

CACOLE 2007 Conference

Perspectives of a Complainant
The Kirk Johnson Saga
Presented by Victor Goldberg
Goldberg Thompson
Date October 11, 2007

Historical Perspectives

- History of Race Relation Issues in Nova Scotia;
- Kirk Johnson's personal and professional background.
- Kirk's personal experience with Police- Previously stopped 28 times during a cumulative three month period;
- Driving "while black".

Events of April 12 & 13, 1998

- April 12, 1998- Earl Fraser and Kirk Johnson were stopped in Kirk's 1993 Mustang. Major police response - up to 10 vehicles. Earl charged with driving without registration and insurance and the vehicle towed away in front of a large crowd;
- April 13, 1998- vehicle released and charges dropped.

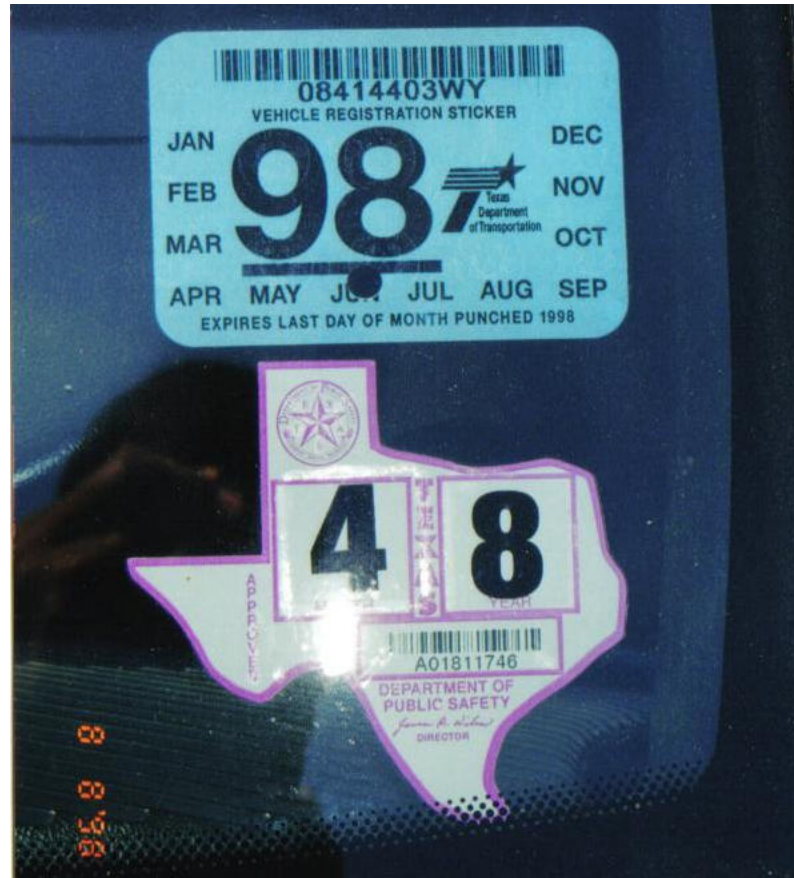
Kirk and 1993 Mustang with Windows Tinted



Kirk pointing at registration



Close up of registration



Kirk's Insurance



ALLSTATE
HERE IS YOUR ALLSTATE IDENTIFICATION CARD

POLICY NUMBER: 336004600

AGENT: JJ Johnson

Name and Address of Insured

KIRK C JOHNSON

6109 WATERVIEW DRIVE

ARLINGTON TX 76016

INSRD DRIVERS: KIRK, NOLAN

EFFECTIVE DATE: 03/26/98

EXPIRATION DATE: 10/04/98

YEAR/MAKE/MODEL

1993MUSTG

VEHICLE ID NUMBER

1FACP40E7PF200611

IF YOU HAVE QUESTIONS, CALL 1-800-949-2287

This policy provides at least the minimum amounts of liability insurance required by the Texas Motor Vehicle Safety Responsibility Act for the specified vehicle and named insureds and may provide coverage for other persons and other vehicles as provided by the insurance policy.

TEXAS LIABILITY INSURANCE CARD

KEEP THIS CARD

IMPORTANT: This card or a copy of your policy

Nova Scotia Police Act Complaint

- April 15, 1998- complaint made. Sergeant Bell calls father-in-law in Texas;
- April 18, 1998- meeting with Johnson and reimbursement of towing charges of \$69.00;
- May 28, 1998- report received from Const. Sanford;
- June 2, 1998- finding that Const. Sanford did not commit a disciplinary default and complaint unsustained;
- Review findings

Civil Litigation

- April 9, 1999- action started against HRM;
- Action lapsed

Human Rights

- December 14, 1998- complaint laid against Const. Sanford and HRM;
- May 2, 2002- Board of Inquiry appointed;
- August/September 2003- Human Rights Hearing;
- December 22, 2003, Board of Inquiry findings of discrimination. Not Appealed;
- May 28, 2004- decision on Costs followed by Appeal.

Comments of Board of Inquiry Re: Police Complaints Process

- First place for attempted redress;
- Informal resolution process derailed;
- System governed by bureaucratic imperatives and protection of employment rights of unionized police;
- Complaints Process should be truly responsive;
- “A tragic lost opportunity.”

Impact on Kirk Johnson and Family

- Financial
- Career
- Emotional