

Chief Saunders says independent agency will probe police handling of Dafonte Miller assault case

by [NEWS STAFF](#)

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Toronto police Chief Mark Saunders says an independent agency has been asked to probe how police handled the alleged beating of a teen by a Toronto police officer and his brother.

The Waterloo Regional Police Service confirms it will be conducting a Section 11 review into the matter involving Dafonte Miller.

Last December, the 19-year-old was attacked as he and his friends were walking in Whitby. He suffered broken bones and will lose the vision in his left eye. The suspects in the case are Toronto police Const. Michael Theriault and his brother, Christian Theriault.

Miller's lawyer, Julian Falconer, has accused police of a cover-up. He says Const. Theriault, identified himself as a cop in the 9-1-1 call and at the scene – a fact he claims was never disclosed.

Instead, Miller was the one charged, but the charges were dropped several months later.

“Toronto police, when they say they looked at the whole story, I guess that doesn’t include interviewing witnesses,” said Falconer. “If Chief Saunders or his senior people open the file that he claims to have looked at ‘thoroughly’ he would have seen that there were no eyewitness statements. The first thing he would do as a chief, or a senior official would do as an investigator, is say ‘we need the eyewitness statements on what happened.’ None of that happened.”

Falconer also wonders what, if any role, the suspects’ father – a senior Toronto officer – played in this. He says the Special Investigations Unit only became involved after Falconer’s office notified them. He says Toronto and Durham Regional Police did not call the provincial watchdog.

“I would like to make the public aware of a few important details regarding who can notify the Special Investigations Unit and when,” Saunders said in a statement released Thursday. “Durham Regional Police was responsible for notifying the Toronto Police Service because one of my officers was involved in an event.

“As per protocol, members of my Professional Standards Unit applied the policy regarding SIU involvement with the facts they had at that time. They made their decision not to contact the SIU based on that information.”

“Many months later, a very different version of the events of December 28, 2016 has been presented to the SIU which required their involvement.”

Saunders says he’s now “taken the extra step of reaching out to an independent agency to complete (an) investigation. “As soon as legally possible, that report will then be made public,” he promised.

Earlier, Saunders said he understands that some might view the four month delay in launching an investigation with suspicion, but says his officers have acted in good faith during their investigation.

The SIU has charged Theriault with aggravated assault, assault with a weapon and public mischief. He has been suspended with pay. His brother, Christian Theriault, faces the same charges.

Mayor John Tory, who calls the situation concerning, says he has seen a confidential report into the investigation and says the police board will discuss the issue in private at their meeting on Thursday