



**OTTAWA POLICE
SERVICES BOARD**

MAR 27 2012

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Chairman Eli El-Chantiry
Ottawa Police Services Board
110 Laurier Ave. W.
Ottawa, ON
K1P 1J1

March 22, 2012

Dear Chairman El-Chantiry,

Reference: Peace Officer Eligibility Recognition

What follows is the body of a letter I first mailed to you on November 23, 2010. I never followed up with your board, but I did follow up with many others on this matter and included is a list of supporters who have written letters to the Chancellery of Honours. As you can see, there are many Ottawa-area politicians and police services boards on the list. I hope you will reconsider adding your name to this list as every letter is important and will help get the eligibility criteria changed so that many deserving officers in Ottawa can be recognized with this prestigious national honour.

In 2004, the Peace Officer Exemplary Service Medal was created by the federal government by an order in council. Like other exemplary service medals awarded by the Governor General of Canada (Police, Fire, Corrections, EMS and Coast Guard) the POESM is presented to Peace Officers who have provided 20 years of exemplary service. However, while other exemplary service medals make no distinction between recipients who work for federal, provincial or municipal police, fire or EMS services, the POESM is eligible only to those peace officers employed by federal or provincial organizations. This means that Special Constables employed by the Ottawa Police Service staffing the criminal and provincial offences courts in the Ottawa area are ineligible to receive the award. Likewise, transit special constables employed by OC Transpo ineligible to receive this national honour, even though they are also peace officers.

Peace officers working for municipal organizations are ineligible because the order in council creating the medal stipulated only peace officers employed by five organizations were automatically eligible to receive the award: Canada Border Services Agency; Department of Citizenship and Immigration; Department of the Environment; Department of Fisheries and Oceans; Parks Canada Agency. The order also created an advisory council made up of one representative from each of the listed organizations who can make recommendations on who is eligible for the award as long as they are employed by a federal or provincial organization.

So far, the advisory committee approved sheriffs officers from Alberta, British Columbia and Manitoba, as well as special constables employed by the Ontario Provincial Police, but the honour is denied to special constables working for Ottawa Police Service. All do the same job of transporting prisoners and providing court security in federal and provincial courthouses in their respective province. *The difference?* Those other peace officers work for a provincial organization

This is a double standard that has no basis in terms of law or any generally accepted notion about who or what a peace officer is. The Criminal Code of Canada – the highest statute governing law enforcement in the country – defines a peace officer as (R.S., C.C -34, S.I.C) a police officer, bailiff, constable, or other person employed for the preservation and maintenance of the public peace or for the service or execution of civil process.

Furthermore, Canadian courts have also ruled on several occasions that the definition of Peace Officer includes by-law officers and animal control officers – most notably in 2000 (R v. Turko). Nowhere in the criminal code, or in any court decision, is there a distinction made between peace officers who work for a federal, provincial or municipal organization.

The 57 special constables employed by the Ottawa Police Service transport prisoners and provide security in some of the busiest courthouses in Canada. In addition, they are entrusted with a wide variety of other duties, from affecting arrests and executing court orders to providing security for many high profile trials. Meanwhile, OC Transpo special constables patrol and police one of the most important transit systems in the country. The duties performed by these special constables – particularly those working in the courts -- are the same duties performed by special constables across the country.

At the inaugural presentation of the POESM, Governor General Michaëlle Jean said, "Canadians are proud of our nation's open and welcoming nature." Yet this honour is denied to some sworn peace officers simply because they work for a municipal force rather than a federal or provincial service. This doesn't seem to be in keeping with the Governor General's words, or the spirit of the National Honours System.

Special constables across Canada play a large and important role in keeping the public peace and the administration of justice and should be honoured for their work with an award such as the POESM.

On behalf of all special constables working in and for the City of Ottawa and municipally employed peace officers across Canada, I ask that you write a letter to the director of the Chancellery of Honours (Gabiella D. Lappa, Director of Honours, 1 Sussex Drive, Ottawa, Ontario, K1A 0A1) urging the advisory committee to reconsider the eligibility criteria for the Peace Officer Exemplary Service Medal. If the criteria's wording were changed from any other federal or provincial organization that employs peace officers to any other government organization that employs peace officers, then ALL Canadian peace officers could be justly recognized for the work they do and the contribution they make to the preservation and maintenance of the public peace in Canada.

Thank you for your consideration and we hope you will assist by adding your support to broaden the eligibility requirement to be inclusive rather than excluding thousands of worthy individuals from recognition.

Yours truly,



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