

April 27, 2016

Hamilton Police Service

155 King William St

Box 1060, LCD1 Hamilton, ON

L8N 4C1

RE: Hamilton Police Service Complaint Arbitrary Stop April 26, 2016

To whom it may concern:

On Tuesday April the 26th at approximately 3:15 pm I arrived at the bus stop located on the Eastbound/South side of Stinson St and Victoria Ave. waiting for the 5 Delaware bus to take me to my home a few blocks away.

Having underestimated the temperature outside I was dressed in dark blue sports blazer, light blue dress shirt and casual pants and decided to cross the street to stand beside the bridge adjacent to the Central Memorial Recreation centre in order to shield myself from the frigid wind and wait for the Eastbound 5 Delaware bus.

While reading emails on my phone, two Hamilton police squad cars exited the parking lot from Central Memorial School, turning left onto Stinson in the eastbound/north side of the street. The first officer driving squad car 725-1 stopped directly in front of me with his window rolled down.

The following conversation contained in this complaint is part of but not limited to the extent of the stop which felt like roughly 7 or 8 minutes in duration.

Having a relatively familiar relationship with Division 1 frontline officers my first thought was that he was going to say hello so to my surprise he began to arbitrarily question me in an intimidating tone asking, "what are you doing there?"

To which I replied, "checking my phone".

He responded, "under a bridge?"

I replied, "out of the wind waiting for the bus".

His line of questioning and tone became more agitated as cars began to line up behind him and he held up traffic.

He further asked, "where I was going?"

Recognizing the nature of his questioning and feeling harassed I believe I replied, "why does that matter?"

He responded, "the bus won't be able to see you" thinking that I was waiting for the westbound bus when in fact I was waiting for the eastbound bus which I would have easily seen turning down the street off of Wellington St. South.

When I looked to his partner who was waiting behind him in a separate squad car, his partner said, "tell him he's holding up traffic". Which I relayed to the officer questioning me while the roughly 5 or so cars were left waiting.

The officer said, "they can wait".

I asked him if he'd rather pull over to have this conversation to which he replied "no I'm good here"

He then asked me "are you from this City?"

To which I replied that "Yes I'm very much from this City and you?" He then asked me my name in an annoyed tone to which I replied "Matthew Green and what's your name?"

To which he replied "Officer REDACTED (spelling unknown) I believe it was at that time that he followed up with, "are you the City Councillor?" To which I did not answer and looked to his partner hoping the interaction would have ended and he would have continued along his way.

Perhaps recognizing that I was an elected official he proceeded to repeatedly ask me, "are you okay?"

To which I replied "are you okay?" I do not feel the interaction was caused by any particular concern for my wellbeing or safety. The conversation felt confrontational in nature and I was made to justify my existence in my own community. Nor do I believe it followed the proper Hamilton police protocols given the nature of the interaction.

This process of arbitrary stopping and questioning in public with cars lined up on the street waiting caused me embarrassment, frustration and anger. He repeatedly questioned my credibility, acting in an intimidating manner and continued to harass me even though it was clear I was not a suspect in any crime nor involved in criminal activity. I feel what he was doing was unlawful and unconstitutional.

This questioning was both arbitrary and agitating in nature and constitutes both harassment and intimidation as I was not under any investigation nor related to any criminal activity or events in the area.

Respectfully Submitted,

Matthew Green