

August 6, 2015

An Open Letter to Mayor Eisenberger and Members of Hamilton City Council,

I remain deeply disappointed by the way you have handled the disturbing incident between Chair of the Police Services Board and Councillor Lloyd Ferguson and local journalist Joey Coleman last February 26, 2014. Mr. Coleman's detailed, public account of inappropriate, aggressive behaviour i.e., hurtful clenching, forceful shoving, and threatening voice is shocking.

Two months ago the OPP concluded criminal charges were not warranted against Councillor Ferguson. However on Feb. 25, 2015 the city's Integrity Commissioner, Earl Basse found Councillor Ferguson, "*in violation of *Section 45(a) and (b) of the Code of Conduct.*"

**(a) no member of council shall harass another member of Council, City employees or any member of the public; and*

(b) all members of Council shall: i) treat one another, City employees and members of the public appropriately and without abuse, bullying or intimidation; and ii) make all reasonable efforts to ensure that their work environment is free from discrimination and harassment."

These violations should be treated seriously. Councillor Ferguson is not only an elected member of city council but the head of our local police services board. I still have many unanswered questions in respect to the Code of Conduct...

- Has council ever condemned Councillor Ferguson's inappropriate behaviour during the council meeting on Feb. 26, 2014 when Mr. Coleman reported an angry Councillor Ferguson confronting him while he was working and the Deputy Mayor having to stop the council meeting and request the councillor return to his seat?
- Has council publicly reassured residents about their safety and security at City Hall by explaining whether security personnel responded promptly to aid Mr. Coleman, if security cameras are properly located, and whether appropriate support services were offered to Mr. Coleman?
- Did council act with due respect for the Office of the Integrity Commissioner when it chose Councillor Ferguson, the subject of an open investigation by the Integrity Commissioner, to sit on a committee selecting a new Integrity Commissioner? Did council think about the appearance of a possible conflict of interest since Integrity Commissioner Basse at that time had not entirely decided his future with the city?
- Did council consider the Oath of Office for Police Services Board members, i.e., "refrain from engaging in conduct that would discredit or compromise the integrity of the board or the police force." (Members of Police Services Boards - Code of Conduct 13) when it chose Councillor Ferguson to represent the city again this year?

- Did council adequately reflect on the Integrity Commissioner's February 2015 report, (only Councillors Matt Green and Scott Duvall voted against accepting it) given that Mr. Basse's public report contained surprising weaknesses including a failure to interview the victim and two direct witnesses, unproven allegations about Mr. Coleman's work and lacked any kind of penalty for Councillor Ferguson's conduct?
- Has council taken any action in response to Mr. Coleman's sixteen month old request, "City Hall has a major problem with its culture that intimidation and bullying is tolerated..., What I do hope is that tonight's incident begins a serious conversation at City Hall about bullying and violence"?

I need answers. Hamilton needs answers. This is not the city I know and love. Residents have been asked recently to dream about Hamilton's future. But frankly, I'm more concerned about the present. After sixteen long months local journalist, Joey Coleman deserves justice and we all deserve respect and security at our City Hall each and every day.

Sincerely,

D. Scott McNie

*Scott McNie is a retired elementary school teacher and one of the Hamilton residents who made a complaint to the Integrity Commissioner. He loves kids, gardens and working to build a fairer world.