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Off-duty cop charged with aggravated assault after "altercation" leaves teen seriously injured in Whitby

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DURHAM — A Toronto police officer is facing charges including aggravated assault after an investigation into an incident that left a teenager with serious injuries last December in Whitby.

The province's Special Investigations Unit announced the charges Tuesday, July 18. The agency said an investigation began in April after the SIU was informed of the incident by the young man's lawyer.

The SIU said the 19-year-old was involved in an “altercation” with an off-duty Toronto police officer at around 2 a.m. Dec. 28, 2016 in the vicinity of Thickson Road and William Stevenson Drive.

Durham police responded and arrested the 19-year-old man; he was taken to hospital with serious injuries, said the SIU.

A report by the CBC identifies the civilian involved in the incident as 19-year-old Dafonte Miller. His lawyer, Julian Falconer, told the CBC Miller was blinded in one eye and suffered broken bones after being repeatedly struck with a steel pipe.

Miller is now awaiting surgery to remove his damaged eye, the CBC reported.

Falconer contacted the SIU, which investigates incidents of sexual assault, injury or death involving police, about the incident, the oversight agency confirmed. On Tuesday, Const. Michael Theriault was charged with aggravated assault, assault with a weapon, and public mischief. He is to appear in court in Oshawa Aug. 10.

Falconer could not be immediately contacted for comment. He told the CBC that charges against Miller, including theft, drug possession, and assault with a weapon, were withdrawn by the Crown in May.

by **[Jeff Mitchell](#)**

Jeff Mitchell is the justice reporter for Metroland Media Group’s Durham Region Division. He can be reached at jmitchell@durhamregion.com. Follow DurhamRegion.com on [Twitter](#) and [Facebook](#)
eMail: jmitchell@durhamregion.com [Facebook](#) [Twitter](#)