

Toronto mayor vows to get answers in handling of Dafonte Miller assault case



ABOVE: Toronto Mayor John Tory speaks about the importance in restoring the public’s confidence in police officers after 19-year-old Dafonte Miller was allegedly beaten with a steel pipe by an off-duty police officer in Whitby, Ont. last December.

Toronto Mayor John Tory says he promises to take additional measures to expose how the alleged assault of a 19-year-old man by an off-duty Toronto police officer was handled if an independent police investigation looking into the matter and subsequent court proceedings in the case don’t satisfy the public.

“Public confidence in the police and how they do their jobs and places where people might make mistakes is essential,” Tory told reporters at a funding announcement in Etobicoke Friday morning.

“Those have to be highlighted, lessons have to be learned from those kinds of things, and if that doesn’t get adequately exposed and explains by what’s going on now, we’ll do whatever we have to do to make sure the public have the confidence they must have in policing.”

Tory’s comments come a day after Chief Mark Saunders announced during a meeting at the Toronto Police Services Board that the Waterloo Regional Police Service will be conducting an independent investigation into the alleged assault of Dafonte Miller.

Miller was left severely beaten following the incident in Whitby, Ont., on Dec. 28, 2016, which resulted in charges being laid against Toronto police Const. Michael Theriault six months later.

It is alleged Miller was chased down by the accused and assaulted with a steel pipe. He was left with a broken jaw, nose and wrist. He is currently waiting to undergo surgery in order to remove his left eye.



The officer's brother, Christian Theriault, was also charged in the same incident.

Miller's lawyer, Julian Falconer, said this week he had informed the Special Investigations Unit (SIU) of the case four months after it happened, after Toronto and Durham police officers failed to do so.

Falconer called the assault a "cover up" and questioned why no explanation was provided by the Toronto police on how the assault unfolded.

The lawyer was also concerned by the lack of transparency, especially the role Theriault's father, a detective in the Professional Standards Unit, played in that unit's investigation of the incident.

"They hide behind confidentiality and they don't explain to us the role of the father John Theriault. Not at word," said Falconer. "... The chief of police had told us that that unit looked into this case at the time. What was the role of John Theriault? What communications did John Theriault have with the Durham Regional Police Service? Did he have any about his two sons?"

"I mean, why is it that now everything is opaque, whereas with others it's not?"

Durham Regional Police Chief Paul Martin issued a statement Friday endorsing the independent review of the case and revealed that Miller was also charged with “several offences” as a result of the incident.

“In the early morning hours of Dec. 28, 2016, we were called to an incident in Whitby in which a young man was injured,” Martin wrote.

“Several DRPS officers attended the call and medical assistance was promptly provided to the injured male. Our officers interviewed multiple people, evidence was collected and photographs were taken as part of our investigation. As a result of our investigation, we charged the male party, Dafonte Miller, with several offences.”

Martin further stated that during the course of their investigation, they became aware that an off-duty Toronto police officer was involved in the assault but did not contact the SIU.

“Under the legislation, it is the responsibility of the police service who employs the officer to make the determination about contacting the SIU,” he said.

“As much as I’d like to clearly articulate the details of the investigation publicly, we are currently prevented from doing so due to the involvement of the SIU and the active criminal cases before the court. We have co-operated fully with the SIU and we will cooperate fully with Waterloo Regional Police in its review.”

The case against the Const. Theriault and his brother was back in court in Whitby on Friday to discuss bail conditions.