

HUMAN RIGHTS TRIBUNAL OF ONTARIO

BETWEEN:

KEVIN ALEXANDER MCLEAN

APPLICANT

AND:

TORONTO POLICE SERVICES BOARD, ANTHONY ROMANO, MICHAEL KOLANKOWSKI, SEAN CASSIDY, GOLDVIEW PROPERTY MANAGEMENT LTD., LATOYA FERGUSON, AND APHRODITE ARTOPOULO

RESPONDENTS

DECLARATION #12 OF THE APPLICANT

RE: DECLARED EVIDENCE IN SUPPORT OF THE SECTION 8 OF THE *CHARTER* BREACH BY THE TPS AND TPS RESPONDENTS INCLUSIVE OF NOW SUPERINTENDENTS MR. DOMENIC SINOPOLI OF THE 14TH DIVISION (“SUPERINTENDENT SINOPOLI”) AND MR. RONALD KHAN OF THE 52ND DIVISION (“SUPERINTENDENT KHAN”), AND DETECTIVE ABDULHAMEED K. VIRANI OF THE 52ND DIVISION (“DETECTIVE VIRANI”)

I, Mr. Kevin A. McLean (he/him), disabled, of Toronto, Ontario, declare the following under the penalty of perjury and knowing any statement here that is a false statement to be an offence:

1. I declare the following facts to be true. I declare the following facts to be true, for no improper purpose and for purposes herein. Where I have declared information on belief, I have cited the source of my belief. I provide this declaration for the above purposes and to assist the Respondents and the Tribunal with having the necessary facts before it to make findings of fact and law.
2. My declaration is a formal assertion of his belief that the TPS violated my rights by failing to provide a copy of the alleged arrest warrant. I respectfully call for the Tribunal to recognize these alleged breaches and to take appropriate action. I express my ongoing commitment to ensuring that my rights, as well as the rights of others, are upheld in the face of what I perceive to be systemic failures within the police force.
3. I believe that that this Declaration serves as a current and critical component of this ongoing legal battle and highlights significant issues regarding police accountability and individual rights under Canadian law.
4. I again note the following from the following websiteⁱ which is reproduced:

“Court records (family, criminal, civil, divisional [sic], etc.)

No

Ministry of the Attorney General

Court records, if they exist, are under the custody and control of the Superior Court of Justice, and/or the Ontario Court of Justice, and/or the Court of Appeal for Ontario. Courts are not governed by *FIPPA* and court records under the supervisory control of the judiciary are not available through the FOI process or subject to *FIPPA*. Requests for court records should be made to the originating courthouse. More information is available in the Ministry of the Attorney General's Court Services Division Policies and Procedures on Public Access to Court Files, Documents and Exhibits. Contact information for courthouses in Ontario

5. I note the reference to and/or between the various levels of court in Ontario, and the interpretation by the OIPC and our courts (Ontario and Canada) of the words ‘custody’ and ‘control’.
6. I again copy and paste the following from the Ontario government website:ⁱⁱ

“2.2.2 Pre-Enquête documents and recordings

Intake is presided over by a justice of the peace and is a forum for the police and individuals to bring Informations before a justice of the peace in order to lay criminal charges.

The justice of the peace may conduct a pre-Enquête hearing to determine whether legal process should issue (meaning, whether an Information is sworn and then whether to issue process by way of a summons or warrant).

Pre-Enquête hearings are not open to the public.

If process is issued

For both private and Crown prosecutions, if process is issued, the documents of the pre- Enquête hearing become publicly accessible *once the defendant has been arrested* or the summons has been served, unless there are legislative restrictions to access (for example, the YCJA) or a court order restricts access.

If process is not issued

If process is not issued, the documents and tapes of the pre-Enquête hearing are not publicly accessible

2.2.5

Arrest warrants (warrants in the first instance and bench warrants)

Warrants of arrest (also known as Warrants in the First Instance) may or may not be filed with the court. Practices for filing warrants of arrest vary depending on the police service. If a warrant of arrest or copy of a warrant of arrest is in the court file, it is only publicly accessible after the accused has been arrested or has received a summons, provided no other public access restrictions apply (for example, the YCJA). “

7. I have copied and pasted the above for another purpose in that I disagree with the language that only a justice of the peace presides over intake
8. Now shown to me and marked as Exhibit "A", pages 1 to 40 are copies of my emails to and, in one by responsive of Superintendent Sinopoli of the 14th Division to myself. Despite my again written request of the TPS inclusive of 14th and 52nd Divisions for a copy of the arrest warrant, to the extent that one exists, the TPS have not provided one since my initial request on October 2, 2024.
9. My position regarding the requirement that the TPS were required, if the Form 2 of Court Officer Rojas was correct, true and accurate, to have a telecommunications laying of the Information that produced a writing is summarized in a recent email to one of the courthouses regarding my interim urgent request of it along with a copy of the underlying records at the originating courthouse (without the names of certain individuals therein out of respect for their confidentiality and privacy):

"Re: polite follow up regarding the above request

Dear Sirs/Mesdames/Other Gender Neutral Pronouns:

1. I sincerely hope that all are well and safe within the above division of the ONSC. While I appreciate that you are busy and in-demand, it is now some two weeks since I made my initial request to the ONSC Criminal Division but without any response whatsoever. Nonetheless, I am providing a sincerely comprehensive singular communication to assist with your provision of the requested records to me and any fee estimate herein. As a party, I note that fees are different from that of the general public. Moreover, I courteously draw your attention to the **Urgent Interim Request** in light of my already made request for transcription services of the pre-enquête hearing. As such, my inclusion of the above named recipients is for those additional purposes.

2. As neither the ONCJ (Brampton Courthouse^[iii]) nor the ONCJ (Toronto: 10 Armoury Road) were the originating courthouses, I copy and paste out of an abundance of caution the following from the MAG website^[iiii] which is reproduced:

"Court records, if they exist, are under the custody and control of the Superior Court of Justice, and/or the Ontario Court of Justice, and/or the Court of Appeal for Ontario. Courts are not governed by *FIPPA* and court records under the supervisory control of the judiciary are not available through the FOI process or subject to *FIPPA*. Requests for court records should be made to the originating courthouse. More information is available in the Ministry of the Attorney General's Court Services Division Policies and Procedures on Public Access to Court Files, Documents and Exhibits. Contact information for courthouses in Ontario"

3. While I appreciate the reference to judiciary supervisory control, there is no dispute that I am entitled to the underlying records that comprised the Form 2, application materials, courtroom (where the pre-enquête hearing was held), name of the justice et al. As the Form 2 of one Court Officer Ms. Frugoni-Rojas relied on section 508.1(2) of the *Criminal Code*, said subsection can be utilized by an informant if he or she intends to lay the Information via telewarrant. However, that telewarrant process must produce a writing. Therefore, the production of a writing is unequivocal that a transcript has been ordered.

4. I sought to order a transcript of the same but I require the following:

- a. name of the justice;
- b. courthouse on University Avenue of the ONSC (Criminal Division) (i.e. 361 University Avenue or 393 University Avenue);
- c. the courtroom

where the ex parte and in camera hearing occurred.

(the “**Interim Urgent Request**”).

5. My reference in the previous email to new information that I discovered was in part the following information. This is according to an aggregation of website information:

“The Criminal Intake Division of the Toronto Police Service is located at 393 University Avenue, 6th Floor, Toronto, ON M5G 1E6 according to the Ontario Courts. This is where criminal court cases are processed. The Toronto Police Service website states that this is the location for the Criminal Superior Court of Justice.”

6. As noted, the Intake Court Endorsement [sic] occurred on the 23rd of September, 2024, and consistent with the TPS’ ability to file or not file arrest warrants^[iv], if the ONCJ (Toronto: 10 Armoury Road) was the originating courthouse, it would have been in the court file along with other documents and records. These would have been available to the public after my arrest on October 2, 2024, but quite obviously from the attached documents, they are not.

7. Under the same government website under section 2.2.2, it states the following:

“Pre-Enquête hearings are not open to the public.

If process is issued

For both private and Crown prosecutions, if process is issued, the documents of the pre- Enquête hearing become publicly accessible once the defendant has been arrested or the summons has been served, unless there are legislative restrictions to access (for example, the YCJA) or a court order restricts access.”

8. As per the direction from the MAG CSD Records office (720 Bay Street, Toronto) to the ‘intake email’ of the Criminal Division of the ONSC and the Brampton Courthouse (ONCJ) representing that my matter was a Toronto matter, without reference to level of court, I kindly ask that you provide me with the information requested in the Interim Urgent Request.

9. While it will cost me resources to obtain the transcript, I hope you appreciate that by me doing so after receipt of the Interim Urgent Request it may greatly reduce or eliminate my request of the ONSC Criminal Division or ONSC Criminal Intake Division.

10. As the court reporting staff copied to this email will know that the esteemed female individual of the Association Certified Transcriptionists require the Urgent Interim Request particulars in order to complete the task that I have requested of her.

11. As we know that the Form 2 (Ms. Rojas) relied on section 508.1(2) which is the “Alternative to Oath” subsection, it is unequivocal that there were no exceptions in that regard to the pre-enquête hearing producing a writing even when **made** by declaration (as opposed to oath) and then **laid** by telecommunication (as opposed to in person). It is unclear what the “Intake Court Endorsement [sic]” is or purports to be but even assuming *arguendo* that that

there was an exception to a telecommunications process laying of an Information by a TPS divisional force not resulting in a writing, section 487.1 of the *Criminal Code*, by analogy only^[v], still demonstrates that the judicial officer who receives and approves the arrest warrant must complete and sign “THE DOCUMENT” in question with date and time. It is beyond any reasonable question that the Intake Court Endorsement does not resemble a Form 7 under the *Criminal Code* and it cannot be a Form 7 of the *Criminal Code*. As such, the “the document in question” to have been completed and signed is not in the court file of the non-originating courthouse of ONCJ (Toronto: 10 Armoury Road). While the TPS was not required to file the same in the non-originating courthouse or transferee courthouse, a justice must have a copy of the completed and endorsed document, with the time and date on the same. Subsection 487.1(10)(b) and (c) are in the alternative to each other but the conjunction of “and” was utilized by Parliament and those conditions in the aforementioned subparagraphs to subsection 487.1(10) only relate to the ‘**transmission**’ of a specified warrant, which is not an ‘arrest warrant per se’ under section 504 to 508 of the *Criminal Code*. Presuming that the transmission of a duly completed and signed, along with date and time of an arrest warrant, by telecommunication would involve “videoconferencing” whereby that transmission could be potentially uploaded via Zoom or another method of videoconferencing telecommunication, I appreciate that the audio conferencing telecommunication would not allow for that visual uploading by way of phone, the underlying records of the ONSC still remain as only a copy of the arrest warrant would be transmitted. Another aspect of the fact that the Brampton Courthouse (ONCJ) confirmed that no aspect of my matter involved its courthouse (ONCJ) is that even assuming that a Form 2 could be laid by telecommunication that does **not** produce a writing, those very limited exceptions under section 487.1 of the *Criminal Code* require that only a provincial court judge or judge of a superior court of criminal jurisdiction can issue the same. Hence, if one could assume that the likes of JP Jiri, which I again presume this was a clerical error by an administrative individual of the TPS in transcribing information from perhaps memory and confusing two different files.

12. Simply put, if the telecommunication process produces a writing in the specified warrant types under section 487.1 of the *Criminal Code*, again by pure analogy to make the point, the judicial officer shall transmit a copy of the document to the applicant by that means. If the telecommunications laying process during a pre-enquête hearing does not produce a writing, which would require **only if** it would be impracticable in the circumstances to submit the application by a means of telecommunication that produces a writing which I presume would include ‘email’ as well. “Reasonable grounds to believe” would have been required as well in those specified warrant circumstances to explain why it would be impractical for a telecommunication process to NOT produce a writing. Of course, if JP Jiri of the ONCJ (Brampton) were the authorize JP which the Brampton Courthouse (ONCJ) has not confirmed he was, there could not have been any impracticality to the TPS (not Peel Regional Police) applying in person at the ONSC or ONCJ (JP or PCJ) for an arrest warrant. Ergo, this is another reason why the Intake Court Endorsement [sic] is not representative of the underlying records including the ‘document in question’ that was required to be completed and signed by the relevant judicial officer.

13. I would also like to respectfully impress upon all of you that I am not singling out the above courthouses and their erudite and experienced court staff but rather this is one of the many routes that I am engaged in the truth searching function of which I am entitled and as is the public by reference to the open court principle when an individual has been arrested and had their name unfairly permanently sullied by such an apparent ‘warrant in the first’ which was executed according to the above noted attached document. By way of example, I have requested, for the umpteenth time, of the TPS inclusive of superintendents in the originating police division station and the non-originating police division station for a copy of the

originally completed and signed arrest warrant by the relevant judge. The response was quite concerning but nonetheless obstructionist considering section 29 of the *Criminal Code*. I am now moving that request to the Chief of Police Mr. Demkiw after I deliver this email to you.

14. I thank you for prioritizing the Urgent Interim Request for the benefit of the authorized transcriptionist for my retainer of her purposes.

15. I have included at the Appendices the following:

- a. Appendix #1: My analysis of section 487.1 of the *Criminal Code* to demonstrate my attention to all issues but also the potential of your search for any and all records that would have predated the transfer from the ONSC (Criminal Division) to the ONCJ (Toronto 10 Armoury Road) (although none are relevant per se by my review and experience);
- b. Appendix #2: My emphasizing the reference to arrest warrant executed in the language of the ONCJ (Toronto 10 Armoury Road) albeit not until October 3, 2024, and noting the ONCJ (Toronto 10 Armoury Road) has confirmed that it does not have any pre-enquête documents despite there being some 75 PCJ's and 75 justices of the peace in the Toronto region; and
- c. Appendix #3: My finding of a Yelp listing with an image that even civil motions ex parte are held on certain dates at 393 University Avenue during the week which excluded Monday.

16. If I can be of further assistance, please let me know. Otherwise, I will presume I have provided sufficient details to assist you and respect your resources by this email and above. Thank you kindly for your attention to the above noted matter.

Appendices

Appendix #1: 487.1 of the *Criminal Code*: Analysis by Mr. Kevin A. McLean

- a. a warrant under subsection 83.222(1);
 - i. Title: **“Warrant of seizure”**
 1. Subject: Hate propaganda
 - a. Type of justice: judge only
- b. **(b.1)** a warrant under subsection 110.1(5);
 - i. Title: **“Warrant to search and seize”**
 1. **Subject: Weapons**
 - a. **Type of justice: PCJ**
 - i. **(5)** If a provincial court judge is
- c. **(b.2)** a warrant under subsection 117.01(6);
 - i. Title: **“Warrant to search and seize”**
 1. **Subject: Firearm**
 - a. **Type of justice: PCJ**

- i. (6) If a provincial court judge is satisfied
- d. (c) a warrant under subsection 117.04(1);
 - i. **Title: “Application for warrant to search and seize”**
 - 1. **Subject:** a weapon, a prohibited device, a firearm part, ammunition, prohibited ammunition or an explosive substance
 - a. **Type of justice: 117.04 (1)** Where, pursuant to an application made by a peace officer with respect to any person, a **justice** is satisfied by information on oath that there are reasonable grounds to believe that the person possesses a weapon, a prohibited device
 - i. Answer: JP, PCJ or ONSC Judge
- e. (d) a warrant under subsection 164(1);
 - i. Title: “**Warrant of seizure**”
 - 1. **Subject: intimate images**
 - a. **Type of justice: judge only**
- f. (h) a warrant under subsection 320.29(1);
 - i. Title: “**Warrants to obtain blood samples**”
 - 1. Subject: blood samples
 - a. Type of justice: JP, PCJ or ONSC Judge
- g. (i) a warrant under subsection 395(1);
 - i. Title: “**Search for valuable minerals**”
 - 1. **Subject: Minerals**
 - a. **Type of justice: JP, PCJ or ONSC Judge**
- h. (j) a warrant under subsection 462.32(1);
 - i. Title: “**Special search warrant**”
 - 1. **Nota bene:** involves a Form 1;
 - a. **Subject: Proceeds of crime**
 - b. **Type of justice: Judge Only**
 - i. **462.32 (1)** Subject to subsection (3), if a **judge**, on application of the Attorney General, is satisfied by information on oath
- i. (j.1) a warrant under subsection 462.321(1);
 - i. **Title: “Special warrant — digital assets”**
 - 1. Type of justice: judge
- j. (l) a warrant under subsection 487(1);
 - i. **Title: “Information for search warrant”**
 - 1. **Subject: search warrant**

a. **Type of justice: JP, PCJ, or ONSC Judge**

i. **487 (1)** A justice who is satisfied by information on oath in Form 1

ii. **(m)** a warrant under subsection 487.01(1) that does **not** authorize the observation of a person by means of a television camera or other similar electronic device;

ii. **Title: “Information for general warrant”**

1. Subject: GENERAL WARRANT

2. Type of justice: PCJ or Judge of the ONSC

a. **Information for general warrant**

b. **487.01 (1)** A provincial court judge, a judge of a superior court of criminal jurisdiction or a judge as defined in section 552 (not PCJ or justice of the peace) may issue a warrant in writing authorizing a peace officer to, subject to this section, use any device or **investigative technique or procedure** or do any thing described in the warrant that would, if not authorized, constitute an unreasonable search or seizure in respect of a person or a person’s **property** if

i. **(a)** the judge is satisfied by information on oath in writing that there are reasonable grounds to believe that an offence against this or any other Act of Parliament has been or will be committed and that information concerning the offence will be obtained through the use of the technique, procedure or device or the doing of the thing;

ii. **(b)** the judge is satisfied that it is in the best interests of the administration of justice to issue the warrant; and
i

ii. **(c)** there is no other provision in this or any other Act of Parliament that would provide for a warrant, authorization or order permitting the technique, procedure or device to be used or the thing to be done.

k. **(s)** a warrant under subsection 487.05(1);

i. **Title: “Information for warrant to take
bodily substances for forensic DNA analysis”**

1. **Subject: DNA**

2. **Type of justice: PCJ (presumably also a judge of the ONSC**

3. **Information for warrant to take bodily substances for forensic
DNA analysis**

a. **487.05 (1)** A provincial court judge who on *ex parte* application made in Form 5.01 is satisfied by information on oath that there are reasonable grounds to believe

1. **(t)** a warrant under subsection 487.092(1);

- i. **Title: “Information for impression warrant”**
 - 1. **Subject: 487.092 (1)** A justice may issue a warrant in writing authorizing
 - a. **Type of justice: JP, PCJ or Judge of the ONSC**
- m. **(w)** a warrant under subsection 492.1(1);
 - i. **Title: “Warrant for tracking device — transactions and things”**
 - 1. **Subject: tracking devices**
 - 2. **Type of justice: JP, PCJ or Judge of the ONSC**
 - a. **492.1 (1)** A justice or judge who is satisfied by information on oath that there are reasonable ground
- n. **(x)** a warrant under subsection 492.1(2);
 - i. **Title: “Warrant for tracking device — individuals”**
 - 1. **Subject: Warrant for tracking device (individuals)**
 - 2. **Type of justice: JP, PCJ or Judge of the ONSC**
 - a. **Warrant for tracking device — individuals**
 - i. **(2)** A justice or judge who is satisfied by information on oath that there are reasonable grounds to believe that an offence has been or will be committed under this or any other Act of Parliament and **that tracking an individual’s movement by identifying the location of a thing that is usually carried or worn by the individual** will assist in the investigation of the offence may issue a warrant authorizing a peace officer or a public officer to obtain that tracking data by means of a tracking device
- o. **(z)** a warrant under subsection 492.2(1).
 - i. **Title: “Warrant for transmission data recorder”**
 - 1. **Type of justice: JP, PCJ or ONSC Judge**
 - a. **Warrant for transmission data recorder**
 - b. **492.2 (1)** A justice or judge who is satisfied by information on oath that there are reasonable grounds to suspect that an offence has been or will be committed against this or any other Act of Parliament and that transmission data will assist in the investigation of the offence

Appendix #2: Warrant in the First Executed according to the TPS transfer

Menu 2024-58615-1 Form 2 (P... Create

Get insights All tools Edit Convert E-Sign Find text or tools Share Ask AI Assistant

Save time with a document summary View Summary

4810 998 24 48129169
Information Number / N° de la dénonciation

☐ Accused notified court under s. 530(3)
Tribunal avisé par l'accusé en vertu de l'art. 530(3)

☐ Designation Filed
Désignation déposée

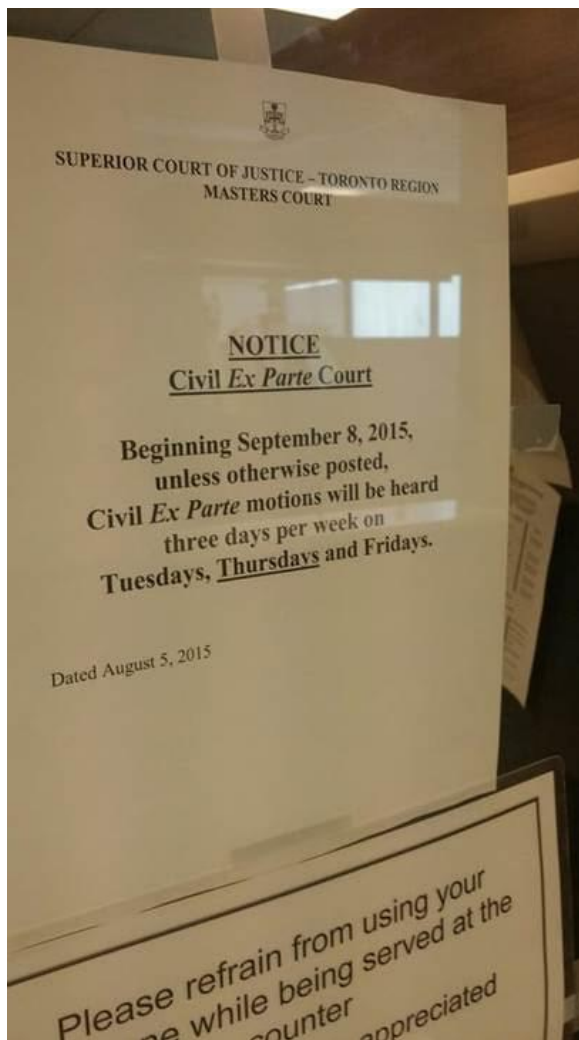
☐ Interpreter Required
Interprète requis

Date Date	Accused Accusé	Adjournment Date Date d'ajournement	Adjournment Details Détails sur l'ajournement	Responsible Responsable	Completed by Agent Rempli par l'agent	Fee to be waived Frais à verser	Amount Waived Montant d'ajournement	Description Description	Signature of Counsel Signature de l'avocat
03 Oct 2024	MCLEAN, KEVIN	13 Nov 2024	Toronto-OCJ-T-10 Armoury St - 204 @ 2:30 PM, FA, VI, ACP - Warrant in the First Executed						
13 Nov 2024	MCLEAN, KEVIN	18 Dec 2024	Toronto-OCJ-T-10 Armoury St - 204 @ 2:00 PM, ST, VI, ACP - - DISC BW			X	X	X	
18 Dec 2024	MCLEAN, KEVIN	19 Mar 2025	Toronto-OCJ-T-10 Armoury St - 204 @ 2:30 PM, ST, VI, ACP - -11b waived - - DISC BW Rescinded						

8.50 x 11.00 in

6:44 AM 2025-06-17

Appendix #3: Image from the 393 University Avenue ONSC relating to dates for civil ex parte
<https://www.yelp.ca/biz/superior-court-of-justice-toronto>



10. I submit that that my section 8 rights have been breached and cannot be saved under section 1 by the conduct of the TPS since October 2, 2024 to present in relation to the purported arrested warrant. On October 2, 2024, I orally requested a copy of my arrest warrant from Constable Romano. To date, 259 days have passed since my arrest and this request, and I have yet to receive a copy of the warrant. I believe that the failure of the 52nd Division to provide this document, combined with Superintendent Sinopoli's representation, constitutes a breach of my Section 8 *Charter* rights. I assert that the non-production of the arrest warrant is dispositive of the issue of whether my Section 8 *Charter* rights were violated. I have been presented with a document purported to be an "Intake Court Endorsement," but I maintain that this is not an arrest warrant and allege it is a fraudulent, false, and forged document.
11. I repeat and rely up the findings and principles of law from *R. v. Bohn*, 2000 BCCA 239 with specific reference to the below conversations:

"1. The Section 8 Violation

[23] Section 29 of the *Criminal Code* defines the duties of peace officers when executing process or making arrests. It provides:

29. (1) It is the duty of every one who executes a process or a warrant to have it with him, where it is feasible to do so, and to produce it when requested to do so.

(2) It is the duty of every one who arrests a person, whether with or without a warrant, to give notice to that person, if it is feasible to do so, of

(a) the process or warrant under which he makes the arrest; or

(b) the reason for the arrest.

(3) Failure to comply with subsection (1) or (2) does not of itself deprive a person who executes a process or warrant, or a person who makes an arrest, or those who assist them, of protection from criminal responsibility.

[24] A form of this section has been included in the *Code* since its inception.

[28] It is common ground in this appeal, I think rightly, that s. 29(1) is imperative. Absent exigent circumstances, i.e. where it is not “feasible”, the section imposes a duty upon police officers which must be fulfilled. It is therefore one of the requirements for the lawful execution of a *Criminal Code* warrant.

12. It remains unclear how my property was handled from the date of the "Adverse Lockouts," and October 2, 2024, the "Arrest Date" and thereafter. I recall waiting approximately 30 minutes for Constable Romano before Detective Constable Kolankowski introduced himself with my property, which was apparently received by the 14th Division of the TPS from an unknown discloser. I am seeking clarification on whether my property was unlawfully seized and subsequently searched within the rental unit by the TPS. If such an action occurred, I would appreciate knowing which division was involved. Although the 14th Division indicated receiving some of my property on the Arrest Date, the property bag did not specify whether it was lost, found, or seized. Therefore, I do not believe the 14th Division had control of the property prior to its unparticularized receipt.

13. In relation to the importance of producing the arrest warrant when requested, I note the following from *Bohn* (BCCA):

“[29] In determining the consequences of the failure to produce the warrant when requested, one might ask how important is it that the warrant be produced?

[32] Section 29(1) has been given added significance by the interpretation by the Supreme Court of Canada of the rights preserved by s. 8 of the *Charter*. The seminal decision of *Hunter v. Southam Inc.*, 1984 CanLII 33 (SCC), [1984] 2 S.C.R. 145, shifted the focus of privacy rights analysis from things to people. By defining s. 8 rights as a positive right, an “entitlement to a reasonable expectation of privacy”, the Court moved privacy rights analysis from traditional notions of the preservation of property to the protection of the autonomy and dignity of the individual.

[34].....Failure to produce the warrant on request, without good reason, is in my view, a significant breach of s. 8.

[36] As a result, although he asked, the appellant did not have produced to him the evidence of the legal authority for the intrusive search of his home.

14. In relation to the seriousness of the breach of section 8 of the *Charter*, I again rely on the following from *Bohn* (2000 BCCA):

“a. Seriousness of the Breach

[43] In the case at bar, the breach of s. 8 was serious because the police failed to perform the duty cast upon them by s. 29(1) of the *Code*. They deliberately chose not to bring the *Criminal Code* warrant with them so that they could save time. There is an absence of good faith in this case, not because the mistake was deliberate, but because it was not reasonable. The fact the officers were unaware of the provisions of s. 29(1) cannot excuse them. Police officers are expected to know and follow duties imposed on them by the *Criminal Code*.

[44] In *R. v. Genest*, 1989 CanLII 109 (SCC), [1989] 1 S.C.R. 59, in discussing deficiencies in a warrant obtained under the *Narcotic Control Act*, Dickson, C.J.C. noted, at p. 87:

While it is not to be expected that police officers be versed in the minutiae of the law concerning search warrants, they should be aware of those requirements that the courts have held to be essential for the validity of a warrant. The naming requirement of s. 10(2) is one such requirement.

[45] In addition to the failure to bring the warrant and to produce it upon request, the trial judge found that the police infringed the right of the appellant to consult counsel within a reasonable time. The s. 10(b) breach was serious because, in conjunction with the s. 8 breach it is demonstrative of the inattention of the police to the rights of the appellant. To use the words of Dickson C.J.C. in *Strachan*, *supra*, at p. 1007, it was “a part of a larger pattern of disregard for *Charter* rights.”

15. It is unclear whether Superintendent Sinopoli is familiar with various sections of the *Criminal Code*, including Section 29(1). I have observed a pattern of disregard for my rights, and I find the TPS's representation of aspects of the Crown disclosure process, as stated by Superintendent Sinopoli, concerning. It is important to distinguish that the Crown and the TPS are distinct organizations; the former is a provincial body, and the latter is municipal. I understand that Crown attorneys in Ontario are part of the Crown Attorneys Association, while TPS members are part of the CUPE union.
16. Regarding Section 29(1) of the *Criminal Code*, which states that "everyone" who executes a process or warrant must have it with them unless infeasible, and produce it upon request, I note that no Crown attorneys were attempting to execute any warrant on October 2, 2024. The requirement is to produce the warrant when requested.
17. I allege that Superintendent Sinopoli's conduct, which I believe binds the TPS, constitutes cruel and unusual treatment (not punishment) and a contravention of my Section 12 *Charter* rights. Furthermore, I allege that the conduct of the TPS as described in Exhibit "A," or their inaction when required by Parliament's language in the *Criminal Code*, is a form of retaliation against me for exercising my rights under the *Human Rights Code*.
18. I demand and request that counsel to the TPS advise her clients accordingly of their requirements to comply with various statutes including the *Criminal Code*.
19. I solemnly declare the foregoing to be true as of June 17, 2025, and for no improper purpose. This document has been digitally signed using Adobe, Inc., which I note differs from the purported digital signature on behalf of JP Jiri. I note that the requirement to complete and sign any form under the *Criminal Code*, particularly Form 7 of the *Criminal Code* requires a signature by the judicial officer on the document

– not a signature in the TPS “information package”. I maintain my position that JP Jiri did not digitally sign the **Intake Court Endorsement**.

Mr. Kevin A. McLean (B.A., J.D., CIM)

DOB: March 25, 1983

Fixed address: 410-775 King Street, Toronto, Ontario, M5V 2K3

ⁱ<https://www.ontario.ca/page/freedom-information-request>

ⁱⁱ<https://www.ontario.ca/document/access-court-files-documents-and-exhibits/section-2-public-access-criminal-court-files-and-documents>

Exhibit A”



Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

Private and confidential - request for copy of arrest warrant (Form 7) or particulars in the interim pending the aforementioned

8 messages

Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>
To: Domenic.sinopoli@tps.ca, Ronald.khan@tps.ca

Tue, Jun 10, 2025 at 10:08 PM

VIA EMAIL DELIVERY

June 10, 2025

VIA EMAIL SERVICE

Particulars for ease of reference:

- **Police occurrence number:** Occ#:24-2082035
- **Date of commencement of proceeding by sworn Form 2 Information by Court Officer Ms. Frugoni-Rojas:** September 23, 2024;
- **Originating courthouse as of September 23, 2024:** unknown
- **Court File Number with courthouse since October 2, 2024, with Ontario Court of Justice (ONCJ):** Court File No: 24-48129169
- **Information Number:** 4810 998 24 48129169
- **Police Case Identification Number:** Police Case ID:457197
- **Type of document in this email:** email and attachment
- **Short title of proceeding:** *R. v. McLean*
- **Party:** Defendant
- **Name:** Mr. Kevin A. McLean (B.A., J.D., CIM)
- **Contact:** mrkevinalexandermcleanbajdcim@gmail.com

To:

Toronto Police Services Board (the "TPS")
Addresses:

14th Division of the TPS
350 Dovercourt Rd,
Toronto, ON
M6J 3E3

Attention: 14th Division Superintendent

52nd Division of the TPS
255 Dundas St W,
Toronto, ON
M5T 2W5

Attention: 52nd Division Superintendent

Re: Demand and request for a copy of the arrest warrant as represented by the 14th Division of the TPS to me and contained by reference in an information package to the ONCJ 10 Armoury Road

Dear Sirs/Mesdames/Other Gender Neutral Pronouns:

1. I write regarding the above. My name is below and my DOB was March 25, 1983. I was arrested on October 2, 2024, by 14th Division after coming to the TPS 14th Division by email of Constable Romano. On that date, I received a Form 10 signed by Sergeant Cassidy and myself (see: attached). The Form 10 did not have a copy of the police file identification number like that of the Intake Court Endorsement [sic] from September 23, 2024.
2. Since that time, I have learned that the "Detective Abdul", who visited me in the jail cell of the 14th Division, was Detective Abdulhameed K. Virani of the 52nd Division.
3. Thereafter, I received a copy of a Form 2 from court officer Ms. Frugoni-Rojas and an Intake Court Endorsement (but not endorsed) which references a Brampton Courthouse JP in JP Jiri. JP Jiri was formerly of the 52nd Division as of early January 2024 before his appointment to the Brampton Courthouse ONCJ. It was quite obvious from the outset that JP Jiri could not have been the JP who approved the criminal charge (singular charge of criminal harassment) as per his assignment and by clear reference to the attached document.
4. Brampton Courthouse ONCJ has confirmed it does not have any record of a JP Jiri Intake Court Endorsement which is unsurprising considering that 10 Armoury Road ONCJ has confirmed that it was not the originating courthouse. Ergo, neither could be the originating courthouses.
5. As such, would you kindly provide me a copy of the arrest warrant in signed and executed form? If you do not have a copy handy on you for attachment purposes, would you kindly provide me with the following (presuming it was 52nd division that was the originating police division):
 - a. Originating courthouse: ONCJ or ONSC; and
 - b. Justice who approved and executed the same.
6. I presume you are looking for an arrest warrant on 23rd day of September which was a Monday.
7. One of the courthouses represented to me that I could obtain a duplicate copy of the arrest warrant through the TPS as it is required to have a copy of the same. I understand that the ONCJ and ONSC are looking through the ICON (sp) system for the same for its copy of the same.
8. Respectfully and irrespective of whether I receive a copy of the same in the morning from the originating courthouse, I will still require a copy from the TPS to compare the same to ensure they are accurate.

If there is a specific email for this request, I would be most grateful to receive the same from you.

9. Thank you.

Encl.

--

My best regards to you,

Kevin A. McLean (B.A., J.D., CIM)

Chartered Investment Manager

E (personal and confidential): mrkevinalexandermcleanbajdcim@gmail.com

DISCLAIMER

1. *The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.*
2. *Due to being an accident, this email may be dictated in part or full with voice recognition software. Kindly excuse any errors for grammar, syntax or spelling.*

2 attachments



Form 2 and Intake Court Endorsement.pdf

99K



Form 10 - R v. McLean - criminal harassment.pdf

1033K

Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

Tue, Jun 10, 2025 at 10:12 PM

To: Domenic.sinopoli@tps.ca, Ronald.khan@tps.ca

Dear Sirs: I received the auto-reply of Mr. Khan who is away until the 12th of June. I have copied his contact in his stead Inspector Mr. Tim Krone. Thanks in advance gentlemen.

[Quoted text hidden]

Domenic Sinopoli <Domenic.Sinopoli@tps.ca>

Wed, Jun 11, 2025 at 7:39 AM

To: Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>, Ronald Khan <Ronald.Khan@tps.ca>

Mr. McLean,

You will get copies of what you are lookign for through the disclosure process.

Otherwise you can file a Freedom of Information request through the appropriate channels.

Regards,

Supt. Domenic Sinopoli, M.O.M.

Toronto Police Service

14 Division

[416-808-1414](tel:416-808-1414)

Domenic.sinopoli@tps.ca

[Quoted text hidden]

This e-mail (including any attachments) may contain PRIVILEGED and CONFIDENTIAL INFORMATION only for use of the Addressee(s). If you are not the intended recipient of this e-mail or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this e-mail is strictly prohibited. If you have received this e- mail in error, please immediately notify me by telephone or e-mail to arrange for the return or destruction of this document. Thank you.

Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

Wed, Jun 11, 2025 at 9:11 AM

To: Domenic Sinopoli <Domenic.Sinopoli@tps.ca>
Cc: Ronald Khan <Ronald.Khan@tps.ca>

Dear Mr. Sinopoli:

Thank you for your email. I disagree with you on that front. An officer in your division (Constable Romano) represented that he had an arrest warrant. I demanded to see a copy of the same. Pursuant to the Criminal Code, the TPS is required to provide me with a copy of the same.

There is also an ancillary reason for my asking but I can deal with that later (if necessary).

Please provide a copy of the same herein.

[Quoted text hidden]

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To: Domenic Sinopoli <Domenic.Sinopoli@tps.ca>
Cc: Ronald Khan <Ronald.Khan@tps.ca>, Timothy.Crone@tps.ca

Wed, Jun 11, 2025 at 9:50 AM

Dear Superintendent Sinopoli (copied to Superintendent Mr. Khan and Inspector Mr. Crone):

Thank you again for your email. In the even you were unaware, please see the relevant section of the Criminal Code:

Duty of person arresting

- **29 (1)** It is the duty of every one who executes a process or warrant to have it with him, where it is feasible to do so, and to produce it when requested to do so.
- (2)** It is the duty of every one who arrests a person, whether with or without a warrant, to give notice to that person, where it is feasible to do so, of
 - **(a)** the process or warrant under which he makes the arrest; or
 - **(b)** the reason for the arrest.

Disclosure is a process that is required of the MAG of Ontario Criminal Law Division (the “Ontario Crown”) and not the TPS. The TPS cannot require me to obtain that from the Crown or pay to obtain through FIPPA, which I anticipate the TPS would attempt to not disclose to me, which its TPS’ officers were and are required to have it on them when executing a process or a warrant. Perhaps, the argument of the TPS 14th Division was that it was not feasible at the time which I disagree with. In any event, the TPS are required to produce it when requested to do so.

I confirm that this is a formal written request of the TPS to the attention of each superintendent of the 14th and 52nd Division. My view is that the 52nd Division was the division that sought and obtained a potential approval of the criminal charge and arrest warrant.

It is trite that the Brampton Courthouse is not the originating courthouse and nor is the ONCJ 10 Armoury Road. I have confirmation from both regarding the same.

In the interim, I query whether the originating courthouse was since it is not the above? As you may know, arrest warrants are not always filed with the courthouse per se.

I note the following from the MAG website in relation to obtaining access to court records which I now copy and paste the following from the Ontario government website: ^[i]

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Pre-Enquête hearings are not open to the public.

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For both private and Crown prosecutions, if process is issued, the documents of the pre- Enquête hearing become **publicly accessible** once the defendant **has been arrested** or the summons has been served, unless there are legislative restrictions to access (for example, the YCJA) or a court order restricts access.

If process is not issued

If process is not issued, the documents and tapes of the pre-Enquête hearing are not publicly accessible.

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Arrest warrants (warrants in the first instance and bench warrants)

Warrants of arrest (also known as Warrants in the First Instance) may or may not be filed with the court. Practices for filing warrants of arrest vary depending on the police service. If a warrant of arrest or copy of a warrant of arrest is in the court file, it is only publicly accessible after the accused has been arrested or has received a summons, provided no other public access restrictions apply (for example, the YCJA). “

The distinction between myself and the general public is noted.

Ergo, if the originating courthouse was not Brampton and 10 Armoury Road (ONCJ), then it must be the ONSC 361 University Avenue, Toronto, which is the only criminal court in downtown Toronto or “South Toronto” (“ST”).

As the ONCJ and ONSC are not the same level of court per se and would not be integrated per se by way of data, it would have been incumbent upon the TPS to file the arrest warrant in the non-originating courthouse which is ONCJ (10 Armoury Road). It is not filed with the non-originating and current courthouse of the ONCJ (10 Armoury Road).

As your division knows, I was arrested on October 2, 2024. Ergo, not only is the arrest warrant public but all of the documents of the pre-enquête hearing are as well. They would not be before that date but they would after that date.

If your division, while I await for a response from the 52nd Division, does not have a copy, kindly provide the originating courthouse so I can engage in searching for the same.

I presume that the originating courthouse was 361 University Avenue, Toronto, Ontario. Would you kindly confirm? In that manner, we can work in cooperation while respecting resources as I will obtain more than the Form 7 Arrest Warrant, and we need not be duplicative or redundant. I can then confirm with you that my

written request (while other oral and written requests were made but not technically to the 14th and 52nd Division Superintendents) is no longer extant.

Thank you for your cooperation where applicable and your statutory compliance where also applicable.

(Dear Superintendent Khan, I understand that you are returning tomorrow from being away. I hope you are well and safe. Inspector Mr.Crone, would you kindly assist regarding the above particulars?)

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[Quoted text hidden]

Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>
 To: Domenic Sinopoli <Domenic.Sinopoli@tps.ca>
 Cc: Ronald Khan <Ronald.Khan@tps.ca>, Timothy.Crone@tps.ca

Wed, Jun 11, 2025 at 12:13 PM

Re: further information to assist the TPS with my written request of the TPS for a copy of the arrest warrant

Dear 14th and 52nd Division Superintendent:

1. In the spirit of cooperation and a gesture of bringing us closer together, please find the underlying particulars to assist with your search by presumed reference to the Police Case Identification Number which I presume is of the 52nd Division of the TPS.
2. By the esteemed Superintendent Mr. Sinopoli's response and that of the ONCJ (Brampton Courthouse) it cannot be JP Jiri, the former 52nd division police officer. Ergo, it must have a clerical error by the individual managing the TPS 52nd Division Police Case Identification Number. I say that out of respect, to be polite and give people the benefit of the doubt so to speak.
3. If I were to hazard a guess as members of the public I understand are already requesting copies of the same, I will predict The Honourable Madam Justice Kraft of the ONSC. She is a former family law partner at Epstein Cole LLP located at 393 University Avenue, Toronto, Ontario. I will predict her because she was counsel to Mr. Andrew Papadimitropoulos, who is the ex-husband of my former common law spouse (apparently the purported complainant), and he has since been fired from TD Insurance Auto Group. His colleague Mr. David Karat, employed by the TDIA Group currently was the individual who stole my property on October 25, 2024, alongside the complainant's mother (Mrs. Aphrodite Artopoulos) on 'lookout duty' (see: attached). On September 17, 2024, I discovered that Mr. Papadimitropoulos was engaged in forgery in my insurance accident benefits case and it was part of the reason that he was terminated from TDIA Group. I can understand his anger in being caught regarding the same but it would seem to me if insurance companies can engage in the same with the benefit of CAMH and CAMH oddly had some role in the same, and insurance companies are in regular communication with police for lawful reasons, he being a lawyer had some role in assisting the TPS alongside that of Ms. Kanavas (a Seneca professor of paralegal studies), another lawyer of the same descent as he.
4. The CLO of CAMH has the same last name as Detective Virani who was referred to me as "Detective Abdul" of the 52nd Division. Perhaps, it is just a coincidence.

5. It would seem that with perhaps his longstanding relationship with former partners at Epstein Cole LLP in Madam Justice Shore, who was then and thereafter in the Divisional Court and has taken a particular interest in one of my matters, that it would have been Madam Justice Shore. Perhaps, it is just irony that said building at 361 University Avenue, Toronto, Ontario is not only a criminal court but a family courthouse albeit only an ONSC.

6. You are required by the *Criminal Code* to provide me with a copy of the duly signed, dated with location Form 7 *Criminal Code* arrest warrant. **Kindly advise if I am correct with respect to the Originating Courthouse (and the name of the justice in Madam Justice Kraft).** I confirm that there is no statutory fee for my written request of the TPS to produce a copy of the arrest warrant as per section 29 of the Criminal Code. There is a fee for FIPPA and I will not be tendering monies to the TPS for that which I am entitled by federal statute (not a provincial statute).

7. For confirmation purposes, as Superintendent Khan of the 52nd Division, I apologized to Detective Petrie when I had wrongly presumed by the information provided by CAMH, prior to unredacting the images CAMH provided, that it may have been Detective Petrie. He did not deny the same but nonetheless when you err, you apologize.

8. I thank you for your honesty of both divisions in confirming that neither had my property and it turned out to be entirely honest as it was Mr. Karat and the TDIA Group engaged in the theft alongside the Purported Complainant's mother. (I will circle back with the 14th Division on that issue but it is not for this email thread).

9. My formal request remains extant until there is compliance by the TPS.

10. Thank you.

Appendix

Underlying Particulars

- **Police occurrence number:** Occ#: 24-2082035 (the “TPS Occurrence Number”)
- **Date of commencement of proceeding (if referenced by the Form 2):** September 23, 2024 (the “Commencement Date”)
- **Informant:** Court Officer (non-TPS officer but employed by TPS as court officer/special constable) Mrs. Christyn Frugoni-Rojas (nee “Christin Boulton”) (“**Court Officer Rojas**” or “Informant” or “Informant Rojas”)
- **Information Package:**
 - **§ Information Number contained on the Form 2 (Court Officer Rojas):** 4810 998 24 48129169 (“Information Number”)
 - **Police Case ID Number on the Form 2:** none
 - **Intake Court Endorsement date:** September 23, 2024
 - **Reference:** ‘warrant in the first’
 - **Clerical error by TPS:** JP Jiri ‘digitally signed’ the Intake Court Endorsement but there is no endorsement or required date, location, and signature by JP Jiri of the Brampton ONCJ Courthouse (a “**Non-Originating Courthouse**”)
 - **Presumed originating courthouse** as of September 23, 2024: presumed to be ONSC South Toronto Criminal Division located at 361 University Avenue, Toronto, Ontario (the “**ONSC Toronto Courthouse (Criminal Division)**” or “**Originating Courthouse**”)
 - **Police Case Identification Number** (contained on the Intake Court Endorsement [sic]): 457197 (“**Police Case ID Number**”)
 - **Conclusion:** Intake Court Endorsement [sic] was created or transcribed by the TPS (presumably 52nd Division) on or around September 23, 2024, or thereafter and backdated.

▪ **Presumed Originating Police Division of the TPS:** 52nd Division of the TPS^[i] (the “**Originating Police Division**”)

▪ **ARREST INFORMATION:**

- **Arrest date:** October 2, 2024
- **Arrest location:** 14th Division of the TPS (350 Dovercourt Road, Toronto)
- **Arresting police officers:** Constable Mr. Anthony Romano with a badge number of **6097** and Detective Constable Mr. Michael Roman Kolankowski with a badge number 82239 of the 14th Division
 - **Detective that visited the Defendant in jail cells of the 14th Division:** Detective Mr. Abdulhameed K. Virani (“Detective Abdul” or “Detective Virani”) of the 52nd Division;
- **Form 10:** signed and countersigned by Sergeant Cassidy and Mr. McLean (BA, JD, CIM)
- **Form 10 contained: TPS Occurrence Number**
- **Form 10 did not contain: TPS Case ID Number**
 - **Conclusion:** TPS 14th Division was NOT the originating police division (“**Non-Originating Police Division**”) but TPS 52nd Division was the originating police division (the “**Originating Police Division**”)

Conclusion:

- Location of TPS copy of ‘arrest warrant’: **TPS 52nd Division**
- Location of court copy (and public copy) after arrest was made on October 2, 2024 of processes issued to approved the singular charge against the Defendant including potentially an arrest warrant (Form 7) of the Criminal Code: **ONSC South Toronto (Criminal Division) Courthouse**
 - **Issuing date of the above:** presumed to be September 23, 2024
 - **Issuing Judge of the ONSC:** unknown
 - **Pre-enquête materials:** unknown but for part of the Form 2 of Court Officer Rojas

^[i] as per Detective Abdul (see: infra) being the deciding detective as to whether the Defendant would be released with a Form 10 (or otherwise) or required to be taken into custody and await a bail hearing. Further, Court Officer Rojas would have performed the majority of her activities in the South Toronto area of the 52nd Division’s jurisdiction. Since the Brampton Courthouse has confirmed it is not the originating courthouse (a “Non-Originating Courthouse”) as has the ONCJ 10 Armoury Road Courthouse (a “Non-Originating Courthouse”) (collectively, the “Non-Originating Courthouses”), but the matter involves a Toronto accused (14th Division) and a Toronto purported complainant (unknown location) with an informant (Court Officer Rojas) in the Toronto Region, then it must be that the 52nd Division was the “Originating Police Division”. The 52nd

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Otherwise you can file a Freedom of Information request through the appropriate channels.

Regards,

Supt. Domenic Sinopoli, M.O.M.

Toronto Police Service

14 Division

[416-808-1414](tel:416-808-1414)

Domenic.sinopoli@tps.ca

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-
June 10, 2025

VIA EMAIL SERVICE

Particulars for ease of reference:

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- **Police occurrence number:** Occ#:24-2082035
- **Date of commencement of proceeding by sworn Form 2 Information by Court Officer Ms. Frugoni-Rojas:** September 23, 2024;
- **Originating courthouse as of September 23, 2024:** unknown
- **Court File Number with courthouse since October 2, 2024, with Ontario Court of Justice (ONCJ):** Court File No: 24-48129169
- **Information Number:** 4810 998 24 48129169
- **Police Case Identification Number:** Police Case ID:457197
- Type of document in this email: email and attachment
- Short title of proceeding: *R. v. McLean*
- Party: Defendant
- Name: Mr. Kevin A. McLean (B.A., J.D., CIM)
- Contact: mrkevinalexandermcleanbajdcim@gmail.com

To:

Toronto Police Services Board (the "TPS")

Addresses:

14th Division of the TPS
350 Dovercourt Rd,

Toronto, ON
M6J 3E3

Attention: 14th Division Superintendent

52nd Division of the TPS
255 Dundas St W,
Toronto, ON
M5T 2W5

Attention: 52nd Division Superintendent

Re: Demand and request for a copy of the arrest warrant as represented by the 14th Division of the TPS to me and contained by reference in an information package to the ONCJ 10 Armoury Road

Dear Sirs/Mesdames/Other Gender Neutral Pronouns:

1. I write regarding the above. My name is below and my DOB was March 25, 1983. I was arrested on October 2, 2024, by 14th Division after coming to the TPS 14th Division by email of Constable Romano. On that date, I received a Form 10 signed by Sergeant Cassidy and myself (see: attached). The Form 10 did not have a copy of the police file identification number like that of the Intake Court Endorsement [sic] from September 23, 2024.
2. Since that time, I have learned that the “Detective Abdul”, who visited me in the jail cell of the 14th Division, was Detective Abdulhameed K. Virani of the 52nd Division.
3. Thereafter, I received a copy of a Form 2 from court officer Ms. Frugoni-Rojas and an Intake Court Endorsement (but not endorsed) which references a Brampton Courthouse JP in JP Jiri. JP Jiri was formerly of the 52nd Division as of early January 2024 before his appointment to the Brampton Courthouse ONCJ. It was quite obvious from the outset that JP Jiri could not have been the JP who approved the criminal charge (singular charge of criminal harassment) as per his assignment and by clear reference to the attached document.
4. Brampton Courthouse ONCJ has confirmed it does not have any record of a JP Jiri Intake Court Endorsement which is unsurprising considering that 10 Armoury Road ONCJ has confirmed that it was not the originating courthouse. Ergo, neither could be the originating courthouses.
5. As such, would you kindly provide me a copy of the arrest warrant in signed and executed form? If you do not have a copy handy on you for attachment purposes, would you kindly provide me with the following (presuming it was 52nd division that was the originating police division):

- a. Originating courthouse: ONCJ or ONSC; and

b. Justice who approved and executed the same.

6. I presume you are looking for an arrest warrant on 23rd day of September which was a Monday.

7. One of the courthouses represented to me that I could obtain a duplicate copy of the arrest warrant through the TPS as it is required to have a copy of the same. I understand that the ONCJ and ONSC are looking through the ICON (sp) system for the same for its copy of the same.

8. Respectfully and irrespective of whether I receive a copy of the same in the morning from the originating courthouse, I will still require a copy from the TPS to compare the same to ensure they are accurate.

If there is a specific email for this request, I would be most grateful to receive the same from you.

9. Thank you.

Encl.

--

My best regards to you,

Kevin A. McLean (B.A., J.D., CIM)

Chartered Investment Manager

E (personal and confidential): mrkevinalexandermcleanbajdcim@gmail.com

DISCLAIMER

1. *The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.*
2. *Due to being an accident, this email may be dictated in part or full with voice recognition software. Kindly excuse any errors for grammar, syntax or spelling.*

--

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This e-mail (including any attachments) may contain PRIVILEGED and CONFIDENTIAL INFORMATION only for use of the Addressee(s). If you are not the intended recipient of this e-mail or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please immediately notify me by telephone or e-mail to arrange for the return or destruction of this document. Thank you.

--

My best regards to you,

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Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>
 To: Ronald Khan <Ronald.khan@tps.ca>, 52division@torontopolice.on.ca
 Cc: Timothy.Crone@tps.ca

Sun, Jun 15, 2025 at 3:52 PM

June 15, 2025

Dear Superintendent Mr. Khan and Inspector Mr. Crone:

I have removed Superintendent Sinopoli from the email as his response was unhelpful at best. As such, I reiterate my request for a copy of the arrest warrant as represented to me by Constable Romano on October 2, 2024, and as reference in the Intake Court Endorsement [sic]. Our Parliament, as per section 29 of the Criminal Code, has required the TPS to provide me with a copy of the same when a request has been made.

Section 29 emphasizes the importance of transparency and communication during the execution of warrants and arrests, while also recognizing the need for practical considerations and good faith efforts by law enforcement.

As confirmed, what I have is an Intake Court Endorsement [sic] purportedly in the file of the TPS under the Police Case Identification Number (as known to you). It appears that a clerical error occurred regarding the same.

In any event, whatever that Intake Court Endorsement [sic] is purporting to be, by reference to a 'warrant in the first, it is NOT an Arrest Warrant.

If the argument was that 14th Division did not have a copy on it or Constable Romano and DC Michael Kolankowski, which I say it was required to do so, and the request has to be the originating police division, which I say no such formal requirement exists, then I have made that request.

As such, the 52nd Division of the TPS is required to produce the same.

If you do not have a copy on your person and/or at the TPS, kindly obtain one from the originating court level and courthouse which is known to the TPS.

Kindly provide a copy of the same to this email via electronic fashion to this email.

Thank you.

On Wed, Jun 11, 2025 at 12:13 PM Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:

Re: further information to assist the TPS with my written request of the TPS for a copy of the arrest warrant

Dear 14th and 52nd Division Superintendent:

1. In the spirit of cooperation and a gesture of bringing us closer together, please find the underlying particulars to assist with your search by presumed reference to the Police Case Identification Number which I presume is of the 52nd Division of the TPS.
2. By the esteemed Superintendent Mr. Sinopoli's response and that of the ONCJ (Brampton Courthouse) it cannot be JP Jiri, the former 52nd division police officer. Ergo, it must have a clerical error by the individual managing the TPS 52nd Division Police Case Identification Number. I say that out of respect, to be polite and give people the benefit of the doubt so to speak.
3. If I were to hazard a guess as members of the public I understand are already requesting copies of the same, I will predict The Honourable Madam Justice Kraft of the ONSC. She is a former family law partner at Epstein Cole LLP located at 393 University Avenue, Toronto, Ontario. I will predict her because she was counsel to Mr. Andrew Papadimitropoulos, who is the ex-husband of my former common law spouse (apparently the purported complainant), and he has since been fired from TD Insurance Auto Group. His colleague Mr. David Karat, employed by the TDIA Group currently was the individual who stole my property on October 25, 2024, alongside the complainant's mother (Mrs. Aphrodite Artopoulos) on 'lookout duty' (see: attached). On September 17, 2024, I discovered that Mr. Papadimitropoulos was engaged in forgery in my insurance accident benefits case and it was part of the reason that he was terminated from TDIA Group. I can understand his anger in being caught regarding the same but it would seem to me if insurance companies can engage in the same with the benefit of CAMH and CAMH oddly had some role in the same, and insurance companies are in regular communication with police for lawful reasons, he being a lawyer had some role in assisting the TPS alongside that of Ms. Kanavas (a Seneca professor of paralegal studies), another lawyer of the same descent as he.
4. The CLO of CAMH has the same last name as Detective Virani who was referred to me as "Detective Abdul" of the 52nd Division. Perhaps, it is just a coincidence.
5. It would seem that with perhaps his longstanding relationship with former partners at Epstein Cole LLP in Madam Justice Shore, who was then and thereafter in the Divisional Court and has taken a particular interest in one of my matters, that it would have been Madam Justice Shore. Perhaps, it is just irony that said building at 361 University Avenue, Toronto, Ontario is not only a criminal court but a family courthouse albeit only an ONSC.
6. You are required by the *Criminal Code* to provide me with a copy of the duly signed, dated with location Form 7 *Criminal Code* arrest warrant. **Kindly advise if I am correct with respect to the Originating Courthouse (and the name of the justice in Madam Justice Kraft).** I confirm that there is no statutory fee for my written request of the TPS to produce a copy of the arrest warrant as per section 29 of the Criminal Code. There is a fee for FIPPA and I will not be tendering monies to the TPS for that which I am entitled by federal statute (not a provincial statute).
7. For confirmation purposes, as Superintendent Khan of the 52nd Division, I apologized to Detective Petrie when I had wrongly presumed by the information provided by CAMH, prior to unredacting the images CAMH provided, that it may have been Detective Petrie. He did not deny the same but nonetheless when you err, you apologize.
8. I thank you for your honesty of both divisions in confirming that neither had my property and it turned out to be entirely honest as it was Mr. Karat and the TDIA Group engaged in the theft

alongside the Purported Complainant's mother. (I will circle back with the 14th Division on that issue but it is not for this email thread).

9. My formal request remains extant until there is compliance by the TPS.

10. Thank you.

Appendix

Underlying Particulars

- **Police occurrence number:** Occ#: 24-2082035 (the “TPS Occurrence Number”)
- **Date of commencement of proceeding (if referenced by the Form 2):** September 23, 2024 (the “Commencement Date”)
- **Informant:** Court Officer (non-TPS officer but employed by TPS as court officer/special constable) Mrs. Christyn Frugoni-Rojas (nee “Christin Boulton”) (“**Court Officer Rojas**” or “Informant” or “Informant Rojas”)
- **Information Package:**
 - **§ Information Number contained on the Form 2 (Court Officer Rojas):** 4810 998 24 48129169 (“Information Number”)
 - **Police Case ID Number on the Form 2:** none
 - **Intake Court Endorsement date:** September 23, 2024
 - **Reference:** ‘warrant in the first’
 - **Clerical error by TPS:** JP Jiri ‘digitally signed’ the Intake Court Endorsement but there is no endorsement or required date, location, and signature by JP Jiri of the Brampton ONCJ Courthouse (a “**Non-Originating Courthouse**”)
 - **Presumed originating courthouse** as of September 23, 2024: presumed to be ONSC South Toronto Criminal Division located at 361 University Avenue, Toronto, Ontario (the “**ONSC Toronto Courthouse (Criminal Division)**” or “**Originating Courthouse**”)
 - **Police Case Identification Number** (contained on the Intake Court Endorsement [sic]): 457197 (“**Police Case ID Number**”)
 - **Conclusion:** Intake Court Endorsement [sic] was created or transcribed by the TPS (presumably 52nd Division) on or around September 23, 2024, or thereafter and backdated.
- **Presumed Originating Police Division of the TPS:** 52nd Division of the TPS^[1] (the “**Originating Police Division**”)
- **ARREST INFORMATION:**
 - **Arrest date:** October 2, 2024
 - **Arrest location:** 14th Division of the TPS (350 Dovercourt Road, Toronto)
 - **Arresting police officers:** Constable Mr. Anthony Romano with a badge number of **6097** and Detective Constable Mr. Michael Roman Kolankowski with a badge number 82239 of the 14th Division
 - **Detective that visited the Defendant in jail cells of the 14th Division:** Detective Mr. Abdulhameed K. Virani (“Detective Abdul” or “Detective Virani”) of the 52nd Division;
 - **Form 10:** signed and countersigned by Sergeant Cassidy and Mr. McLean (BA, JD, CIM)
 - **Form 10 contained:** **TPS Occurrence Number**
 - **Form 10 did not contain:** **TPS Case ID Number**
 - **Conclusion:** TPS 14th Division was NOT the originating police division (“**Non-Originating Police Division**”) but TPS 52nd Division was the originating police division (the “**Originating Police Division**”)

Conclusion:

- Location of TPS copy of ‘arrest warrant’: **TPS 52nd Division**
- Location of court copy (and public copy) after arrest was made on October 2, 2024 of processes issued to approved the singular charge against the Defendant including potentially an arrest warrant (Form 7) of the Criminal Code: **ONSC South Toronto (Criminal Division) Courthouse**
 - **Issuing date of the above:** presumed to be September 23, 2024
 - **Issuing Judge of the ONSC:** unknown
 - **Pre-enquête materials:** unknown but for part of the Form 2 of Court Officer Rojas

[i] as per Detective Abdul (see: infra) being the deciding detective as to whether the Defendant would be released with a Form 10 (or otherwise) or required to be taken into custody and await a bail hearing. Further, Court Officer Rojas would have performed the majority of her activities in the South Toronto area of the 52nd Division’s jurisdiction. Since the Brampton Courthouse has confirmed it is not the originating courthouse (a “Non-Originating Courthouse”) as has the ONCJ 10 Armoury Road Courthouse (a “Non-Originating Courthouse”) (collectively, the “Non-Originating Courthouses”), but the matter involves a Toronto accused (14th Division) and a Toronto purported complainant (unknown location) with an informant (Court Officer Rojas) in the Toronto Region, then it must be that the 52nd Division was the “Originating Police Division”. The 52nd

Underlying Particulars

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- **Date of commencement of proceeding (if referenced by the Form 2):** September 23, 2024 (the “Commencement Date”)
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- **Information Package:**
 - **§ Information Number contained on the Form 2 (Court Officer Rojas):** 4810 998 24 48129169 (“Information Number”)
 - **Police Case ID Number on the Form 2:** none
 - **Intake Court Endorsement date:** September 23, 2024
 - **Reference:** ‘warrant in the first’
 - **Clerical error by TPS:** JP Jiri ‘digitally signed’ the Intake Court Endorsement but there is no endorsement or required date, location, and signature by JP Jiri of the Brampton ONCJ Courthouse (a “**Non-Originating Courthouse**”)
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 - **Conclusion:** Intake Court Endorsement [sic] was created or transcribed by the TPS (presumably 52nd Division) on or around September 23, 2024, or thereafter and backdated.
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- **Form 10:** signed and countersigned by Sergeant Cassidy and Mr. McLean (BA, JD, CIM)
- **Form 10 contained: TPS Occurrence Number**
- **Form 10 did not contain: TPS Case ID Number**
 - **Conclusion:** TPS 14th Division was NOT the originating police division (“**Non-Originating Police Division**”) but TPS 52nd Division was the originating police division (the “**Originating Police Division**”)

Conclusion:

- **Location of TPS copy of ‘arrest warrant’: TPS 52nd Division**
- **Location of court copy (and public copy) after arrest was made on October 2, 2024 of processes issued to approved the singular charge against the Defendant including potentially an arrest warrant (Form 7) of the Criminal Code: ONSC South Toronto (Criminal Division) Courthouse**
 - **Issuing date of the above:** presumed to be September 23, 2024
 - **Issuing Judge of the ONSC:** unknown

Pre-enquête materials: unknown but for part of the Form 2 of Court Officer Rojas

[i] as per Detective Abdul (see: infra) being the deciding detective as to whether the Defendant would be released with a Form 10 (or otherwise) or required to be taken into custody and await a bail hearing. Further, Court Officer Rojas would have performed the majority of her activities in the South Toronto area of the 52nd Division’s jurisdiction. Since the Brampton Courthouse has confirmed it is not the originating courthouse (a “Non-Originating Courthouse”) as has the ONCJ 10 Armoury Road Courthouse (a “Non-Originating Courthouse”) (collectively, the “Non-Originating Courthouses”), but the matter involves a Toronto accused (14th Division) and a Toronto purported complainant (unknown location) with an informant (Court Officer Rojas) in the Toronto Region, then it must be that the 52nd Division was the “Originating Police Division”. The 52nd

On Wed, Jun 11, 2025 at 9:50 AM Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:

Dear Superintendent Sinopoli (copied to Superintendent Mr. Khan and Inspector Mr. Crone):

Thank you again for your email. In the even you were unaware, please see the relevant section of the Criminal Code:

Duty of person arresting

- **29 (1)** It is the duty of every one who executes a process or warrant to have it with him, where it is feasible to do so, and to produce it when requested to do so.
- (2)** It is the duty of every one who arrests a person, whether with or without a warrant, to give notice to that person, where it is feasible to do so, of
 - **(a)** the process or warrant under which he makes the arrest; or
 - **(b)** the reason for the arrest.

Disclosure is a process that is required of the MAG of Ontario Criminal Law Division (the “Ontario Crown”) and not the TPS. The TPS cannot require me to obtain that from the Crown or pay to obtain through FIPPA, which I anticipate the TPS would attempt to not disclose to me, which its TPS’ officers were and are required to have it on them when executing a process or a warrant. Perhaps, the argument of the TPS 14th Division was that it was not feasible at the time which I disagree with. In any event, the TPS are required to produce it when requested to do so.

I confirm that this is a formal written request of the TPS to the attention of each superintendent of the 14th and 52nd Division. My view is that the 52nd Division was the division that sought and obtained a potential approval of the criminal charge and arrest warrant.

It is trite that the Brampton Courthouse is not the originating courthouse and nor is the ONCJ 10 Armoury Road. I have confirmation from both regarding the same.

In the interim, I query whether the originating courthouse was since it is not the above? As you may know, arrest warrants are not always filed with the courthouse per se.

I note the following from the MAG website in relation to obtaining access to court records which I now copy and paste the following from the Ontario government website: ^[i]

“2.2.2 Pre-Enquête documents and recordings

Pre-Enquête hearings are not open to the public.

If process is issued

For both private and Crown prosecutions, if process is issued, the documents of the pre- Enquête hearing become **publicly accessible** once the defendant **has been arrested** or the summons has been served, unless there are legislative restrictions to access (for example, the YCJA) or a court order restricts access.

If process is not issued

If process is not issued, the documents and tapes of the pre-Enquête hearing are not publicly accessible.

2.2.5

Arrest warrants (warrants in the first instance and bench warrants)

Warrants of arrest (also known as Warrants in the First Instance) may or may not be filed with the court. Practices for filing warrants of arrest vary depending on the police service. If a warrant of arrest or copy of a warrant of arrest is in the court file, it is only publicly accessible after the accused has been arrested or has received a summons, provided no other public access restrictions apply (for example, the YCJA). “

The distinction between myself and the general public is noted.

Ergo, if the originating courthouse was not Brampton and 10 Armoury Road (ONCJ), then it must be the ONSC 361 University Avenue, Toronto, which is the only criminal court in downtown Toronto or “South Toronto” (“ST”).

As the ONCJ and ONSC are not the same level of court per se and would not be integrated per se by way of data, it would have been incumbent upon the TPS to file the arrest warrant in the non-originating courthouse which is ONCJ (10 Armoury Road). It is not filed with the non-originating and current courthouse of the ONCJ (10 Armoury Road).

As your division knows, I was arrested on October 2, 2024. Ergo, not only is the arrest warrant public but all of the documents of the pre-enquête hearing are as well. They would not be before that date but they would after that date.

If your division, while I await for a response from the 52nd Division, does not have a copy, kindly provide the originating courthouse so I can engage in searching for the same.

I presume that the originating courthouse was 361 University Avenue, Toronto, Ontario. Would you kindly confirm? In that manner, we can work in cooperation while respecting resources as I will obtain more than the Form 7 Arrest Warrant, and we need not be duplicative or redundant. I can then confirm with you that my written request (while other oral and written requests were made but not technically to the 14th and 52nd Division Superintendents) is no longer extant.

Thank you for your cooperation where applicable and your statutory compliance where also applicable.

(Dear Superintendent Khan, I understand that you are returning tomorrow from being away. I hope you are well and safe. Inspector Mr.Crone, would you kindly assist regarding the above particulars?)

[i] <https://www.ontario.ca/document/access-court-files-documents-and-exhibits/section-2-public-access-criminal-court-files-and-documents>

On Wed, Jun 11, 2025 at 9:11 AM Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:
Dear Mr. Sinopoli:

Thank you for your email. I disagree with you on that front. An officer in your division (Constable Romano) represented that he had an arrest warrant. I demanded to see a copy of the same. Pursuant to the Criminal Code, the TPS is required to provide me with a copy of the same.

There is also an ancillary reason for my asking but I can deal with that later (if necessary).

Please provide a copy of the same herein.

On Wed, Jun 11, 2025 at 7:39 AM Domenic Sinopoli <Domenic.Sinopoli@tps.ca> wrote:
Mr. McLean,

You will get copies of what you are lookign for through the disclosure process.

Otherwise you can file a Freedom of Information request through the appropriate channels.

Regards,

Supt. Domenic Sinopoli, M.O.M.
Toronto Police Service
14 Division
[416-808-1414](tel:416-808-1414)
Domenic.sinopoli@tps.ca

On June 10, 2025 at 10:13:19 PM EDT, Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:

Dear Sirs: I received the auto-reply of Mr. Khan who is away until the 12th of June. I have copied his contact in his stead Inspector Mr. Tim Krone. Thanks in advance gentlemen.

On Tue, Jun 10, 2025 at 10:08 PM Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:

VIA EMAIL DELIVERY

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June 10, 2025

VIA EMAIL SERVICE

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To:

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M6J 3E3

Attention: 14th Division Superintendent

52nd Division of the TPS
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M5T 2W5

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4. Brampton Courthouse ONCJ has confirmed it does not have any record of a JP Jiri Intake Court Endorsement which is unsurprising considering that 10 Armoury Road ONCJ has confirmed that it was not the originating courthouse. Ergo, neither could be the originating courthouses.

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- b. Justice who approved and executed the same.

6. I presume you are looking for an arrest warrant on 23rd day of September which was a Monday.

7. One of the courthouses represented to me that I could obtain a duplicate copy of the arrest warrant through the TPS as it is required to have a copy of the same. I understand that the ONCJ and ONSC are looking through the ICON (sp) system for the same for its copy of the same.

8. Respectfully and irrespective of whether I receive a copy of the same in the morning from the originating courthouse, I will still require a copy from the TPS to compare the same to ensure they are accurate.

If there is a specific email for this request, I would be most grateful to receive the same from you.

9. Thank you.

Encl.

--

My best regards to you,

Kevin A. McLean (B.A., J.D., CIM)

Chartered Investment Manager

E (personal and confidential): mrkevinalexandermcleanbajdcim@gmail.com

DISCLAIMER

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2. *Due to being an accident, this email may be dictated in part or full with voice recognition software. Kindly excuse any errors for grammar, syntax or spelling.*

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--

My best regards to you,

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2. *Due to being an accident, this email may be dictated in part or full with voice recognition software. Kindly excuse any errors for grammar, syntax or spelling.*

Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

Mon, Jun 16, 2025 at 2:25 PM

To: Ronald Khan <Ronald.khan@tps.ca>, 52division@torontopolice.on.ca

Cc: Timothy.Crone@tps.ca, Anthony.Romano@tps.ca, 82239@tps.ca, Abdul.virani@tps.ca

June 16, 2025

Dear Superintendent Khan and Inspector Mr. Crone of the 52nd Division:

I am writing regarding the matter above. Due to the breach of section 8 of the Charter by Superintendent Domenic Sinopoli of the 14th Division on October 2, 2024, if I do not hear from you by the end of the business day, I will escalate this to Chief of Police Myron Demkiw. To expedite, I have copied:

- i. Constable Romano of the 14th Division;
- ii. Detective Constable Michael Roman Kolankowski of the 14th Division; and
- iii. Detective Abdulhameed K. Virani of the 52nd Division

As you know, Constable Romano represented to me that TPS had an arrest warrant on October 2, 2024. DC Kolankowski is listed as the arresting officer and point of contact in Form 10. Detective Virani visited me in the 14th Division jail cells. As you know, the Form 10 (October 2, 2024) did not have a Police Case Identification Number but the Intake Court Endorsement [sic] did. For details, please refer to previous emails.

Additionally, the court record at ONCJ (10 Armoury Courthouse) highlights 'warrant first executed':

It has been 257 days since October 2, 2024, and I have made many requests for a copy of the document in question. According to section 29 of the *Criminal Code*, peace officers must provide it during an arrest if feasible and without restrictions upon request. If you can provide a copy by the end of the business day, we can avoid escalating the matter to the Chief of Police or filing a complaint with the Complaints Committee for Justices of the Peace. The Brampton Courthouse (ONCJ) has no record of this document.

Also, if you can identify the Superior Court Justice involved in this matter, please inform me by the end of today. I am willing to grant an administrative extension if needed. Thank you for your attention to this request.

Dear Superintendent Mr. Khan and Inspector Mr. Crone:

Section 29 emphasizes the importance of transparency and communication during the execution of warrants and arrests, while also recognizing the need for practical considerations and good faith efforts by law enforcement.

As confirmed, what I have is an Intake Court Endorsement [sic] purportedly in the file of the TPS under the Police Case Identification Number (as known to you). It appears that a clerical error occurred regarding the same.

In any event, whatever that Intake Court Endorsement [sic] is purporting to be, by reference to a 'warrant in the first, it is NOT an Arrest Warrant.

If the argument was that 14th Division did not have a copy on it or Constable Romano and DC Michael Kolankowski, which I say it was required to do so, and the request has to be the originating police division, which I say no such formal requirement exists, then I have made that request.

As such, the 52nd Division of the TPS is required to produce the same.

If you do not have a copy on your person and/or at the TPS, kindly obtain one from the originating court level and courthouse which is known to the TPS.

Kindly provide a copy of the same to this email via electronic fashion to this email.

Thank you.

On Wed, Jun 11, 2025 at 12:13 PM Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:

Re: further information to assist the TPS with my written request of the TPS for a copy of the arrest warrant

Dear 14th and 52nd Division Superintendent:

1. In the spirit of cooperation and a gesture of bringing us closer together, please find the underlying particulars to assist with your search by presumed reference to the Police Case Identification Number which I presume is of the 52nd Division of the TPS.
2. By the esteemed Superintendent Mr. Sinopoli's response and that of the ONCJ (Brampton Courthouse) it cannot be JP Jiri, the former 52nd division police officer. Ergo, it must have a clerical error by the individual managing the TPS 52nd Division Police Case Identification Number. I say that out of respect, to be polite and give people the benefit of the doubt so to speak.
3. If I were to hazard a guess as members of the public I understand are already requesting copies of the same, I will predict The Honourable Madam Justice Kraft of the ONSC. She is a former family law partner at Epstein Cole LLP located at 393 University Avenue, Toronto, Ontario. I will predict her because she was counsel to Mr. Andrew Papadimitropoulos, who is the ex-husband of my former common law spouse (apparently the purported complainant), and he has since been fired from TD Insurance Auto Group. His colleague Mr. David Karat, employed by the TDIA Group currently was the individual who stole my property on October 25, 2024, alongside the complainant's mother (Mrs. Aphrodite Artopoulos) on 'lookout duty' (see: attached). On September 17, 2024, I discovered that Mr. Papadimitropoulos was engaged in forgery in my insurance accident benefits case and it was part of the reason that he was terminated from TDIA Group. I can understand his anger in being caught regarding the same but it would seem to me if insurance companies can engage in the same with the benefit of CAMH and CAMH oddly had some role in the same, and insurance companies are in regular communication with police for lawful reasons, he being a lawyer had some role in assisting the TPS alongside that of Ms. Kanavas (a Seneca professor of paralegal studies), another lawyer of the same descent as he.

4. The CLO of CAMH has the same last name as Detective Virani who was referred to me as “Detective Abdul” of the 52nd Division. Perhaps, it is just a coincidence.
5. It would seem that with perhaps his longstanding relationship with former partners at Epstein Cole LLP in Madam Justice Shore, who was then and thereafter in the Divisional Court and has taken a particular interest in one of my matters, that it would have been Madam Justice Shore. Perhaps, it is just irony that said building at 361 University Avenue, Toronto, Ontario is not only a criminal court but a family courthouse albeit only an ONSC.
6. You are required by the *Criminal Code* to provide me with a copy of the duly signed, dated with location Form 7 *Criminal Code* arrest warrant. **Kindly advise if I am correct with respect to the Originating Courthouse (and the name of the justice in Madam Justice Kraft).** I confirm that there is no statutory fee for my written request of the TPS to produce a copy of the arrest warrant as per section 29 of the Criminal Code. There is a fee for FIPPA and I will not be tendering monies to the TPS for that which I am entitled by federal statute (not a provincial statute).
7. For confirmation purposes, as Superintendent Khan of the 52nd Division, I apologized to Detective Petrie when I had wrongly presumed by the information provided by CAMH, prior to unredacting the images CAMH provided, that it may have been Detective Petrie. He did not deny the same but nonetheless when you err, you apologize.
8. I thank you for your honesty of both divisions in confirming that neither had my property and it turned out to be entirely honest as it was Mr. Karat and the TDIA Group engaged in the theft alongside the Purported Complainant’s mother. (I will circle back with the 14th Division on that issue but it is not for this email thread).
9. My formal request remains extant until there is compliance by the TPS.
10. Thank you.

Appendix

Underlying Particulars

- **Police occurrence number:** Occ#: 24-2082035 (the “TPS Occurrence Number”)
- **Date of commencement of proceeding (if referenced by the Form 2):** September 23, 2024 (the “Commencement Date”)
- **Informant:** Court Officer (non-TPS officer but employed by TPS as court officer/special constable) Mrs. Christyn Frugoni-Rojas (nee “Christin Boulton”) (“**Court Officer Rojas**” or “Informant” or “Informant Rojas”)
- **Information Package:**
 - **§ Information Number contained on the Form 2 (Court Officer Rojas):** 4810 998 24 48129169 (“Information Number”)
 - Police Case ID Number on the Form 2: **none**
 - **Intake Court Endorsement date:** September 23, 2024
 - **Reference:** ‘warrant in the first’
 - **Clerical error by TPS:** JP Jiri ‘digitally signed’ the Intake Court Endorsement but there is no endorsement or required date, location, and signature by JP Jiri of the Brampton ONCJ Courthouse (a “**Non-Originating Courthouse**”)

- **Presumed originating courthouse** as of September 23, 2024: presumed to be ONSC South Toronto Criminal Division located at 361 University Avenue, Toronto, Ontario (the “**ONSC Toronto Courthouse (Criminal Division)**” or “**Originating Courthouse**”)
- **Police Case Identification Number** (contained on the Intake Court Endorsement [sic]): 457197 (“**Police Case ID Number**”)
- **Conclusion:** Intake Court Endorsement [sic] was created or transcribed by the TPS (presumably 52nd Division) on or around September 23, 2024, or thereafter and backdated.

▪ **Presumed Originating Police Division of the TPS:** 52nd Division of the TPS^[i] (the “**Originating Police Division**”)

▪ **ARREST INFORMATION:**

- **Arrest date:** October 2, 2024
- **Arrest location:** 14th Division of the TPS (350 Dovercourt Road, Toronto)
- **Arresting police officers:** Constable Mr. Anthony Romano with a badge number of **6097** and Detective Constable Mr. Michael Roman Kolankowski with a badge number 82239 of the 14th Division
 - **Detective that visited the Defendant in jail cells of the 14th Division:** Detective Mr. Abdulhameed K. Virani (“Detective Abdul” or “Detective Virani”) of the 52nd Division;
- **Form 10:** signed and countersigned by Sergeant Cassidy and Mr. McLean (BA, JD, CIM)
- **Form 10 contained: TPS Occurrence Number**
- **Form 10 did not contain: TPS Case ID Number**
 - **Conclusion:** TPS 14th Division was NOT the originating police division (“**Non-Originating Police Division**”) but TPS 52nd Division was the originating police division (the “**Originating Police Division**”)

Conclusion:

- **Location of TPS copy of ‘arrest warrant’:** **TPS 52nd Division**
- **Location of court copy (and public copy) after arrest was made on October 2, 2024 of processes issued to approved the singular charge against the Defendant including potentially an arrest warrant (Form 7) of the Criminal Code:** **ONSC South Toronto (Criminal Division) Courthouse**
 - **Issuing date of the above:** presumed to be September 23, 2024
 - **Issuing Judge of the ONSC:** unknown
 - **Pre-enquête materials:** unknown but for part of the Form 2 of Court Officer Rojas

^[i]

as per Detective Abdul (see: infra) being the deciding detective as to whether the Defendant would be released with a Form 10 (or otherwise) or required to be taken into custody and await a bail hearing. Further, Court Officer Rojas would have performed the majority of her activities in the South Toronto area of the 52nd Division’s jurisdiction. Since the Brampton Courthouse has confirmed it is not the originating courthouse (a “Non-Originating Courthouse”) as has the ONCJ 10 Armoury Road Courthouse (a “Non-Originating Courthouse”) (collectively, the “Non-Originating Courthouses”), but the matter involves a Toronto accused (14th Division) and a Toronto purported complainant (unknown location) with an informant (Court Officer Rojas) in the Toronto Region, then it must be that the 52nd Division was the “Originating Police Division”. The 52nd

Underlying Particulars

- **Police occurrence number:** Occ#: 24-2082035 (the “**TPS Occurrence Number**”)
- **Date of commencement of proceeding (if referenced by the Form 2):** September 23, 2024 (the “**Commencement Date**”)

- **Informant:** Court Officer (non-TPS officer but employed by TPS as court officer/special constable) Mrs. Christyn Frugoni-Rojas (nee “Christin Boulton”) (“**Court Officer Rojas**” or “Informant” or “Informant Rojas”)
- **Information Package:**
 - § **Information Number contained on the Form 2 (Court Officer Rojas):** 4810 998 24 48129169 (“Information Number”)
 - **Police Case ID Number on the Form 2:** none
 - **Intake Court Endorsement date:** September 23, 2024
 - **Reference:** ‘warrant in the first’
 - **Clerical error by TPS:** JP Jiri ‘digitally signed’ the Intake Court Endorsement but there is no endorsement or required date, location, and signature by JP Jiri of the Brampton ONCJ Courthouse (a “**Non-Originating Courthouse**”)
 - **Presumed originating courthouse** as of September 23, 2024: presumed to be ONSC South Toronto Criminal Division located at 361 University Avenue, Toronto, Ontario (the “**ONSC Toronto Courthouse (Criminal Division)**” or “**Originating Courthouse**”)
 - **Police Case Identification Number** (contained on the Intake Court Endorsement [sic]): 457197 (“**Police Case ID Number**”)
 - **Conclusion:** Intake Court Endorsement [sic] was created or transcribed by the TPS (presumably 52nd Division) on or around September 23, 2024, or thereafter and backdated.
- **Presumed Originating Police Division of the TPS:** 52nd Division of the TPS ^[i] (the “**Originating Police Division**”)
- **ARREST INFORMATION:**
 - **Arrest date:** October 2, 2024
 - **Arrest location:** 14th Division of the TPS (350 Dovercourt Road, Toronto)
 - **Arresting police officers:** Constable Mr. Anthony Romano with a badge number of **6097** and Detective Constable Mr. Michael Roman Kolankowski with a badge number 82239 of the 14th Division
 - **Detective that visited the Defendant in jail cells of the 14th Division:** Detective Mr. Abdulhameed K. Virani (“Detective Abdul” or “Detective Virani”) of the 52nd Division;
 - **Form 10:** signed and countersigned by Sergeant Cassidy and Mr. McLean (BA, JD, CIM)
 - **Form 10 contained: TPS Occurrence Number**
 - **Form 10 did not contain: TPS Case ID Number**
 - **Conclusion:** TPS 14th Division was NOT the originating police division (“**Non-Originating Police Division**”) but TPS 52nd Division was the originating police division (the “**Originating Police Division**”)

Conclusion:

- Location of TPS copy of ‘arrest warrant’: **TPS 52nd Division**
- Location of court copy (and public copy) after arrest was made on October 2, 2024 of processes issued to approved the singular charge against the Defendant including potentially an arrest warrant (Form 7) of the Criminal Code: **ONSC South Toronto (Criminal Division) Courthouse**
 - **Issuing date of the above:** presumed to be September 23, 2024
 - **Issuing Judge of the ONSC:** unknown

Pre-enquête materials: unknown but for part of the Form 2 of Court Officer Rojas

^[i] as per Detective Abdul (see: infra) being the deciding detective as to whether the Defendant would be released with a Form 10 (or otherwise) or required to be taken into custody and await a bail hearing. Further, Court Officer Rojas would have performed the majority of her activities in the South Toronto area of the 52nd Division’s jurisdiction. Since the Brampton Courthouse has confirmed it is not the originating courthouse (a “Non-Originating Courthouse”) as has the ONCJ 10 Armoury Road Courthouse (a “Non-Originating Courthouse”) (collectively, the “Non-Originating Courthouses”), but the matter involves a Toronto accused (14th Division) and a Toronto purported complainant (unknown location) with an informant

(Court Officer Rojas) in the Toronto Region, then it must be that the 52nd Division was the “Originating Police Division”. The 52nd

On Wed, Jun 11, 2025 at 9:50 AM Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:

Dear Superintendent Sinopoli (copied to Superintendent Mr. Khan and Inspector Mr. Crone):

Thank you again for your email. In the even you were unaware, please see the relevant section of the Criminal Code:

Duty of person arresting

- **29 (1)** It is the duty of every one who executes a process or warrant to have it with him, where it is feasible to do so, and to produce it when requested to do so.
- (2)** It is the duty of every one who arrests a person, whether with or without a warrant, to give notice to that person, where it is feasible to do so, of
 - **(a)** the process or warrant under which he makes the arrest; or
 - **(b)** the reason for the arrest.

Disclosure is a process that is required of the MAG of Ontario Criminal Law Division (the “Ontario Crown”) and not the TPS. The TPS cannot require me to obtain that from the Crown or pay to obtain through FIPPA, which I anticipate the TPS would attempt to not disclose to me, which its TPS’ officers were and are required to have it on them when executing a process or a warrant. Perhaps, the argument of the TPS 14th Division was that it was not feasible at the time which I disagree with. In any event, the TPS are required to produce it when requested to do so.

I confirm that this is a formal written request of the TPS to the attention of each superintendent of the 14th and 52nd Division. My view is that the 52nd Division was the division that sought and obtained a potential approval of the criminal charge and arrest warrant.

It is trite that the Brampton Courthouse is not the originating courthouse and nor is the ONCJ 10 Armoury Road. I have confirmation from both regarding the same.

In the interim, I query whether the originating courthouse was since it is not the above? As you may know, arrest warrants are not always filed with the courthouse per se.

I note the following from the MAG website in relation to obtaining access to court records which I now copy and paste the following from the Ontario government website: ^[i]

“2.2.2 Pre-Enquête documents and recordings

Pre-Enquête hearings are not open to the public.

If process is issued

For both private and Crown prosecutions, if process is issued, the documents of the pre- Enquête hearing become **publicly accessible** once the defendant **has been arrested** or the summons has been served, unless there are legislative restrictions to access (for example, the YCJA) or a court order restricts access.

If process is not issued

If process is not issued, the documents and tapes of the pre-Enquête hearing are not publicly accessible.

2.2.5

Arrest warrants (warrants in the first instance and bench warrants)

Warrants of arrest (also known as Warrants in the First Instance) may or may not be filed with the court. Practices for filing warrants of arrest vary depending on the police service. If a warrant of arrest or copy of a warrant of arrest is in the court file, it is only publicly accessible after the accused has been arrested or has received a summons, provided no other public access restrictions apply (for example, the *YCJA*). “

The distinction between myself and the general public is noted.

Ergo, if the originating courthouse was not Brampton and 10 Armoury Road (ONCJ), then it must be the ONSC 361 University Avenue, Toronto, which is the only criminal court in downtown Toronto or “South Toronto” (“ST”).

As the ONCJ and ONSC are not the same level of court per se and would not be integrated per se by way of data, it would have been incumbent upon the TPS to file the arrest warrant in the non-originating courthouse which is ONCJ (10 Armoury Road). It is not filed with the non-originating and current courthouse of the ONCJ (10 Armoury Road).

As your division knows, I was arrested on October 2, 2024. Ergo, not only is the arrest warrant public but all of the documents of the pre-enquête hearing are as well. They would not be before that date but they would after that date.

If your division, while I await for a response from the 52nd Division, does not have a copy, kindly provide the originating courthouse so I can engage in searching for the same.

I presume that the originating courthouse was 361 University Avenue, Toronto, Ontario. Would you kindly confirm? In that manner, we can work in cooperation while respecting resources as I will obtain more than the Form 7 Arrest Warrant, and we need not be duplicative or redundant. I can then confirm with you that my written request (while other oral and written requests were made but not technically to the 14th and 52nd Division Superintendents) is no longer extant.

Thank you for your cooperation where applicable and your statutory compliance where also applicable.

(Dear Superintendent Khan, I understand that you are returning tomorrow from being away. I hope you are well and safe. Inspector Mr.Crone, would you kindly assist regarding the above particulars?)

[1] <https://www.ontario.ca/document/access-court-files-documents-and-exhibits/section-2-public-access-criminal-court-files-and-documents>

On Wed, Jun 11, 2025 at 9:11 AM Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:

Dear Mr. Sinopoli:

Thank you for your email. I disagree with you on that front. An officer in your division (Constable Romano) represented that he had an arrest warrant. I demanded to see a copy of the same. Pursuant to the Criminal Code, the TPS is required to provide me with a copy of the same.

There is also an ancillary reason for my asking but I can deal with that later (if necessary).

Please provide a copy of the same herein.

On Wed, Jun 11, 2025 at 7:39 AM Domenic Sinopoli <Domenic.Sinopoli@tps.ca> wrote:

Mr. McLean,

You will get copies of what you are lookign for through the disclosure process.

Otherwise you can file a Freedom of Information request through the appropriate channels.

Regards,

Supt. Domenic Sinopoli, M.O.M.

Toronto Police Service

14 Division

[416-808-1414](tel:416-808-1414)

Domenic.sinopoli@tps.ca

On June 10, 2025 at 10:13:19 PM EDT, Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:

Dear Sirs: I received the auto-reply of Mr. Khan who is away until the 12th of June. I have copied his contact in his stead Inspector Mr. Tim Krone. Thanks in advance gentlemen.

On Tue, Jun 10, 2025 at 10:08 PM Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:

VIA EMAIL DELIVERY

-
June 10, 2025

VIA EMAIL SERVICE

Particulars for ease of reference:

-

- **Police occurrence number:** Occ#:24-2082035
- **Date of commencement of proceeding by sworn Form 2 Information by Court Officer Ms. Frugoni-Rojas:** September 23, 2024;
- **Originating courthouse as of September 23, 2024:** unknown
- **Court File Number with courthouse since October 2, 2024, with Ontario Court of Justice (ONCJ):** Court File No: 24-48129169
- **Information Number:** 4810 998 24 48129169
- **Police Case Identification Number:** Police Case ID:457197

- Type of document in this email: email and attachment
- Short title of proceeding: *R. v. McLean*
- Party: Defendant
- Name: Mr. Kevin A. McLean (B.A., J.D., CIM)
- Contact: mrkevinalexandermcleanbajdcim@gmail.com

To:

Toronto Police Services Board (the “TPS”)
Addresses:

14th Division of the TPS
350 Dovercourt Rd,
Toronto, ON
M6J 3E3

Attention: 14th Division Superintendent

52nd Division of the TPS
255 Dundas St W,
Toronto, ON
M5T 2W5

Attention: 52nd Division Superintendent

Re: Demand and request for a copy of the arrest warrant as represented by the 14th Division of the TPS to me and contained by reference in an information package to the ONCJ 10 Armoury Road

-
Dear Sirs/Mesdames/Other Gender Neutral Pronouns:

1. I write regarding the above. My name is below and my DOB was March 25, 1983. I was arrested on October 2, 2024, by 14th Division after coming to the TPS 14th Division by email of Constable Romano. On that date, I received a Form 10 signed by Sergeant Cassidy and myself (see: attached). The Form 10 did not have a copy of the police file identification number like that of the Intake Court Endorsement [sic] from September 23, 2024.

2. Since that time, I have learned that the “Detective Abdul”, who visited me in the jail cell of the 14th Division, was Detective Abdulhameed K. Virani of the 52nd Division.

3. Thereafter, I received a copy of a Form 2 from court officer Ms. Frugoni-Rojas and an Intake Court Endorsement (but not endorsed) which references a Brampton Courthouse JP in JP Jiri. JP Jiri was formerly of the 52nd Division as of early January 2024 before his appointment to the Brampton Courthouse ONCJ. It was quite obvious from the outset that JP Jiri could not have been the JP who approved

the criminal charge (singular charge of criminal harassment) as per his assignment and by clear reference to the attached document.

4. Brampton Courthouse ONCJ has confirmed it does not have any record of a JP Jiri Intake Court Endorsement which is unsurprising considering that 10 Armoury Road ONCJ has confirmed that it was not the originating courthouse. Ergo, neither could be the originating courthouses.

5. As such, would you kindly provide me a copy of the arrest warrant in signed and executed form? If you do not have a copy handy on you for attachment purposes, would you kindly provide me with the following (presuming it was 52nd division that was the originating police division):

- a. Originating courthouse: ONCJ or ONSC; and
- b. Justice who approved and executed the same.

6. I presume you are looking for an arrest warrant on 23rd day of September which was a Monday.

7. One of the courthouses represented to me that I could obtain a duplicate copy of the arrest warrant through the TPS as it is required to have a copy of the same. I understand that the ONCJ and ONSC are looking through the ICON (sp) system for the same for its copy of the same.

8. Respectfully and irrespective of whether I receive a copy of the same in the morning from the originating courthouse, I will still require a copy from the TPS to compare the same to ensure they are accurate.

If there is a specific email for this request, I would be most grateful to receive the same from you.

9. Thank you.

Encl.

--

My best regards to you,

Kevin A. McLean (B.A., J.D., CIM)

Chartered Investment Manager

E (personal and confidential): mrkevinalexandermcleanbajdcim@gmail.com

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My best regards to you,

Kevin A. McLean (B.A., J.D., CIM)

Chartered Investment Manager

E (personal and confidential): mrkevinalexandermcleanbajdcim@gmail.com

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