



IC12-06-26

In Camera REPORT

Peel Police Service Board

For Information

File Class: 1-01-02-01

Cross-Reference File Class: _____

Date: **June 9, 2026**

Subject: **CLOSED SPECIAL INVESTIGATIONS UNIT FILES 25-OCI-494, 25-OFD-512**

From: **Nishan Duraiappah, Chief of Police**

Recommendation

It is recommended that this document be received as information concerning Special Investigations Unit (S.I.U.) files: **25-OCI-494, 25-OFD-512**.

REPORT HIGHLIGHTS

- Details describing the involvement of the officials and the S.I.U. complainants
- Findings of the S.I.U.
- Conclusions concerning the services provided by the police service and the officer's compliance with policies and procedures
- Subject Official is abbreviated S.O.
- Affected Person is abbreviated A.P.
- Witness Officer is abbreviated W.O.
- Civilian Witness is abbreviated C.W.

Discussion

25-OCI-494: (Mr. B.L.)

EXECUTIVE SUMMARY

On Monday, December 1, 2025, Mr. Bill Marshall of the S.I.U. contacted the Investigative Support Bureau (I.S.B.) advising that the A.P. had contacted them to report having received injuries, including a concussion, as a result of his arrest by Peel Regional Police (P.R.P.) Reduce Impaired Drivers Everywhere (R.I.D.E.) officers on Friday, November 28, 2025 in the area of Hwy #410 and Queen Street in the City of Brampton.

At some point after his interaction with P.R.P., the A.P. advised that he attended Queensway Health Centre of his own accord seeking medical attention. He advised that he suffered a sore back, bruises and was released from hospital following concussion protocols.

The S.I.U. advised that based on information received, that they were invoking their mandate.

P.R.P. occurrence report PR25-0375398 confirmed that the A.P. was arrested and charged by 22 R.I.D.E. Program officers on Friday, November 28, 2025.

Detective Sergeant Bouwkamp #2165 and Detective LaChappelle #2443 of I.S.B. were assigned to liaise with the S.I.U. Mr. Scott Maclean was assigned as the lead S.I.U. Investigator.

INVOLVED PERSONS

A.P.: Mr. B.L.

W.O.: Constable L.G.
Constable S.S.
Constable T.S.

S.O.: Constable H.B.

FINDINGS OF THE S.I.U.

On March 31, 2026, S.I.U. Director, Mr. Joseph Martino, issued a concluding letter to Chief Nishan Duraipah. In his letter Mr. Martino states:

"The file has been closed and no further action is contemplated. In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the subject official".

Furthermore, in the Director's report to the Attorney General (A.G.), he states:

"In the evening of November 28, 2025, the Complainant was on his way home from work travelling east on Queen Street East in Brampton. He had just taken the on-ramp to southbound Highway 410 when he was pulled over by a RIDE program set up on the ramp. The Complainant was approached by an officer who asked him to pull ahead for further questioning. Another officer – Witness Official (W/O #1) – approached and asked the Complainant to continue forward and stop his pick-up truck on the ramp shoulder in front of a police vehicle. He did so.

W/O #1 asked the Complainant to step out of his vehicle and escorted him to the back of the pick-up truck. They were joined at this time by the S/O. The Complainant was angry about being pulled over. He would not allow W/O #1 to fully read him a breath test demand and insisted the officer simply administer the test. W/O #1 explained that he needed to read the demand in full and ensure he understood it. He told the Complainant that refusing to take the test would constitute a criminal offence.

The S/O tried to calm the Complainant but to no avail. When the Complainant began to walk to the driver's door of his vehicle, the officer grabbed and pushed him back towards the rear of the truck and a snow-covered grassy area past the ramp shoulder. The Complainant fell backwards over the ramp curb. He attempted to stand back up but was forced to the ground by the S/O. There followed a struggle between the Complainant and several police officers. The Complainant was eventually handcuffed and placed in the rear seat of a police cruiser.

The Complainant attended hospital the next day and was diagnosed with a possible concussion".

S.I.U. ANALYSIS / DIRECTOR'S DECISION

"The Complainant was seriously injured during his arrest by PRP officers on November 28, 2025. The SIU was notified of the incident and initiated an investigation, naming the S/O the subject official. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that the S/O committed a criminal offence in connection with the Complainant's arrest and injury.

Pursuant to section 25(1) of the Criminal Code, police officers are immune from criminal liability for force used in the course of their duties provided such force was reasonably necessary in the execution of an act that they were required or authorized to do by law.

The Complainant's obstinance gave the officers reasonable grounds to believe he was refusing to take a roadside breath test. In the circumstances, he was subject to arrest under section 320.15(1) of the Criminal Code.

As for the force brought to bear against the Complainant, I am unable to reasonably conclude it was more than was necessary to effect his arrest. The S/O acted sensibly when he first took hold of the Complainant and directed him to the back of the pick-up truck. The Complainant had positioned himself in proximity to a live lane of traffic and it was important for all concerned that he be quickly redirected to a location of safety. Given the extent to which the situation had escalated and the Complainant's recalcitrance, I am also unable to fault the officers for maintaining the Complainant on the ground as they worked to handcuff his arms behind the back. In that position, the officers would be able to better manage any physical resistance on his part. In fact, the Complainant did resist the officers' efforts, attempting to get up at one point and refusing to release his arms to be handcuffed. There is a version of events proffered in the evidence that the officers went overboard when one of them kned the Complainant in the lower back at least ten times and another kned him in the head five or six times. That evidence, however, is contested by the officers, one of whom – W/O #2 – conceded that he kned the Complainant twice in the torso but says that he did so in an effort to subdue his resistance. The BWC footage of the struggle also did not capture force of the nature described in this evidence, albeit it did depict a struggle on the part of the Complainant and officers on and around his body attempting to wrestle control of his arms behind the back. On this record, while I accept that the Complainant would have felt at least a couple of strikes and pressure on his body by the officers involved in his arrest, I am not reasonably satisfied that the evidence of excessive force is sufficiently cogent to warrant being put to the test by a court.

For the foregoing reasons, there is no basis for proceeding with criminal charges in this case. The file is closed".

CONCLUSION

As a result of the S.I.U. investigation, the Director, Mr. Joseph Martino determined on reasonable grounds that no offence was committed by any particular officer whose presence at the scene was confirmed by the S.I.U.

Furthermore, an in-depth analysis of all applicable Federal Legislation, Provincial Legislation, P.R.P. policies and procedures were conducted by members of the I.S.B. pursuant to Section 81, *Community Safety and Policing Act (C.P.S.A.)*. There were no further identified issues as a result of this review.

EXECUTIVE SUMMARY

On Thursday, December 11, 2025, at 2:31 p.m., P.R.P. Communications received a 911 call regarding a male (Mr. J.B.) that had been stabbed by his son, the A.P. (Mr. I.B.) within the basement of the family residence situated at 5910 Greensboro Drive, Unit 147, in the City of Mississauga. After the stabbing, the complainant sought shelter at a neighboring residence situated at Unit 154 where he called the police.

At 2:38 p.m. uniform officers arrived on scene. At 2:43 p.m. it was established that the A.P. was within the family residence and officers established containment. P.R.P. Tactical Response Unit (T.R.U.) officers, with the assistance of uniform officers, established containment on the residence.

The residence was cleared and the A.P. was determined to have secured himself in a locked bathroom in the basement. T.R.U. officers breached the door and located the A.P. laying in the bathroom shower stall. T.R.U. officers attempted to communicate with the A.P. but were not successful in their attempt. The A.P. refused commands to show his right hand.

T.R.U. officers deployed a Conducted Energy Weapon (C.E.W.) in an effort to arrest the A.P. however it was ineffective. The A.P. advanced on the officers armed with an edged weapon in his right hand and a T.R.U. officer discharged rounds from their C8 rifle to address the threat.

The A.P. was secured, life saving measures were attempted including first aid being rendered and the A.P. was transported to Credit Valley Hospital. The A.P. was pronounced deceased by Dr. Lanteigne at 4:02 p.m.

INVOLVED PERSONS

A.P.: Mr. I.B. (Deceased)

C.W.: Mr. J.B.
Mr. J.S.

W.O.: Sergeant K.L.
Constable N.K.
Constable J.M.

S.O.: Constable J.W.

FINDINGS OF THE S.I.U.

On April 13, 2026, S.I.U. Director, Mr. Joseph Martino, issued a concluding letter to Chief Nishan Duraiappah. In his letter Mr. Martino states:

"The file has been closed and no further action is contemplated. In my view, there were no reasonable grounds in the evidence to proceed with criminal charges against the subject official".

Furthermore, in the Director's report to the A.G., he states:

"The evidence collected by the SIU, including interviews with police eyewitnesses and video footage that captured the incident in part, gives rise to the following scenario. As was his legal right, the S/O did not agree to an interview with the SIU or the release of his notes.

In the afternoon of December 11, 2025, C/W #1 was attacked by a family member - the Complainant – in the basement of his home in the area of Britannia Road and Winston Churchill Boulevard, Mississauga. The Complainant, having invited C/W #1 downstairs, rushed at him with a knife, stabbing him in the left shoulder. C/W #1 fled upstairs and out to a neighbour's house, from which location he called police.

W/O #1 and other uniformed police arrived on scene and set up containment around the house. Another family member arrived at the address at about 3:00 p.m. and explained that the Complainant's mental health had been deteriorating and he was not taking his medication. She noted he had expressed suicidal ideation in the past.

A team of TRU officers was dispatched to the scene, including W/O #2, the S/O and W/O #3. The initial plan was to breach the front door and call out to the Complainant to have him surrender. That changed when, having forced open the door and having received no response to their hails, the officers observed blood and became concerned with the Complainant's well-being. At that point, W/O #1, W/O #2, the S/O and W/O #3 entered the home and began to search for the Complainant.

The TRU officers cleared the home and determined that the Complainant was barricaded in the basement bathroom. They repeatedly directed him to step out of the bathroom with his hands up and empty. Again, not receiving any response, the officers decided to force open the door. Using a sledgehammer, W/O #3 smashed through the upper half of the wooden door, after which the rest of the door was opened. A clothes dryer that had been placed behind the door was removed from the bathroom.

The S/O, with a C8 rifle at the ready, was the first into the bathroom. He was followed by W/O #2 with a less-lethal shotgun. W/O #1 and W/O #3 were just outside the threshold of the door. To the right of the door at the far corner of the small bathroom, the Complainant was lying face up on the floor of the glass-enclosed shower. The shower was on and water was pouring on him. His head was partially propped up against the back wall of the shower and his legs extended through the open shower door. There was blood on the floor. The Complainant was unresponsive as officers ordered him to show his hands. At 3:25 p.m., W/O #2 discharged his CEW at the Complainant. The Complainant's right leg rose from the ground for a couple of seconds before he began to lift himself from the floor and lunge forward at the S/O with a knife in his right hand. W/O #2 deployed his CEW again, followed immediately by the S/O firing three rounds in quick succession, striking the Complainant and knocking him back into the shower on his back. He fired a fourth round about half-a-second later, and a fifth and final round a couple of seconds after that. Officers shouted at him to drop the knife and it fell from his hands onto the shower floor.

Following the gunfire, officers dragged the Complainant out of the bathroom, handcuffed his arms behind the back and began to administer first aid. Paramedics arrived on scene and transported the Complainant to hospital. He was pronounced deceased at 4:04 p.m."

CAUSE OF DEATH

"The pathologist at autopsy was of the preliminary view that the Complainant's death was attributable to multiple gunshot wounds in a man with sharp force trauma".

S.I.U. ANALYSIS / DIRECTOR'S DECISION

"The Complainant died on December 11, 2025, the result of gunshot wounds inflicted by a PRP officer. The SIU was notified of the incident and initiated an investigation, naming the S/O the subject official. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that the S/O committed a criminal offence in connection with the Complainant's death.

Section 34 of the Criminal Code provides that conduct that would otherwise constitute an offence is legally justified if it was intended to deter a reasonably apprehended assault, actual or threatened, and was itself reasonable. The reasonableness of the conduct is to be assessed in light of all the relevant circumstances, including with respect to such considerations as the nature of the force or threat; the extent to which the use of force was imminent and whether there were other means available to respond to the potential use of force; whether any party to the incident used or threatened to use a weapon; and, the nature and proportionality of the person's response to the use or threat of force.

The TRU officers were lawfully placed and in the exercise of their duties through the series of events culminating in the S/O's gunfire. The officers, dispatched to a call involving a knife attack by the Complainant on a family member, were duty bound to attend at the scene do what they reasonably could to ensure public safety, including the Complainant's safety, and take him into custody. Their entry into the basement of the home was justified by the exigent circumstances, including a legitimate concern that the Complainant might harm himself. In fact, by the time they found him in the basement bathroom, the Complainant had self-inflicted knife wounds to his neck and left wrist.

The evidence indicates that the S/O discharged his C8 rifle to protect himself from a reasonably apprehended knife attack by the Complainant. While the S/O did not provide that evidence firsthand in an interview with the SIU, as was his legal right, the inference is safely drawn from the circumstantial evidence, most emphatically, the knife attack by the Complainant on the officer that precipitated the shooting. Confronted by the Complainant thrusting a knife in his direction at close quarters, I am satisfied that the officer would have rightfully believed that defensive force was necessary to preserve himself from grievous bodily harm or death.

With respect to the force used by the S/O, namely, five rounds from his C8 rifle, there is insufficient evidence to reasonably conclude it was unjustified. The first three shots, I am satisfied, fell squarely within the ambit of section 34. The Complainant had suddenly lifted himself and lunged at the S/O with the knife (undeterred by W/O #2's CEW deployment), coming within a metre or so of the officer. In that moment, the S/O's life was in imminent peril and he was entitled to protect himself from a lethal threat with a resort to lethal force of his own. The fourth and fifth shots are subject to closer scrutiny. The Complainant had fallen backward into the shower after the first three shots and it is unclear on the available BWC footage whether he attempted to advance again on the officer. That said, there is evidence that the Complainant still had a hold of the knife and remained a threat during this time, including the fact that the Complainant was told to drop the knife following the third shot, BWC footage capturing officers directing the Complainant to drop the knife and the clanging sound of metal impacting a hard surface after the last round (consistent with the knife being dropped by the Complainant or falling from his hand), and the accounts of officers in the vicinity of the S/O indicating that they perceived the Complainant as a threat through the gunfire.

Add to this the fact that the S/O was in a precarious position at the time, within striking range of the Complainant and backed up against the wall opposite the shower with nowhere to go. All of this suggests the real possibility that the Complainant had not been incapacitated by the first three shots and remained a present and serious danger or, alternatively, that the S/O reasonably, albeit, perhaps, mistakenly, believed that to be the case. In either event, the S/O is entitled to the protection of section 34. In arriving at this conclusion, I am mindful of the common law principle that officers involved in dangerous and dynamic situations are not expected to tailor their defensive force with precision; what is required is a reasonable response, not an exacting one: R. v. Nasogaluak, [2010] 1 SCR 206; R. v. Baxter (1975), 27 CCC (2d) 96 (Ont. CA).

For the foregoing reasons, there is no basis for proceeding with criminal charges in this case. The file is closed."

I.S.B. ANALYSIS OF THE INVOLVED OFFICER'S RESPONSE

Upon review of the relevant disclosure provided by the S.I.U., it is the opinion and position of the I.S.B. that the involved officers, from the time of initial approach to negotiation and subsequent decision to apply force to the A.P., exercised a systematic approach. The initial responding officers collected as much information as possible to understand the dynamics of the situation. This information was relayed in a timely fashion and the residence was secured. It was clear that the involved officers had concerns that other persons may have fallen victim to the A.P.'s violent actions and public safety was a considerable factor. Information provided by Mr. J.B. elevated the urgency to address the threat and exigent circumstances emerged. The residence was cleared in accordance with standard tactical practices in an attempt to locate others potentially impacted, ensure the safety of the involved tactical members and ultimately locate the A.P.

Vast amounts of blood and edged weapons were observed by the involved officers throughout the residence. The involved officers also observed and could smell cleaning agents/solutions within the basement area. The A.P. was evidently located inside basement bathroom where he had barricaded the door with a dryer. The involved officers understood the necessity to locate, arrest and engage the A.P. for both criminal offences and to facilitate medical treatment as it became clear that the A.P. has significantly injured himself. The involved officers communicated and developed a plan regarding lethal and less lethal options. Communication was attempted by the involved officers to bring the A.P. into custody, but they were not successful in their attempt. The W.O. Sergeant K.L. unsuccessfully attempted to taser the A.P. Shortly thereafter, the evidence supports that the A.P. lunged at the S.O. Constable J.W. who discharged his C8 rifle [five (5) rounds discharged] to eliminate the threat. Upon the final round being discharged, it is clearly audible that the A.P. dropped the edged weapon as a clanging sound can be heard.

It is the opinion of I.S.B. that the involved officers displayed a systematic, logical and patient approach at a time where direct action was required. The S.O. only resorted to the deployment of lethal force when the A.P. threatened his and the W.O.'s well-being.

The officers legitimately believed that they were faced with a deadly threat and had no opportunity to withdraw or retreat to safety. Based on the sudden actions of the A.P., the officers immediately responded by incapacitating the A.P., thus, stopping any injury to themselves or other members of the T.R.U.

The involved officers operated within the confines of P.R.P. policy and procedure when dealing with the A.P. and also within section 25 of the *Criminal Code of Canada* with an appropriate and measured use of force

response. The A.P. had lured and significantly injured the C.W. (Mr. J.B.) with a large, serrated machete. The A.P. was arrestable for attempt murder and or aggravated assault with a weapon. The A.P. had also seriously injured himself requiring immediate medical intervention. Having consideration for the A.P.'s actions and the threat of imminent "serious bodily harm or death", the S.O.'s decision to deploy a "lethal force" firearm option is an appropriate response in accordance with the Ontario Public-Police Interactions Training Aid (**Appendix A**).

CONCLUSION

As a result of the S.I.U. investigation, the Director, Mr. Joseph Martino, determined on reasonable grounds that no offence was committed by any particular officer whose presence at the scene was confirmed by the S.I.U.

It is the position of the I.S.B. that the involved officers displayed an enhanced duty of care when dealing with the A.P. and resorted to applying deadly force only when presented with a deadly threat.

Members of I.S.B., Wellness and Incident Response met with and debriefed the involved officers. Discussions were had pertaining to the involved member's methodology and response. Alternate tactical considerations were discussed, as well as the importance of maintaining appropriate member wellness practices. The involved members were also instructed on the expectation of and preparation for the impending coroner's inquest.

Furthermore, an in-depth analysis of all applicable Federal Legislation, Provincial Legislation, P.R.P. policies and procedures were conducted by members of the I.S.B. pursuant to Section 81, *C.S.P.A.* There were no identified issues as a result of this review.

Approved for Submission

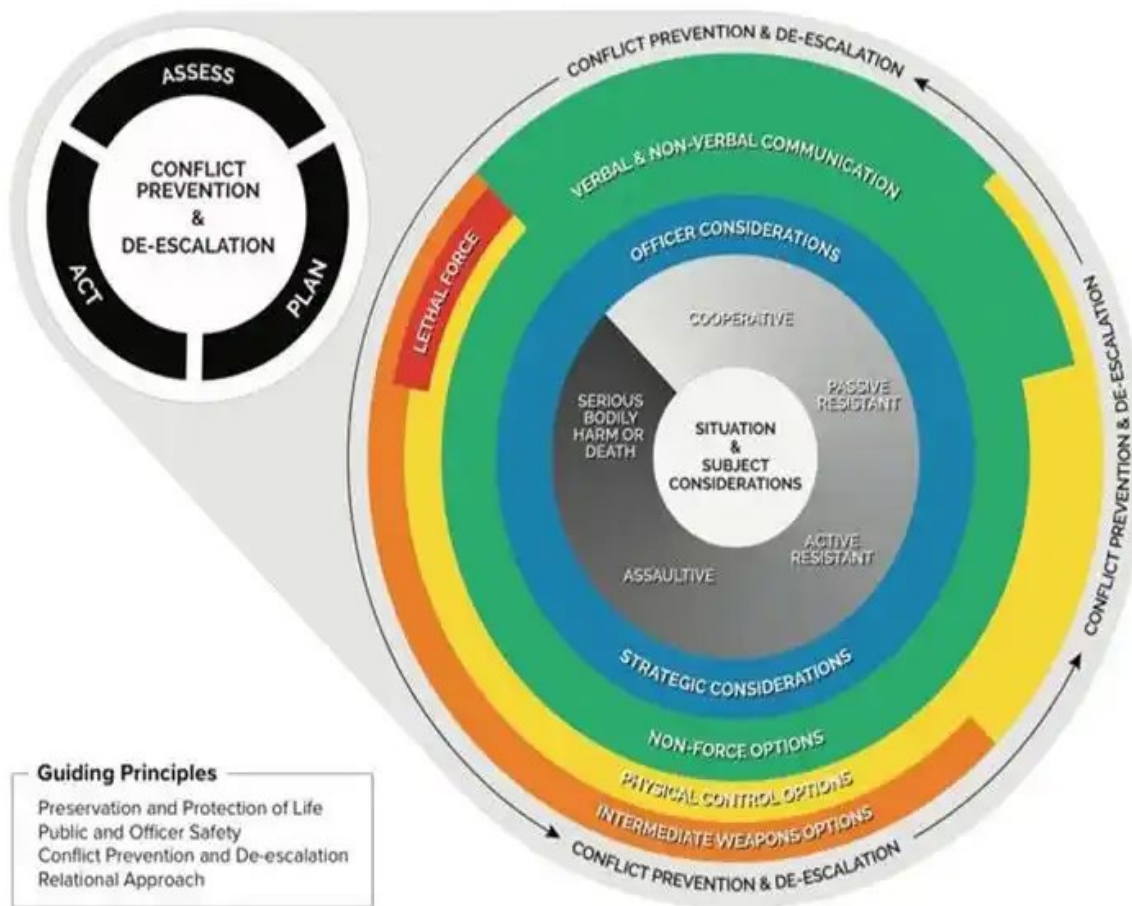


Nishan Duraiappah, Chief of Police

For further information regarding this report, please contact Inspector Matthew Hutchinson at extension 6080 or via email at 2079@peelpolice.ca.

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Ontario Public-Police Interactions Training Aid (2023)



The officer continuously assesses the interactions and selects the most reasonable option(s) relative to the subject and circumstances given available resources and time.