

OpinionEditorials

Police must face consequences for not reporting to civilian watchdog: Editorial

The Toronto police have repeatedly failed to follow the force's own rule mandating that officers promptly notify the SIU about incidents in which civilians are injured. To restore the public trust, police must break this pattern.



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A stream of news reports in recent months has revealed a disturbing pattern that threatens to undermine public confidence in our city's law enforcement.

The Toronto police have repeatedly failed to follow the force's own rule mandating that officers promptly notify the Special Investigations Unit, the province's police watchdog, about incidents in which civilians were injured during altercations with its officers.

To restore the public trust, police must break this troubling pattern. That will require that police who don't report incidents to the SIU face real and serious consequences, including provincial or even criminal charges.

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[SIU director tells Toronto chief to 'educate' cops about their duty to the police watchdog](#)

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On Wednesday, Star reporter Wendy Gillis revealed that in June 2016, SIU director Tony Loparco wrote to Chief Mark Saunders asking him to "educate" his officers about their duty to report to the watchdog.

The letter was prompted by a May 2015 case in which an unnamed man was taken to hospital following a police raid, suffering from a cut above his eye and bleeding from a perforated ear drum. The police didn't alert the SIU about his injuries, and the unit only took up the case after someone else lodged a complaint months later.

Loparco's letter should have put the Toronto police brass on alert that officers were failing in their duty to report to the SIU. But it doesn't appear to have had that effect.

Six months after Loparco sent the note, an off-duty Toronto officer named Michael Theriault allegedly severely beat a Black teenager named Dafonte Miller in Whitby.

The Durham and Toronto police forces both failed to contact the SIU. Instead, Miller's lawyer notified the watchdog five months after the alleged attack. Theriault and his brother are now facing charges.

In yet another separate development, last week the SIU charged Toronto Const. Joseph Dropuljic with allegedly assaulting a Black man as he was

getting into a taxi in November 2015. In that instance, police alerted the SIU 11 months after the alleged beating.

In response to questions from Gillis, police spokesperson Mark Pugash would say only that the force took seriously Loparco's comments about informing the SIU. That doesn't inspire much confidence. In any case, Loparco's suggested remedy of "educational requirements" doesn't seem to go far enough.

If officers don't recognize that an encounter that ended with a civilian being taken to hospital bleeding from his head and ear is serious enough to report, no amount of additional education is likely to convince them otherwise.

What might encourage officers to report to the SIU however is the knowledge that they could pay a high price if they don't.

In his landmark April report, Justice Michael Tulloch recommended that officers who don't cooperate with an SIU probe should face a provincial offence, punishable by a fine or imprisonment but with no criminal record.

Tulloch is on the right track but should have been explicit that officers who don't alert the SIU should face the possibility of fines or jail time. Surely failing to report an act that could trigger an SIU investigation is as serious as impeding an investigation once underway.

Attorney General Yasir Naqvi should take this into account before he tables police oversight legislation this fall that is expected to be heavily informed by Tulloch's review.

The SIU also has the authority to lay criminal charges against officers who hinder an investigation. The agency should exercise that power when warranted.

Officers who don't report civilian injuries to the SIU have committed a serious breach of the public trust. They should be confronted by serious penalties.