



Minty murder inquest wraps up



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BARRIE - Whether a small, folding knife was open or closed continued to be the key issue from the beginning to the end of a coroner's inquest that has explored the shooting death of a mentally handicapped man. On the last day of the inquest Wednesday, the officer insisted that as Douglas Minty, 59, came toward him with the knife in his hand, the blade was open.

As the officer backed away, he shot Minty five times outside of his Elmvale home as his 86-year-old mother watched, horrified, June 22, 2009.

The inquest has heard Minty was upset with a "pushy" salesman his mother had asked to leave.

When the salesman returned to the door, Minty punched him in the face and the salesman then called police.

When the officer arrived, he spoke with the salesman when, suddenly, Minty came toward him in a lumbering gate with his pocket knife in his hand.

"I don't know how to be any clearer," said OPP Const. Graham Seguin, who also goes by the name Jeff. "The knife was open ... I saw him open the knife. He came at me with the knife. He closed the knife after he was shot."

As Minty lay dying on the street, the officer quickly approached him and kicked the knife out of his hand, then began CPR.

The knife skidded across the road and rested on the road near the officer's cruiser. It was in a closed position.

In closing arguments, the lawyer for Minty's mother and siblings, who have sat through the inquest each day, insisted the officer's explanation didn't make sense.

"What officer Seguin describes could not have happened," said lawyer Julian Roy. "It didn't happen. That knife was closed."

Roy noted the three-step process of opening the folding multi-tool, closing the blade, then closing the multi-tool would be impossible for a developmentally delayed man who lacked dexterity and who had been shot five times — once in the shoulder — and was seconds away from death. He called out to the jury to ask for an independent civilian review of the case.

But other lawyers in the inquest, including those of the OPP, the Ontario Provincial Police Association, the Ministry of Community Safety and Correctional Services and the lawyer representing Seguin, all insist the knife was open.

"There is no question the knife blade was open," said Ken Hogg, lawyer for the ministry.

He noted the officer yelled at Minty several times to drop the weapon.

"All Mr. Minty had to do was drop the weapon ... We don't know why he didn't," Hogg said.

He said the use of a firearm by the officer was a reasonable use of force when being confronted with a knife.

While some of the lawyers asked the jury to consider making a recommendation that 911 call takers find out if the person has a mental or emotional problem, Hogg suggested that information would not have helped the officer in this circumstance.

"It's not relevant," Hogg said.

"If the officer knew he was developmentally delayed, did that mean there was less of a risk? Absolutely not. ... In fact, a person with mental or emotional problems may present an even greater risk."

Andrew McKay, Seguin's lawyer, said Seguin acted in a reasonable way and had no other choice. He pointed out the volatile risks police officers face, using the example of the recent deaths of three RCMP officers shot by a gunman in Moncton, N.B.

"Every once in a while, these tragedies happen ... It brings it home that, gee, it could happen again," McKay said.

"Const. Seguin is a trained police officer, a father, a husband. He did not want to cause harm to Mr. Minty."

McKay said the key element in the case was better training for 911 call takers, who need to relay more information for police officers at crime scenes.

The jury is expected back with a list of recommendations June 30.