

AMSTERDAM & PARTNERS LLP

LONDON | WASHINGTON DC

2200 PENNSYLVANIA AVE NW
FOURTH FLOOR EAST
WASHINGTON DC 20037
+1-202-301-8811

URGENT

Chief Peter Sloly
Ottawa Police Services
474 Elgin Street
Ottawa, Ontario
slolyp@ottawapolice.ca

September 28, 2021

RE: Aleksandra Nicole Volgemut, DOB: October 28 2018

Dear Chief Sloly,

We are writing to you on behalf of our client, Mr. Taras Volgemut, a citizen of the Russian Federation, whose daughter, Aleksandra (“Sasha”) Volgemut, a Canadian citizen born on October 28, 2018, was abducted for the third time by her mother, Ashlee Janna Carmen Decristoforo, on September 2, 2021, in direct contravention of the orders of the Ontario Superior Court of Justice. At the time of the abduction, and during the subsequent two-week period in which she was missing, Mr. Volgemut held temporary sole decision-making authority for Sasha (formerly known as “sole custody”). For 14 days he had no idea where his daughter was, or whether she was safe.

The Ottawa Police failed utterly in their duties to our client, to the Honourable Courts of this province, and most importantly, to Sasha.

On September 2, 2021, the Ottawa Police were ordered to assist in retrieving Sasha from her mother and delivering her to Mr. Volgemut. Instead, they caused the retrieval to be delayed for over an hour creating an opportunity for Ms. Decristoforo to again wrongfully remove Sasha. Hours later, terrified for his daughter’s safety and having no further information on her whereabouts, Mr. Volgemut contacted the police to request the issuance of an Amber Alert. His request was denied.

On the morning of September 3, 2021, the Ontario Superior Court of Justice found Ms. Decristoforo in contempt of multiple Court Orders and ordered her to deliver Sasha to the Ottawa Courthouse by 12:00 pm, failing which she would be arrested and held in custody. Sasha was not delivered and yet Ms. Decristoforo was not placed in custody. Warrants were then issued for Ms. Decristoforo’s arrest and committal and yet Ms. Decristoforo was not

placed in custody. Our client and his counsel placed repeat calls to the Ottawa Police from September 2, 2021 onward, pleading for their help, and yet Ms. Decristoforo was not placed in custody. During these calls, multiple senior officers incorrectly insisted that civil court orders are never enforced by the police and, perhaps most stunning of all, expressed doubt that a civil court was even capable of issuing Warrants for Arrest and Committal, despite the fact that the officers were in possession of such a warrant at that very moment. On September 14, 2021, the Ottawa Police Service were asked to appear before the Superior Court of Ontario and explain what efforts they were taking to locate and retrieve Sasha. Following that hearing, Justice Julie Audet made an order granting the Ottawa Police even more wide-ranging powers to execute an arrest and apprehend Sasha, and yet Ms. Decristoforo was not placed in custody.

The abject refusal of the Ottawa Police to respond to an ongoing criminal abduction left Mr. Volgemut, a terror-stricken parent, with no choice but to attempt to find his daughter himself – at great personal and emotional cost. When Sasha was finally located, she was found in a cramped hotel room that she, her mother, and her mother’s dog had been hiding in for 6 days. In the end, it was the Gatineau Police Service who arrested Ms. Decristoforo and retrieved Sasha on September 17, 2021. Unlike the Ottawa Police Service, Gatineau Police responded in mere minutes. Those present at the time of the arrest reported that Sasha was found in a disheveled state and that both she and her mother appeared to have been wearing the same set of clothes for days.

Chief Sloly, you are well acquainted with the facts of this case given that we wrote to you directly about it on September 6, 2021. In that letter, we recounted in detail our conversations with senior officers of the Ottawa Police Service and their refusal to enforce the Orders of the Superior Court of Justice and to execute the arrest warrants issued by that same court. Your response was nothing less than a masterclass in avoiding liability.

You claimed that this situation is “complex and needs to be carefully managed”. Let us be perfectly clear, there is nothing complex about the duty of the Ottawa Police to enforce the Orders of the provincial courts and Warrants of Arrest and Committal, nor is the ongoing commission of an abduction in contravention of S.282(1) of the Criminal Code a situation to be “managed”.

On September 7, 2021, Ontario Provincial Police issued a province-wide Amber Alert for a missing three-year-old girl whose disappearance was connected to an ongoing family dispute. Three hours later, she was found. Please explain why Sasha’s safety was not afforded the same priority. Perhaps if Mr. Volgemut were not a Russian citizen, or if it were he and not the mother who had taken his daughter, the police would have viewed Sasha’s abduction with the equivalent urgency.

At the time of the third abduction, Mr. Volgemut had not seen his daughter in 9 months. Her whereabouts were unknown for 14 days. There is no doubt that Sasha’s abduction was

premeditated and that it was motivated by her mother's pernicious anti-Russian animus. Indeed, Ms. Decristoforo sent correspondence to Mr. Volgemut's family law counsel claiming that their assistance of "a RUSSIAN" makes her sick (attached). For nearly 2 months prior to her disappearance, Ms. Decristoforo concealed Sasha's location by forcing her to sit inside a tent during her court ordered daily Zoom parenting calls with Mr. Volgemut – calls in which father and daughter conversed exclusively in Russian. These Zoom calls were on average limited by Ms. Decristoforo to less than one minute and were more akin to proof of life calls of the sort ordinarily used in a kidnapping. Ms. Decristoforo then began denying Mr. Volgemut and Sasha these daily Zoom calls entirely, in breach of another Superior Court Order. One would think that a police organization, upon seeing a mother go to the lengths of placing her daughter in a tent to obscure her location, would realize that they were dealing with a determined kidnapper engaged in a long-term effort to avoid detection. Clearly this did not occur to the Ottawa Police Service as on September 10, 2021, Sasha's maternal grandmother, Colleen Decristoforo, indicated that she did not believe the police were seeking to arrest Ashlee Decristoforo but rather were simply asking to speak with her when two detectives attended at the 1024 McGarry Terrace property on September 7, 2021 with arrest warrants in hand.

Chief Sloly, with 27 years' experience as a police officer and nearly 3 years as Chief of the Ottawa Police Service, you are well aware that in cases like Sasha's, time is of the essence. Your department's inaction in the face of clear orders from the Superior Court of Justice are shameful and bring the administration of justice into disrepute in Ontario.

In light of the total failure of your police force to react, not only to the pleas of Mr. Volgemut, but to the court orders which they ignored, we feel it is our duty to suggest to the Embassy of the Russian Federation that a warning be issued to their citizens to avoid travel to Ottawa at this time. We urge you in the strongest terms possible to instruct your officers to perform their lawful duties and protect the victims of crime irrespective of their nationality or gender. We believe that the behavior of the Ottawa Police in this matter was reckless and motivated in part by contempt for our client's nationality. We are sure you will agree that this is totally unacceptable and requires urgent investigation.

Yours Sincerely,



Robert R. Amsterdam
AMSTERDAM & PARTNERS LLP

Copy (by email only) to:

The Right Honourable Justin Trudeau, P.C., M.P., Prime Minister of Canada
pm@pm.gc.ca

The Honourable Marc Garneau, P.C., Minister of Foreign Affairs
marc.garneau@parl.gc.ca

The Honourable Doug Ford, M.L.A., Premier of the Province of Ontario
premier@ontario.ca

His Worship Jim Watson, Mayor of Ottawa
Jim.Watson@ottawa.ca

Thomas Carrique, Commissioner of the Ontario Provincial Police
thomas.carrique@opp.ca

Brenda Lucki, Commissioner of the Royal Canadian Mounted Police
Brenda.lucki@rcmp-grc.gc.ca

Diane Deans, Chair of the Ottawa Police Services Board
Diane.deans@ottawa.ca

His Excellency Oleg Stepanov, Ambassador Extraordinary and Plenipotentiary of the Russian Federation to Canada
info@rusembassy.ca

Nikolay Moskvichev, Counsellor, Head of the Consular Section of the Embassy of the Russian Federation to Canada
consul.ottawa@mid.ru

Encl.

