the opportunity to comment on the social media posts that related to him and his trial.

68. Mr. Fisher states that, to his knowledge and from his experience, the posts are a fair and accurate representation of former Orangeville Police Service leadership. He feels that his trial was "an opportunity for the citizens of Orangeville to have an idea of what the real inner workings of the former Orangeville Police [were] like."

69. He pointed out that, while he was obviously not the trier of fact, the evidence in court was provided by multiple witnesses under oath, and therefore provides a fair basis to assess the decisions and actions of Orangeville Police Service leadership. He believes this evidence overwhelmingly demonstrates, "that the management of the OPS allowed, and even fostered, a toxic workplace environment that protected specific individuals regardless of their actions."

70. Mr. Fisher agreed with the Mayor that his suspension and trial cost taxpayers a significant amount of money while simultaneously removing a member of the police force from active duty. Over and above what the Mayor said the suspension and trial cost taxpayers, he said he was indemnified for his legal fees, which cost taxpayers an extra \$75,000.

71. Mr. Fisher takes no issue with his trial being used by the Mayor as evidence that "the OPP are a better organization for the Town of Orangeville and that the removal of the OPS was completely justified."

Comments of Don Kidd

72. Former Councillor Don Kidd was named directly in one of the Respondent's Facebook posts. He participated in an interview during the inquiry.

73. Mr. Kidd believes that the 2017 assault complaint against him was frivolous and says it was evident from the outset that it did not have any merit.

74. Further, he questions how much of an investigation took place, because he attempted on several occasions to obtain a copy of the police report into the serious allegations made, and was never provided documentation confirming an investigation.

75. Mr. Kidd shares the Mayor's view that a member of the Orangeville Police Service was the most likely source of the leak of the police report to the *Orangeville Banner* on the eve of the 2018 municipal election. He agreed with the Mayor that the leak was intended to take down a politician who had consistently supported moving to OPP policing.

Comments of Social Media Users

76. The inquiry included interviews with three local social media users, including two who engaged with the Mayor on Facebook, January 16, and were the subject of posts VII, IX, XIII, and XIX (see Appendix). Their contact information was provided by the Complainant, who first confirmed their willingness to participate in the inquiry.

77. All three attested to the fact that Mayor's posts stem from the long-standing and divisive debate over policing in the Town.

78. They all believe that the Mayor's posts reflect an "us versus them mentality" and a strategy of goading his political supporters to attack his perceived opponents through social media. They say the Mayor was able to use this strategy in the debate over policing, because many of his supporters are proponents of OPP policing and detractors of the former Orangeville Police Service, but they claim they Mayor applies the same strategy in other political contexts, too.

79. Each one cited several examples of being attacked on social media by supporters of the Mayor. For example, one stated that an obvious supporter who frequently posts on the Mayor's Facebook page has referred to Orangeville Police Service supporters as "crackheads" and "Internet trolls."

80. One user said that a supporter of the Mayor (who appears by name in the posts I reviewed) went back to the user's personal Facebook page and began attaching *ad hominem* personal attacks to posts of the user unrelated to Orangeville politics.

81. They were divided on the impact of online activity by the Mayor's supporters. One said these types of personal attacks by supporters of the Mayor are so "childish and immature" that they cannot be taken seriously. Another said the online attacks can have serious professional and economic repercussions, as the language can harm reputations in the community.

82. The language they used to describe the Mayor's political supporters include "socially-inept minions" and people deployed to "do the Mayor's dirty work."

PROCESS FOLLOWED

83. In operating under the Code, I follow a process that ensures fairness to both the individual bringing a Complaint and the Council Member responding to the Complaint. This process is based on the Code of Conduct Complaint Procedure that was adopted by Council.

84. The Complaint was submitted January 19. I decided to conduct an inquiry into the allegations under sections 3.1, 14.2 and 14.3 of the Code, and issued a Notice of Inquiry to both parties.

85. The Response was received February 4. The Complainant replied on February 14.

86. On February 15, I sent the parties a Supplementary Notice of Inquiry, informing them of the interview phase of the inquiry. Both parties' submissions were detailed and addressed the issues directly, but I offered the opportunity of oral interviews if they wished to provide additional information or comment. Each accepted the offer of an oral interview.

87. While the only question in this inquiry is whether the Mayor has contravened the Code of Conduct, the question arises in the context of social media posts that mention other people. Issues raised by the Complaint include whether the posts are honest, false, misleading, respectful and fair. I determined that I cannot make findings about social media posts that mention other people's conduct without giving those other people notice and an opportunity to be heard.

88. On March 6, I wrote separately to former Police Chief Wayne Kalinski, former Deputy Police Chief Leah Gilfoy, former Mayor (and former Police Services Board Chair) Jeremy Williams, former Councillor Don Kidd, former Constable Stephen Fisher, and Police Services Board members Ken Krakar and Mary Rose. I shared with them only the material in which I determined they had an interest – namely, the text of relevant social media posts (but no identification of the Mayor as author) – and offered them an opportunity to comment. I did not share them the Complaint, the submissions of the parties, or the names of the Complainant and Respondent. My objective was to give them a fair opportunity to address social media comments about them, not to offer them

standing in the inquiry, and not to invite them to make submissions on whether the Code was contravened.

89. The Complainant informed me that three social media users connected with the January 16 Facebook exchange were willing to be interviewed. They were.

90. I issued a delegation under subsection 223.3(3) of the *Municipal Act* to Paul Burbank, a lawyer who works with me, authorizing him to conduct interviews and gather evidence.

91. I obtained from the Owen Sound Chief of Police a copy of the police report on former Councillor Don Kidd.

92. I obtained a copy of the reasons for judgment, in the *Fisher* case, of the Honourable Justice Shannon B. McPherson. I am relying on the reasons but, because of the common law publication ban, I am not including any of the content in this report.

93. I reviewed news media coverage of the matters relevant to this inquiry, including the Stephen Fisher charges, trial, and acquittal, the Don Kidd allegations, the move to OPP policing, the winding down of Orangeville Police Service, and other topics.

94. The Complainant and Mayor both provided evidence related to the context and meaning of the online comments, and both provided written submissions and took part in oral interviews. The Complainant's submissions include a detailed breakdown of all the Mayor's comments and identify specific provisions of the Code that the Mayor allegedly contravened, with the supporting argument.

95. Each party had full opportunity to address the other's submissions and to address all the issues in this inquiry.

96. Even though only a summary of the evidence and submissions appears in this report, I have considered and taken into account all the evidence, all the information provided by the parties, all the interviews, and all the submissions, whether or not specifically mentioned in this report.

FINDINGS OF FACT

97. Relevant facts also appear above, under the "Background" heading.

98. The text of the Mayor's 20 Facebook posts appears in the Appendix.

99. I make the following additional findings of fact, based on the standard of a balance of probabilities.

100. I find as a fact that the trial of Stephen Fisher was a matter of public interest.

101. I find that the Mayor had a reasonable basis to be angered by what the trial revealed about the leadership and operations of the former Orangeville Police Service – as demonstrated by the treatment of whistleblower Stephen Fisher. This does not mean that I agree with the Mayor on every point; it means that it was reasonable for him to be angered by what he heard.

102. Indeed, I find that it would have been unreasonable for a civic leader to follow the entire trial, as Mayor Brown did, and not be troubled by what was revealed.

103. I find that the factual portions of the Mayor's comments about the trial (posts I, VI, VII, XIV) were accurate.

104. In relation to post VI, I find that the Mayor's comments about bullying of Constable Fisher, a 30-second acquittal, and a \$200,000 cost were factually correct.

105. Post VI also suggests there was interaction between the Police Chief and the Crown Attorney. The entire relevant sentence reads, "Chief Kalinski bullied Fisher and convinced a Crown Attorney to lay a baseless charge which led to a 30 second acquittal." In his response to the Complaint, the Mayor acknowledges that Crown Attorneys do not lay charges (the OPP charged Constable Fisher), and states his understanding that a Crown Attorney might in a particular case provide advice to the police. In fact, after charges are laid by the police, the decision to proceed to trial belongs to the prosecution. I have no evidence that Police Chief Kalinski convinced the Crown to take the case to trial.

106. I find that the factual portions of post XI were accurate. The Mayor provided detail to support his comment about ticket fixing. The former Police Chief and former Deputy Chief did not accept the invitation to address this comment (and various other posts) of Mayor Brown. Former Mayor Williams was invited but did not address the sentence of post XI that related to him; further, the factual portion of that sentence is consistent with publicly available information. I consider the reference to former Councillor Kidd in more detail below.

107. As noted, Police Services Board members were not able to participate in the inquiry. In the absence of contrary evidence, I accept the Mayor's statement that since 2018 the police collective agreements and several police employment contracts contained "poison pill" clauses (six weeks' severance per year of service) as a financial penalty to the Town if it decided to move to OPP policing. On that basis I find that the Mayor's comment in post X was made in good faith and that he had a reasonable basis to hold that opinion.

108. I find that the opinion portions of the Mayor's comments about the trial (posts I, VI, VII, XIII, XIV) and the opinion portions of the Mayor's comments about the Orangeville Police Service and the Police Services Board (posts VII, X, XVI) were made in good faith, and the Mayor had a reasonable basis for holding those opinions.

109. I find that the use of the word "despicable" to describe "some people" in the OPS (post VII) was reasonably supported by the Fisher trial.

110. Paragraphs 107 through 109 must not be taken to mean that I agree with the Mayor, or share the opinions. They simply mean that his opinions could be reasonably held.

111. I find that the December 19, 2018, Orangeville Police Service statement on the charges against Constable Fisher was materially misleading. On a recording, two OPS members said troubling and inappropriate things. Given that the only person charged was the whistleblower who brought the recording to light, the following sentences were deceptive, if not dishonest: "We always hold our staff to a very high standard of accountability. This is not a reflection on the dedicated and professional members of the Orangeville Police Service, who keep our community safe."

112. I find that the only plausible source of the leak of the police report on former Councillor Don Kidd was someone in a leadership position of Orangeville Police Service. That officer in leadership either provided the report to the *Orangeville Banner* or provided it to another OPS member who in turn fed the newspaper. (I find, on the facts, it is unlikely that the employee who made the complaint possessed or had seen the police report.⁴ The employee was most likely not the leaker.)

113. I find, on balance of probabilities, that the purpose of the leak was to defeat a Council Member who supported OPP policing.

114. Consequently, I find that the factual component of post IV was accurate.

115. I find that the remaining posts and portions of posts are properly characterized as statements of opinion.

ISSUES AND ANALYSIS

116. After reviewing the Complaint, I declined to inquire into the allegations of breach of the *Libel and Slander Act*, and of breaches of sections 1.1, 3.2 and 14.1 of the Code.

⁴ Someone claiming to be the employee involved, and able to verify by providing the investigation file number, phoned the *Orangeville Banner* but declined to leave a name. However, the police report contained the employee's name. If the employee had access to the report, then the employee would have known it was pointless not to self-identify to the *Banner* by the name that the *Banner* already possessed.

117. The *Libel and Slander Act* lies outside the jurisdiction of an Integrity Commissioner.

118. I declined to consider section 1.1 (Statements of Principle). A statement of principle is not a provision that can be breached and an allegation under statement of principle cannot support a complaint. See: *Re Wilson*, 2017 ONMIC 13 (CanLII), at paras. 118-123; *Re Ford*, 2013 ONMIC 12 (CanLII).

119. I did not consider section 3.2 (Dealings with other Members). This section only applies to a Council Member's dealings with another Member.

120. The inquiry did not include section 14.1 (Town Harassment and Violence Policies). The material submitted with the Complaint does not allege any conduct that would constitute a breach of these policies.

121. Before turning to the applicable sections of the Code, I wish to make general observations about communications by elected municipal officials. The role of a Council Member includes communicating with members of the public about local issues. This includes not just responding to residents but initiating communication with the public. In fact, the Courts have clearly stated that, as an elected representative of the public, a municipal councillor is entitled to take "an open leadership role" on an issue.⁵ As part of the political process, a Council Member has every right to form views, to hold views, to express views and, while in office, to give effect to those views.⁶

122. In a case involving the previous Mayor of Orangeville, I observed that a municipal elected official is not required to avoid communicating on controversial, high-profile issues. Quite the contrary. "Given the political and representational roles of a municipal councillor, controversial and/or highly visible topics are ones on which a Council Member would be expected to communicate and on which a Council Member is entitled to communicate." See *Greatrix v. Williams*, 2018 ONMIC 6 (CanLII), at para. 204.

123. In other words, Mayor Brown had every right, as Mayor, to tell the community what he thought of the Stephen Fisher whistleblowing prosecution and trial, and what he thought of the former Orangeville Police Service.⁷

124. I have considered the following issues:

- A. Did the Respondent make statements that he knew to be false, or mislead Council or members of the public, contrary to section 3.1 of the Code?

⁵ *Old St. Boniface Residents Assn. v. Winnipeg (City)* (1989), 1989 CanLII 177 (MB CA), 58 Man. R. (2d) 255 (C.A.) at 264, affirmed 1990 CanLII 31 (SCC), [1990] 3 S.C.R. 1170.

⁶ *Re Cadillac Development Corp. Ltd. and City of Toronto* (1973), [1973 CanLII 818 \(ON SC\)](#), 1 O.R. (2d) 20 at 43, cited with approval by *Old St. Boniface Residents Assn. Inc.*, 1990 CanLII 31 (SCC), [1990] 3 S.C.R. 1170 at 1193.

⁷ I am silent on what Mr. Brown was or was not entitled to say in his role as a Police Services Board member. That question lies outside my jurisdiction.

B. Did the Respondent contravene section 14.2 of the Code by failing to treat members of the public with dignity, understanding and respect?

C. Did the Respondent's posts contravene section 14.3 of the Code because they amount to abuse, bullying or intimidation?

A. Did the Respondent knowingly false make statements, contrary to section 3.1 of the code?

125. No.

126. Section 3.1 of the Code reads as follows:

Members are responsible for making honest statements. No member shall make a statement when they know that statement is false. No member shall make a statement with the intent to mislead Council or members of the public.

127. The first and second sentences of section 3.1 give rise to a two-part test: First, is a statement false? Second, does a Council Member know that the statement is false?

128. With one exception, I have found that the factual portions of the Mayor's posts were accurate.

129. The exception is the statement that the Police Chief convinced the Crown Attorney to proceed with the prosecution of Constable Fisher. I have no way of knowing whether this comment is accurate. Former Chief Kalinski declined to participate in the inquiry. I did not seek to interview the prosecutor, who would have been unable to discuss with me the Crown's decision to take the case to trial.

130. I do, however, make the following observations about whether the Police Chief convinced the Crown to bring Constable Fisher to trial. First, in the overall context of post VI, the reference to convincing is immaterial. The Mayor's principal and factually-accurate point was that the defendant was acquitted. Second, in Canada, the general legal principle is that the person who asserts must prove. This is particularly true in Code of Conduct cases where a Council Member may be subject to suspension of pay and other consequences. The onus does not lie on Mayor Brown to prove that his comment was accurate. On the contrary, he can only be found to have contravened the Code if it is established that his comment was inaccurate. The inaccuracy of that comment has not been established.

131. In this case, I have applied a fair and reasonable interpretation of what is opinion, as opposed to fact. Post VI said the charges against Constable Fisher were "baseless." That is the Mayor's opinion. Post X said that former Police Services Board members, "were (are) huge supporters of [former Chief] Kalinski and were more concerned about preserving OPS than the Orangeville taxpayer." That is the Mayor's opinion.

132. Section 3.1 of the Code does not apply to Council Members' opinions. Expression of political opinion lies outside an Integrity Commissioner's purview. It is not for me to pronounce an opinion true or false. Instead, a statement of opinion is subject to being tested through political debate: *Miles v. Fortini*, 2018 ONMIC 22 (CanLII), at para. 49.

133. Subject to paragraph 130, I have found on the evidence that Mayor Brown made factual statements. Nonetheless, Town Council may wish to consider whether section 3.1 ought to remain in the Code.

134. Many municipalities have similar provisions in their codes of conduct. Many others do not.

135. Political speech, by its nature, consists primarily of opinion, with fact cited to justify the opinion. Sometimes the line between fact and opinion is unclear. Council should ask itself, first, whether the Code of Conduct should regulate truth in political speech and, second, whether an Integrity Commissioner is able to police the truth of political speech.

136. In *Re Maika*, 2018 ONMIC 11 (CanLII), I considered whether an Integrity Commissioner is in a position to investigate and rule on whether a politician has misstated a fact. I concluded, at para. 139: "In my view, utilizing the tools of political debate to respond to inaccuracies and exaggerations in political debate is far more appropriate than having Integrity Commissioners police the truth of political speech."

137. Council should also consider the observations of the Supreme Court of Canada (in a decision written by Justice Beverley McLachlin, later Chief Justice McLachlin) that it is difficult to determine total falsity conclusively,⁸ that "a statement that is true on one level for one person may be false on another level for a different person,"⁹ that the distinction between fact and opinion is "slippery,"¹⁰ that the prohibition of false speech may be used to punish deviation from "currently accepted 'truths'" that later turn out to be wrong,¹¹ that, historically, restrictions on so-called false speech have been used to suppress the speech of minority and disadvantaged groups,¹² and that false statements may sometimes have value.¹³

B. Did the Respondent contravene section 14.2 by failing to treat people with dignity, understanding and respect?

138. No.

⁸ *R. v. Zundel*, [1992] 2 S.C.R. 731, at 757-758.

⁹ *Ibid.*, at 756.

¹⁰ *Ibid.*, at 768.

¹¹ *Ibid.*, at 769.

¹² *Ibid.*, at 766, 772.

¹³ *Ibid.*, at 754-755, 758.

139. Section 14.2 of the Code provides:

Members shall treat every person, including other members, the public, staff and volunteers, with dignity, understanding and respect.

140. In my analysis, I will separately consider the Mayor's comments about public figures (including former occupants of public office), and his comments about private people.

141. I gave every public figure named in a post an opportunity to address the Mayor's comments. Only Constable Fisher and former Councillor Kidd accepted the invitation, and they both agreed with the Mayor's statements. The other public figures did not participate in the inquiry and did not provide input. (Police Services Board members have a legitimate reason for being unable to participate in this inquiry. As a result, my findings related to the Mayor's PSB comments are necessarily made without PSB input.)

142. I have found that the Mayor was making comments about events that were significant to the community, and in which it was reasonable for the Mayor to show interest.

143. Mayor Brown expressed opinions about those events and, in the course of doing so, expressed opinions about public figures associated with those events. Whether I agree or disagree with those opinions is irrelevant. What is relevant is that the Mayor held those opinions in good faith, and had a reasonable basis for doing so.

144. The Mayor used strong language, but he was describing matters of serious concern, including harassment and bullying, and punishment of a whistleblower. As I have noted, when Constable Fisher was charged, the Orangeville Police Service issued a deceptive statement and concealed the fact that other OPS members had engaged in inappropriate conduct. The evidence at trial showed how misleading the statement was. I find that the online language used by the Mayor was proportionate to the gravity of the situation he was describing.

145. I now turn to the Mayor's online interactions with private persons. I begin by clarifying that I call these residents "private" because they are not current or former holders of public positions. They did, however, choose to engage on Facebook and, in particular, they chose to comment in a thread that the Mayor had initiated, on a public social media platform. This fact is important to my assessment. All these individuals choose to participate in a public online discussion in response to a post of the Mayor.

146. This is not a case where the Mayor, on his own initiative, decided to start talking about a private person who was uninvolved in the conversation. On the contrary, these individuals chose to enter a public online conversation that they Mayor had started. They made comments. Then the Mayor commented back.

147. I agree that section 14.2 of the Code continues to apply in this situation. The Mayor is required to treat people with dignity, understanding, and respect. In every case, however, what constitutes dignity, understanding, and respect is a function of the context. In this case, the context is that people voluntarily engaged the Mayor on social media.

148. The discussion thread involving the Mayor and others was a conversation. It was a public conversation, visible to a wide potential audience, but it was still a conversation among a group of Facebook users. That conversation has to be assessed according to the ordinary practices of social media users.

149. To those unfamiliar with social media, the word “troll” sounds worse than it is. “Internet troll” is slang for someone who posts online content with the goal of provoking other users, often those targeted by the content, to react. In other words, to call someone a troll is to say: “You are posting that content just to trigger a reaction.” While that is not necessarily a flattering observation, it is merely a statement of opinion about someone’s online activity. To express the opinion that someone is an Internet troll, or to accuse someone of trolling, does not rise to a level that contravenes the Code of Conduct.

150. I make no finding on whether private persons posted online content *with the goal* of provoking a reaction. (That may or may not have been the goal of the commenter who suggested twice that the Mayor had been drinking; the person’s goal is irrelevant to this inquiry.) I simply find that the Mayor did not contravene the Code when he expressed the opinion that people had posted online content with the goal of triggering a reaction. (It is evident, however, that the Mayor was motivated to react to these persons, just as those persons appear to have been motivated to react to the Mayor.)

151. I find that the Mayor’s other comments were within the bounds of typical online conversation among people who disagree. The Complainant told the Mayor to read the Code of Conduct because he was in contravention, and then posted additional explanations that the Mayor’s statements were inappropriate. (The Complainant had every right to do so.) Other commenters expressed views that the Mayor’s commentary was “juvenile and undignified,” “absolutely appalling” and “sad and disrespectful.” (They had every right to express themselves in this manner.) The Mayor then conveyed that he disagreed, in a manner within the range of what ordinarily occurs in online discussion threads.

152. It is relevant that everyone involved was a voluntary participant in the online conversation. In fact, nobody involved was a stranger to social media. Everyone knew that if you make a post you should anticipate reaction; if you criticize someone online, you must expect a response. Such is the nature of social media.

153. As I have explained, the Mayor was required by section 14.2 to treat everyone with dignity, understanding and respect, but those concepts are shaped by the nature of the conversation. In other words, a response can push back and still be dignified,

understanding and respectful. The Mayor was entitled to defend his position. To use the Mayor's word, the Code of Conduct does not require that a Council Member become a piñata. Rejecting a criticism – such as the assertion that the Mayor had broken rules or the insinuation that he was drunk – is not necessarily the same as failing to show dignity, understanding and respect.

154. I might or might not have used different words to express the same sentiments, and I might or might not have held those sentiments in the first place, but what I would have done is irrelevant. I am not the Mayor of Orangeville and it is not my role to tell the Mayor how to improve the wording of his communications to the community. My role is to report on whether the Code of Conduct was contravened. It was not.

C. Did the Respondent engage in abuse, bullying, intimidation or harassment contrary to section 14.3?

155. No.

156. The text of section 14.3 of the Code is as follows:

All members have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation. All members shall ensure that their work environment is free from discrimination and personal and sexual harassment.

157. In my view, the Mayor's posts, considered in the context of typical, day-to-day social media discussion, did not amount to abuse, bullying, intimidation or harassment.

158. I adopt in this report the following observation in the recent City of Peterborough case, *Chan v. Therrien*, 2021 ONMIC 6 (CanLII), at para 128:

Further, it is essential to interpret section 10 of the Code with an understanding of how social media function. Nobody is required to follow Mayor Therrien. People are not confronted with her opinions; they choose to access them. Canadian courts have underscored the difference between messages that people can avoid and messages that confront a captive audience. [*Committee for the Commonwealth of Canada v. Canada*, 1991 CanLII 119 (SCC), per L'Heureux-Dubé, J.] This difference must be taken into account in interpreting "abuse, bullying or intimidation." Only people who choose to access the Mayor's posts will see them. In my view, their *voluntary* engagement with her online content is inconsistent with a finding that they are being abused, bullied or intimidated. One cannot be bullied or intimidated by a message that one need never view in the first place, and that one is free to ignore.

159. The same considerations apply here.

160. Further, I do not find that it is appropriate under the Code to hold the Mayor responsible for the actions of other social media users. Nothing in the Code of Conduct suggests he is responsible for the behaviour of others. Indeed, I do not think the *Municipal*

Act gives a municipal council the authority to impose sanctions on councillors because of the behaviour of other people.

161. I considered a similar issue in the *Greatrix v. Williams* case, and made these observations, at paragraph 187:

The Respondent is responsible only for his own conduct. It is the nature of public discussion that some members of the public (usually, and in this specific case, a small number) may make extremely improper or offensive contributions to the debate. It is not reasonable to blame elected representatives for the comments of member of the public. Further, elected representatives are not required to refrain from public communication on issues, including controversial issues, because of what a small number of individuals might say.

162. I adopt that finding and apply it for purposes of this inquiry.

CONCLUSION AND RECOMMENDATION

163. I have found that the Mayor did not contravene the Code of Conduct.

164. This does not mean that I agree or disagree with the positions taken by the Mayor, or with his choice of language. My role is not to tell Council Members how to communicate to the people of Orangeville. My role is limited to applying the Code of Conduct.

165. In closing, I wish to observe that not everything is an Integrity Commissioner issue. Not all issues need to be handled under the Code of Conduct.

166. This is particularly true of issues related to political speech. As the Honourable Donald Cameron, a former Superior Court judge, wrote when he was the Integrity Commissioner of Brampton: “I cannot and will not be a referee of free speech in a political arena provided it stays within the bounds ... of the Code.”¹⁴

167. It has been said that if someone uses political speech to make unfair or misleading comments, then political speech itself offers a remedy: *Re Maika*, 2018 ONMIC 11, at paras. 138-139; *Gerrits v. Currie*, 2020 ONMIC 6 (CanLII), paras. 38-48. In a democracy, political speech offers the opportunity to call out, to correct, and to criticize inaccuracy and unfairness – usually in a manner that is direct, immediate, and proportionate to the original speech.

168. In this case, Orangeville residents exercised their own freedom of speech to address the Mayor’s January 16 comments. They responded right away, in their own words, on the same social media platform, visible to the same audience.

¹⁴ City of Brampton, Report No. BIC-030-192 (December 4, 2012), Integrity Commissioner Donald Cameron, at p. 3.

169. Many people approved of the Mayor's position. As one said, "Sandy, you are standing up for right which is not always easy ... Very proud of you."

170. Many others disapproved, including one Facebook user who told the Mayor:

Actually you do have an obligation to act respectfully towards every person in your community. I am so disappointed in you. I truly had higher hopes for a Mayor who acted more respectfully and professionally towards his constituents.

171. Orangeville is a democracy, in which the voters have the final say.

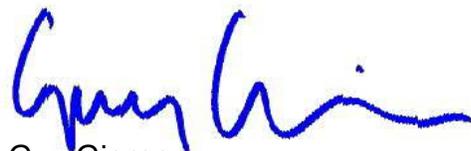
172. Town Council should ask itself whether an Integrity Commissioner, reviewing social media posts weeks after the fact, can contribute anything of value to supplement the timely, direct, considered, and articulate responses of the Orangeville public.

173. I recommend that Town Council consider whether it wishes to continue to use the Code of Conduct and the Integrity Commissioner to police the truth of political speech, or whether section 3.1 of the Code should be repealed.

CONTENT

174. Subsection 223.6(2) of the *Municipal Act* states that I may disclose in this report such matters as in my opinion are necessary for the purposes of the report. All the content of this report is, in my opinion, necessary.

Respectfully submitted,



Guy Giorno
Integrity Commissioner
July 19, 2021

APPENDIX: SOCIAL MEDIA POSTS

All posts except XII, XV, XVII, and XX were mentioned in the Complaint.

I	<p>I'd like to share some thoughts about the Stephen Fisher trial.</p> <ul style="list-style-type: none"> – Kalinski suspended Fisher in fall of 2018 with full pay – Fisher sits home for two years at a cost of \$205,000 to the Orangeville taxpayer - equivalent to burning this money in a barrel, because the Town received no product or service for this money – oh wait, it's actually worse, because Kalinski reduced the complement of uniformed officers by one, meaning <ul style="list-style-type: none"> a) there was one fewer officer on a shift meaning the safety of the Town or the safety of on duty officers was compromised (this did happen) or b) officers filled Fisher's spot on overtime
II	<p><i>[Responding to: Sandy Brown Your conduct on this public page is in contradiction to your mayoral code of conduct. [excerpts from Code omitted] As you are in violation of this code publicly I would suggest that you reread your expectations of your position and that of the members you represent. Thank you]</i></p> <p>I'm certainly not taking any advice from you [name] – thanks for checking in. Your campaign of love for OPS and its managers is well documented. The truth is now out so don't waste your internet troll time on me. There are probably other targets for your vitriol that care.</p>
III	<p><i>[Responding to: I find this highly inappropriate and insulting. Releasing opinion about any police agency as a member of the police services board is actually very concerning. I would suggest that you refrain from harassing your ratepayers behind your keyboard and adhere to the policies that this Town has in place in regards to conduct]</i></p> <p>– tell us [name] do you still wish the status quo had been maintained - that Kalinski and his stellar management group was still in charge – lets hear it [name]</p>
IV	<p><i>[Responding to: post unavailable]</i></p> <p>– correction [name]- “what they did to Don”</p>
V	<p><i>[Responding to: I am appalled at the lack of professionalism expressed in this post by current and former town leaders.]</i></p> <p>Are you an OPS management sympathizer? Did you watch the trial of Stephen Fisher?</p>

VI	<p><i>[Responding to: Sandy Brown I am on neither side and I have admittedly only seen part of the information on the trial. But that is irrelevant. The behaviour in this post is juvenile and undignified.]</i></p> <p>– does that mean you support workplace bullying and harassment? Do you support vexatious attacks on employees? Do you like the fact that Chief Kalinski bullied Fisher and convinced a Crown Attorney to lay a baseless charge which led to a 30 second acquittal. That attack on Fisher cost taxpayers \$200,000 and counting. Just sharing the truth</p>
VII	<p><i>[Responding to: Sandy Brown are you having buyers remorse on OPP? You seem angry about OPS now]</i></p> <p>[name] – are you really asking that? OPP has been a godsend to this community and stopped the sexual harassment, bullying of women and those with disabilities. Fantastic opportunities for exciting police careers. Buyers remorse?</p> <p>I couldn't be happier – and yes I am angry – after sitting through that trial which unveiled some despicable people. Are you prepared to make a statement about how you feel about policing in Orangeville today?</p>
VIII	<p><i>[Responding to: post unavailable]</i></p> <p>[name] - he'll always be Double Agent 0073 to me. And the Canadian Political Record Holder. 3 elections lost in one calendar year.</p>
IX	<p><i>[Responding to: Sandy Brown I respect all officers who serve with integrity no matter what force that work on. I have never said anything negative about OPP. It is incredibly sad and disrespectful how you keep mentioning OPS with your distaste. If you have issues with certain officers that's one thing. It's another to put your distaste under the entire OPS umbrella. But what trumps it all is you find it justifiable to put all your anger about it on Facebook. Not how the cool kids play.]</i></p> <p>[name] – don't twist my words – before, during and after the decision – I had nothing but good things to say about the rank and file. Management was another story. Regarding my truthful posts – would you like me to pull your FB history - people in glass houses shouldn't cast stones. Good night</p>
X	<p><i>[Responding to: I think the biggest failure here is the police service board. There [sic] job was to represent the taxpayers ... Yet they did nothing ... In effect supporting the police action that had no basis in reality ... If you know the true details you know the motivation to cross the blue line and turn on one of your own ...]</i></p> <p>[name] – that police Service Board including Williams and board member Krakar were (are) huge supporters of Kalinski and were more concerned about preserving OPS than the Orangeville taxpayer.</p>

XI	<p><i>[Responding to former Councillor Sylvia Bradley: So where are all the Kalinski fan club members? Nothing to say? Now you know what we've known all along. Nothing to be proud of.]</i></p> <p>Sylvia Bradley The Kalinski led OPS illegally manipulated a Municipal Election (unlawful release of private information tainting former Councillor Don Kidd). I was told by a principal to the matter that ticket fixing involving some of the OPS Facebook supporters occurred. There really should be an investigation. Of course Williams use of public money and the failure of that to be prosecuted has always been curious to me.</p>
XII	<p><i>[Further responding to Sylvia Bradley]</i></p> <p>Sylvia Bradley – there's [name 1] laughing Sylvia – I notice [name 2] tuned in to the trial for a bit on Friday. I'm not sure what's so funny about this. Its disgusting what happened</p>
XIII	<p><i>[Responding to: You're not hearing from us because you're irrelevant and so is the topic. Its time to move on. My guess is that there are A LOT of dirty secrets in everyone's closet. Time to move on for all of us!]</i></p> <p>[name] - you laughed at what was unveiled in sworn testimony last week. It is absolutely no time "to move on". Its time review this ugly chapter in the history of Orangeville and for those who supported the managers of OPS - its time for you to re-evaluate.</p>
XIV	<p><i>[Responding to several comments supporting the Mayor's position]</i></p> <p>– thank you [name]. Sexual harassment, bullying of female officers, bullying of cancer victims, bullying of employees injured on the job, bullying of employees suffering from PTSD</p> <p>- all allowed by the OPS management team and given as sworn testimony in a court of law. \$200,000 cost to shelve and persecute Constable Fisher and take him off the road. Disgusting. I have broad shoulders and thick skin. I took on the Chief of Police and his henchmen – these internet trolls are my amusement once and awhile. I only post the truth. If that upsets a few people – that's fine with me. Those who feel they need to please everyone - are not leaders.</p>
XV	<p><i>[Responding to Mythical Wolf: post unavailable]</i></p> <p>Mythical Wolf – thank you fake profile – I'm reporting you to FB</p>

XVI	<p><i>[Responding to former Councillor Sylvia Bradley: I know there are many out there wondering why the previous or even current Council did not do anything about many of these things although we knew what was going on. The town has NO CONTROL over the police. The only thing Council can do is approve or not approve their budget in its entirety. OPS is completely under the control of the Police Service Board and now we can see how well they did.]</i></p> <p>Sylvia Bradley – for some reason members of the Orangeville Police Service Board have historically been far too deferential to Police Service. For instance, not sure why 5 members of the last Police Service Board and the Chief thought it OK for the Executive Assistant to the Chief to also be the Secretary to the Police Service Board - a clear conflict of interest – this Board, under my leadership corrected this. Members of the Police Service Board should have to pass a Competency Exam – currently they don't. The Police Service Board is NOT PART OF THE Police Force, except in Orangeville where historically the PSB was operated out of the Chief's Office. The job of the Police Service Board is to be an oversight body - and a healthy dose of skepticism should be part of the make up of a Board member. PSB members should not be boot licking sycophants, in my opinion.</p>
XVII	<p><i>[Responding to: Unless you have a time capsule all this does is make you look like a sore winner ... time to move on. There's nothing you can do about it now, we're under the OPP now so it's time to stop whining and move on. Seriously, makes you look bad Sandy. Move on and focus on what['s] good for a while. Nothing you can do about it ... seems all we're hearing is negative from our Town leader right now. We need to hear some positive.]</i></p> <p>[name] – do you still wish Kalinski and crew were still in charge? Let's hear it [name]</p>

XVIII	<p><i>[Responding to post XVII]</i></p> <p><i>[And to: Sandy Brown actually no. I'm fully supportive of the choice made by Council to bring in the OPP. As when we had OPS I'm fully supportive of OPP. However, no matter what someone's personal perspective is you Sandy Brown is our leader of our community should uphold respect for each person in this community no matter what their opinion is. What you are demonstrating here with these horrible accusations calling other citizens trolls and making outlandish remarks all because they don't agree with you is both unprofessional and completely disrespectful and you should be ashamed to call any other citizen in a public forum names as you have been. I expected so much more! I expected you to conduct yourself in a professional manner no matter what form of public address you were using. Your hat as mayor does not ever come off after hours, you always represent our community and you are certainly not doing that now. I truly am shocked at your behaviour. You do not have to agree with what everyone else is saying but you do have to act respectfully towards the people who you represent, who hire you ...]</i></p> <p>– sorry [name] – I have no obligation to respect every person in our community – there are some reprehensible people that have not earned my respect. I'm flesh and blood just like you – not some piñata. And I'm happy to be judged some day as the person who calls out bullshit when he sees it. Have a nice night. GO BILLS!</p>
XIX	<p><i>[Responding to: posts VII and IX]</i></p> <p><i>[And to: Sandy Brown can I ask if you've been consuming any alcohol tonight? Your behaviour tonight is extreme even for you. Honest question? And you started the trolling by attacking some of my friends. Pot calling the question black?]</i></p> <p><i>[And to: Sandy Brown still curious about the alcohol consumption question. See how you're feeling in the morning.]</i></p> <p><i>[And to: Sandy Brown and see that's the problem with posting all your hate on social media. It's free for everyone to interpret how they/we want. You should know this. I'm sure you interpret things how you see fit. The rest of us have the same right. Is that a good thing or bad for you? Lol]]</i></p> <p>[name] – you really are the definition of internet troll – I feel sorry for you. I really do</p>
XX	<p><i>[Responding to: Sandy you are being investigated. Have you been charged yet? Why do you think you're better than Williams? He was never found to do anything wrong. What makes you say he's corrupt? @SandyBrown]</i></p> <p>[name] – another fake profile – geez</p>