

Protesters allege bias, coverup in case of Dafonte Miller, Whitby teen hurt in confrontation with off-duty cop

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About 25 people are protesting in front of the Durham Region courthouse Thursday morning as Toronto police officer Michael Theriault and his brother Christian Theriault make a court appearance. The pair have been charged with assaulting Whitby teen Dafonte Miller in the early morning hours of Dec. 28, 2016.



OSHAWA -- Ali Naqvi, Graham Jordan (middle) and Rodney Diverlus were among the protesters outside the Durham Region Courthouse prior to the court appearance for Toronto cop Michael Theriault and his brother, Christian, both of

whom are charged with assaulting Whitby teen Dafonte Miller. September 7, 2017. - Ryan Pfeiffer / Metroland



OSHAWA -- Graham Jordan, Rajean Hoilett (middle), and Rodney Diverlus were among the protesters picketing outside the Durham Region Courthouse prior to the court appearance for Toronto cop Michael Theriault and his brother, Christian, both of whom are charged with assaulting Whitby teen Dafonte Miller. September 7, 2017. - Ryan Pfeiffer / Metroland

DURHAM — A group of protesters gathered outside the Durham Region courthouse Thursday morning, demanding accountability for a police officer accused of beating a young black man in Whitby.

Chanting, shouting, and holding signs, the two dozen or so protesters decried what they described as anti-black bias and a “coverup” by police in the case of Dafonte Miller, who was left with serious injuries after a confrontation with an off-duty Toronto cop and his brother last December.

The protest was timed to coincide with a scheduled court appearance by Michael Theriault, the Toronto police officer, and his brother Christian Theriault. The Theriaults face charges including aggravated assault and public mischief.

Neither man was present for the remand court appearance, but protesters vowed to be there for future court dates.

“We’re here to show that we as a community will show up for our members, and to let Durham Region know we won’t tolerate violence against our neighbours,” said Ali Naqvi, a member of the Anti-Racist Network of Durham Region.

“If someone’s under attack, it’s our responsibility to respond,” Naqvi said.

Miller sustained numerous injuries, including broken bones and damage that left him without sight in one eye, after an altercation in the early morning hours of Dec. 28, 2016, on a residential street in Whitby. In a complaint filed with a provincial police oversight agency, Miller says he was walking with friends around 2:30 a.m. when the Theriaults demanded to know who they were and what they were doing in the neighbourhood.

The encounter quickly escalated and Miller fled, only to be run down by the Theriaults and punched, kicked, and beaten with a metal pipe, the complaint claims.

Durham police responded to 911 calls and, based on assertions made by the Theriaults, arrested Miller on charges including assault with a weapon. Those charges were withdrawn by the Crown in May of 2017.

Although Miller sustained serious injuries during an interaction with a police officer, the Special Investigations Unit, an arm’s length agency that investigates such incidents, was not contacted by either Durham or Toronto police. The SIU was alerted by Julian Falconer, a lawyer retained by Miller’s family, in April.

In July, Michael and Christian Theriault were charged by the SIU with aggravated assault, assault with a weapon and public mischief; the latter charge accuses the men of misleading officers investigating the incident.

The allegations against the Theriaults have not been proven in court. They remain free on their own recognizance as they await trial.

Outside the courthouse Thursday, protester Ravyn Wngz said continued vigilance is necessary in the fight for justice.

“It’s important that the police remember they work for us. They’re here to protect all of us,” Wngz said. “We take it seriously and we will be here every time to shut them down.”

Wngz noted that the furor surrounding the Miller incident continues weeks after the allegations of assault and coverup first emerged.

“Hopefully this case adds to the fire we need to bring about change,” Wngz said.