



## Indigenous leaders call on Thunder Bay police chief to resign after report alleges neglect of duty



A Thunder Bay police car is seen on Dec. 9, 2011.

SANDI KRASOWSKI/THE CANADIAN PRESS

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Indigenous leaders in the Thunder Bay area are calling on the city's police chief to resign over allegations of neglect of duty and discreditable conduct within the force contained in a recently released police watchdog report.

The report, conducted by the Office of the Independent Police Review Director (OIPRD), examines how the Thunder Bay Police Service investigated the death of Stacy DeBungee, a 41-year-old Indigenous man whose body was found in a local waterway in October, 2015.

The report lays out a troubling narrative in which investigators failed to undertake routine investigative measures as they rushed to declare the death accidental. [SUBSCRIBE](#) [LOG IN](#)



"If the facts are true as laid out in this report," said Nishnawbe Aski Nation Grand Chief Alvin Fiddler at a Monday morning news conference, "you see glaring mistakes and racist assumptions the police made right from the beginning."

In a statement, the Thunder Bay Police Service said it could not comment on the matter, citing a section of the Police Services Act that directs police forces to maintain confidentiality until a misconduct hearing can take place.

The OIPRD oversees all complaints made about police in Ontario. In the DeBungee case, then-Rainy River First Nations Chief Jim Leonard and Mr. DeBungee's brother, Bradley, complained about the diligence of the original death investigation. Their suspicions were raised when

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his death did not appear to be suspicious. A release issued the next day stated that Mr. DeBungee's death has been deemed non-criminal."

The OIPRD report states that even the coroner assigned to the case questioned the wisdom of the first press release, saying he thought they should have waited until an autopsy to issue such a statement.

When Mr. Leonard and Bradley DeBungee pressed the force for answers in the days after the death, they were told that Stacy DeBungee had likely "passed out unconscious, simply rolled nine to 10 feet down the riverbank into the river and drowned."

Unsatisfied with the explanation, the duo hired a private investigator from Toronto, who quickly identified several people who'd spent time with Mr. DeBungee on the night he died but had not been interviewed by the Thunder Bay Police.

The OIPRD report backs up that finding, stating that one investigator gave no thought to interviewing anyone who'd spent time with the deceased the night before because he saw nothing indicating it was criminal.

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OIPRD investigators found several instances where investigators failed to act on solid investigative leads, including an alleged confession from a woman who said she pushed Mr. DeBungee in the river.

Attempts to reach a witness believed to be the last person to see Mr. DeBungee alive were "sporadic and were given the lowest priority," the report states.

"This was not a situation in which TBPS investigators faced non-co-operation when they interviewed Indigenous witnesses," it continues. "Instead, they failed to follow up with identified witnesses in an adequate or timely way. In any event, police must be proactive in building trust in relation to each investigation. Little or none of that occurred here."

Based on the report, OIPRD director Gerry McNeilly is recommending misconduct charges of neglect of duty and discreditable conduct against two investigators on the case, Detective Shawn Harrison and Detective Constable Shawn Whipple. As well, he recommends a neglect-of-duty charge against their supervisor, Acting Inspector Susan Kaucharik.

"She was either unaware or indifferent as to the serious deficiencies in the investigation," the report states of Insp. Kaucharik.

Det. Harrison vehemently denied accusations of racial bias in the way the force treats cases involving Indigenous victims during an OIPRD interview. Nonetheless, the report states that the "premature conclusion" reached in the case "may have been drawn because the deceased was Indigenous."

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The report does not offer an alternative explanation for Mr. DeBungee's death and even suggests it may well have been accidental.

At the news conference, three area chiefs appeared alongside lawyer Julian Falconer, who has been working on their behalf.

"The devaluation of Indigenous life is so patent in this report, it springs from the page," he told reporters.

The DeBungee investigation is one in a long list of investigations that has ensnared much of Thunder Bay's municipal hierarchy. The OIPRD has several other probes in the region, including a look at systemic racism within the police force. Last June, Ontario's Chief Coroner asked York Regional Police to look at the investigations into the deaths of 14-year-old Josiah Begg and 17-year-old Tammy Keeash, who went missing in May and were later found dead. Senator Murray Sinclair is leading an Ontario Civilian Police Commission examination into the conduct of the Thunder Bay Police Services Board.

"It's baffling to understand why this happened," said Mr. Leonard, the former Rainy River chief. "Someone made the assumption that this was just another drunk Indian rolling in the river. ... I would hope at the end of this we as a community get together and solve these problems. We can't solve them under the current atmosphere."

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