

"Terribly flawed" police investigations reason for undetermined death finding, lawyer charges [LOCAL](#)



Matt Vis, tbnewswatch.com

Nishnawbe Aski Nation lawyer Julian Falconer speaks outside the Thunder Bay Courthouse Tuesday afternoon following the conclusion of the joint coroner's inquest into the death of seven students.

By Matt Vis, tbnewswatch.com

The lawyer representing Nishnawbe Aski Nation says "terribly flawed" police investigations are the reason why the families of three youth will never know how or why they died.

The coroner's inquest jury examining the deaths of seven students from remote First Nations communities attending high school in Thunder Bay between 2000 and 2011 returned with their verdict Tuesday morning, ruling three of the five youth found in or near city rivers died by undetermined means.

The jury classified the 2000 death of 15-year-old Jethro Anderson, 2009 death of 17-year-old Kyle Morrissette and the 2011 death of 15-year-old

Jordan Wabasse as undetermined while the 2005 death of 18-year-old Curran Strang and 2007 death of 15-year-old Reggie Bushie were deemed accidental.

NAN lawyer Julian Falconer said the three undetermined finding reflects directly on the Thunder Bay Police Service

“Tragically, the message the jury is sending is a sad one. The message the jury is sending is that it’s an equal possibility these youth, Jethro Anderson, Kyle Morriseau and Jordan Wabasse, were deliberately killed by the river,” Falconer said.

“They can’t rule that out and the reason they can’t rule it out is the terribly flawed investigations and the role of racism in our society.”

He added he has called for the Office of the Independent Police Review Director to conduct a systemic evaluation of the Thunder Bay police force.

Falconer also said the question of whether there is a public safety risk that needs to be addressed.

“What’s more important is it should trigger a dialogue in this community as to whether what’s happening down by the rivers is simply accident after accident, which the jury couldn’t find, but whether there are deliberate killings going on,” Falconer said.

Police chief J.P. Levesque said he acknowledges the difficulty for the families who still don’t have definitive answers.

“I recognize the inquest has not and will not answer all of their questions but I hope they take some comfort in the fact if the recommendations are followed it will help prevent further deaths of this nature,” he said.

Levesque said he believes the jury, as well as a 2011 reinvestigation conducted by the Ontario Provincial Police, found no significant wrongdoing on the part of his investigators.

“I think what’s important is not only the recommendations that were made but certainly the ones that weren’t made. There were no recommendations that our investigations by reviewed or that any of the investigations be redone,” Levesque said.

“Mr. Falconer is entitled to his opinion but I certainly put my faith in the Ontario Provincial Police and the coroner’s jury saying the Thunder Bay

police did their job in these cases. They weren't without some problems, generally in terms of communication, but I stand behind the work our people did in these cases."

In addition to the findings of death, the jury also made 145 recommendations aimed at preventing similar deaths in the future.

The ones related to the police force include creating or amending protocols and procedures for missing person searches, working with community searchers and addressing underage alcohol consumption.

Falconer views the community searches recommendation as an important step going forward.

"(The jury gets) that police need to have a real relationship with communities in order to ensure everyone is working together in the interest of protecting the sanctity of life," Falconer said. "What you see out of the facts of many of these deaths is the community being isolated, looking for kids on their own."

Levesque said the police force is committed to acting on the recommendations made by the jury.

"Certainly a number of recommendations we've either enacted already or have started to enact," Levesque said.

"At more of a local level the idea of helping with community searchers and teaching them to handle evidence and something we look forward to helping with."