

Peel cop demoted for 'serious misuse of power' in traffic court

Tribunal hears the officer fixed a Mississauga man's speeding ticket because he was a fellow officer's 'good buddy'

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A Peel Regional Police officer has been slapped with a two-year demotion for helping a fellow officer's 'good buddy' get away with a speeding ticket handed to him during a traffic stop in Mississauga.

Const. Bill Papageorgiou, an eight year member of the force, pleaded guilty to discreditable conduct under the Police Services Act back in November and earlier this month, hearing officer Supt. Colleen Fawcett ordered he be demoted from first-class constable to third-class constable for a year, and then from third-class constable to second-class constable for a year.

The police tribunal heard that on Jan. 29, 2014 just after 8:30 p.m. in Mississauga, Papageorgiou issued a speeding ticket to Inderjeet Bains for allegedly going 75 km/hr in a posted 60 km/hr zone.

During an unrelated criminal investigation in February of 2015, Bains was arrested and his cellular phone was seized. A search warrant was executed on the cellular phone and the results were examined.

The investigation found that Bains sent a series of text messages to Peel Const. Dave Kolenko, described as a "personal acquaintance" of Bains, essentially asking him if he could speak to the officer who issued the speeding ticket and effectively make it go away.

In an agreed statement of facts submitted to the tribunal, it was determined that Kolenko then asked Papageorgiou to "do him a favour" with respect to the Bains' speeding ticket.

Kolenko advised Papageorgiou that Bains was a “good buddy” of his, according to the agreed statement.

“Papageorgiou understood he was being asked to dispose of the charge. He agreed to do so,” the tribunal heard.

The matter came before Justice of the Peace Hilda Weiss in Mississauga’s Burnhamthorpe court on Sept. 8, 2014.

Papageorgiou showed up and told the prosecutor “there was no reasonable prospect of conviction and he had no notes” in Bains’ case, the tribunal was told. As a result, the prosecutor withdrew the charge.

In an internal affairs interview on Aug. 21, 2015, Papageorgiou admitted that his statement to the prosecutor with regards to having no notes for the speeding ticket “was false.”

Peel police prosecutor David Migicovsky said Papageorgiou’s actions represent “a serious misuse of power.

“Papageorgiou interfered with the judicial system, and compromised its integrity. He received a request from Constable Kolenko to do a favour for his friend, Mr. Bains. Constable Papageorgiou had no connection to Mr. Bains, and had the ticket withdrawn simply because Constable Kolenko told him that Mr. Bains was a ‘good buddy,’ Migicovsky told the disciplinary hearing. “Constable Papageorgiou not only coordinated the withdrawal of the ticket at the request of Constable Kolenko, he was then dishonest with the prosecutor in court when he told her he had no notes. The Prosecutor relied on that information and withdrew the charges. Constable Papageorgiou compromised his own integrity and violated his oath as a police officer. He adversely affected the integrity of the judicial system to do a premeditated favour for his colleague. It is extremely serious misconduct, and unethical to the duties of a police officer.”

Migicovsky added that members of the public would be “enraged” at the case because if any one of them received a speeding ticket, they would either have to pay it or fight it

through the courts.

Papageorgiou's lawyer, Joseph Markson, described his client as a

a dedicated officer who does a fair share of volunteer work in the community. He added that the officer is remorseful for his actions.

Papageorgiou also addressed the tribunal and apologized for the "disrespect" he has brought to the police force for his misconduct.

Fawcett agreed with the joint submission on penalty presented to her by Migicovsky and Markson.

"Constable Papageorgiou's conduct was not only inappropriate but exhibited extremely poor judgment and a blatant disregard for his position of trust as a police officer," Fawcett said in her March 3 decision. "His conduct compromised the high standards to which police officers are held in regard, and also violated the basic trust required in any employment relationship. When it is a police officer who commits such offences, it brings the entire profession of policing into disrepute."

Kolenko was also charged under the Police Services Act and pleaded guilty to discreditable conduct last year and was demoted.