



IC11-02-26

In Camera REPORT

Peel Police Service Board

For Information

File Class: 1-01-02-01

Cross-Reference File Class: _____

Date: **January 23, 2026**

Subject: **CLOSED SPECIAL INVESTIGATIONS UNIT FILES 25-OFD-161, 25-OVI-240, 25-OCI-285, 25-OCI-310**

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-OFD-161, 25-OVI-240, 25-OCI-285, 25-OCI-310.**

REPORT HIGHLIGHTS

- Executive summaries describing the actions of the involved officers
- Details describing the involvement of the Subject Officer (S.O.) 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
- Affected Person is abbreviated A.P.
- Witness Officer is abbreviated W.O.

Discussion

25-OFD-161: (Mr. D.D.)

EXECUTIVE SUMMARY

On Thursday, April 24, 2025, at 6:36 a.m., the involved officers were dispatched to terminal one (1) at the departures level (pole marker #40) for a report of a male who was experiencing a *Mental Health Act (M.H.A.)* episode. Airport security was making observations of this male on Closed Circuit Television (C.C.T.V.) security cameras.

Upon arrival, the officers interacted with the A.P. who was acting erratically and was suspected to be under the influence of drugs. Family members of the A.P. were present during the entire interaction.

Of concern to the family members, was the A.P.'s irrational and erratic behaviour. It was communicated to the officers that the A.P. was refusing to exit a vehicle owned by a family acquaintance.

The involved officers attempted to negotiate with the A.P. to exit the vehicle. The A.P. became increasingly volatile and agitated. As the A.P. exited the vehicle, he brandished a firearm and pointed it at the involved officers.

Two (2) of the four (4) involved officers engaged the threat with their firearms and the A.P. subsequently sustained several gunshot wounds and fell to the ground.

The A.P. succumbed to his injuries. No officers were injured. The S.I.U. was notified, and Mr. Frank Pohl was assigned as the lead investigator. The Investigative Support Bureau (I.S.B.) was assigned to liaise with the S.I.U. and conduct an administrative review.

FINDINGS OF THE S.I.U.

On August 21, 2025, 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 S.O.”

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

“The Complainant died on April 24, 2025, the result of gunshot wounds inflicted by one (1) or both of two (2) Peel Regional Police (P.R.P.) officers. The S.I.U. was notified of the incident and initiated an investigation, naming S.O. #1 and S.O. #2. The investigation is now concluded. On my assessment of the evidence, there are no reasonable grounds to believe that either 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 (U.O.F.) was imminent and whether there were other means available to respond to the potential U.O.F.; 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 police officers, including S.O. #1 and S.O. #2, were lawfully placed and in the execution of their duty through the series of events culminating in gunfire. They had been asked to assist with a passenger in mental distress refusing to exit a vehicle and were within their rights as peace officers in trying to find a constructive resolution to the problem. The video footage establishes that the officers approached the situation with care, quickly recognizing that they were dealing with a mental health issue. They listened carefully to the involved parties and attempted to de-escalate the situation by suggesting possible solutions to the standoff. Their determination that the Complainant was not subject to apprehension under the Mental Health Act was a reasonable one. Though he exhibited signs of mental disorder, there were no explicit indications that he was a threat to himself or others until the time he pointed a gun at the officers.

I am satisfied that S.O. #1 and S.O. #2 fired their weapons to protect themselves and others from a reasonably apprehended attack by the Complainant. S.O. #1 provided the S.I.U. a statement and gave that evidence directly. His account is supported by what is captured on the video footage, namely, the Complainant quickly exiting the Jeep with a gun pointed at the officers. Though the gun was an air pistol, it gave every indication of being an actual firearm capable of causing grievous bodily harm or death. S.O. #2, as was her legal right, did not avail herself of an opportunity to provide the S.I.U. an interview. It is,

nevertheless, safe to infer based on the same video footage that, she too, harboured an honest belief that defensive force was necessary to protect herself and others from the Complainant.

Lastly, I am satisfied that the S.O.'s' resort to their firearms constituted reasonable defensive force. When the Complainant emerged suddenly from the Jeep with what appeared to be a firearm pointed at the officers, S.O. #1 and S.O. #2, would have had every reason to believe that their lives were in imminent peril. Withdrawal or retreat were not options given the speed with which events unfolded and the presence of other persons in the area. What was required was the immediate incapacitation of the Complainant, and the only weapons capable of doing that were the officers' firearms. On this record, the first three (3) or four (4) gunshots were clearly justified. The more difficult issue is whether the gunfire that continued after the Complainant collapsed to the ground following the initial shots was justified. In retrospect, it is apparent on the Body Worn Camera (B.W.C.) footage that the Complainant had been struck and seriously wounded. Very likely he was, at that point, no threat to anyone. That said, faced with what must have felt like a grave and mortal threat to their lives, neither S.O. #1 nor S.O. #2 had the luxury of hindsight or the benefit of time. Their foremost concern in the highly charged atmosphere of the moment was to make absolute certain that the Complainant was no longer a threat. When allowance is made for that imperative, the delay inherent in reaction times and the common law principle that officers embroiled in dangerous situations are not expected to measure their responsive force with precision, I am unable to reasonably conclude that either S.O. exceeded the remit of authorized force through their gunfire.

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 provided and 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 excellent patience and restraint and only resorted to the deployment of lethal force when the A.P. pointed a replica firearm directly at them.

The uniformed officers attempted to calmly resolve the situation and spent a significant amount of time speaking with the A.P. Prior to exiting the vehicle, the A.P. did not provide any indication that he was in possession of a gun (see **Appendix A**) until he pointed it at the officers. 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 the members of the public present in the area.

The involved officers operated within the confines of P.R.P. policy and procedure when dealing with the A.P. and within section 25 of the *Criminal Code* with an appropriate and measured U.O.F. response. The A.P. pointing what was perceived to be a firearm, fell within the realm of imminent "serious bodily harm or death" and the involved officers' decision to deploy a "lethal force" firearm option is an appropriate response in accordance with the Ontario Public-Police Interactions Training Aid (see **Appendix B**).

REPORT AND OPINION OF TRAINING SERGEANT BLAIR HERD #1965

See **Appendix C**.

CORONER'S REPORT – FORENSIC PATHOLOGIST DR. POLLANEN

A correlation of the scene, circumstances, and postmortem findings indicate that: the decedent was shot at least 14 times with nine (9) bullets recovered from the body. Two (2) fatal gunshot wounds were present in the chest with damage to the aorta and lungs. The other gunshot wounds were not lethal in the time course of the fatal wounds. Some gunshot entrance wounds and recovered projectiles showed the effects of ricochet from the ground prior to entry into the body. This was most apparent in four (4) gunshot wounds of the left leg. The gunshot wounds of the left leg likely represent ricochet of bullets from the ground into the leg and indicate that the bullets were fired when the decedent was already grounded. The two (2) fatal gunshot wounds to the chest did not show the effects of ricochet. This is because the bullets did not pass through an intermediate target that altered the shape of the bullets.

TOXICOLOGY REPORT – CERTIFIED FORENSIC SCIENTIST (C.F.S.) CHRISTENA WATTS, M.Sc.

A review of the C.F.S. toxicology report revealed that the A.P. had the following in his body at the time of the incident:

- a. 2 Femoral Blood Methamphetamine: 0.28 mg/L \pm 0.05 mg/L
- b. 3G48733 Amphetamine: 0.17 mg/L \pm 0.02 mg/L
- c. Fluoxetine: 0.52 mg/L \pm 0.06 mg/L
- d. Norfluoxetine: 0.50 mg/L \pm 0.05 mg/L
- e. Lorazepam: < 13 ng/mL
- f. 7-Aminoclonazepam: 31 ng/mL \pm 3 ng/mL
- g. Clonazepam: not detected
- h. Norquetiapine: detected
- i. Quetiapine: not detected

TOXICOLOGY CONCLUSIONS

- Methamphetamine is a central nervous system stimulant drug that is used recreationally for its energizing and euphoric effects. There is significant overlap between recreational and fatal blood concentrations of methamphetamine. Amphetamine can arise an active metabolite of methamphetamine; it can also be administered as a drug itself and is available by prescription for the treatment of Attention Deficit Hyperactivity Disorder (A.D.H.D.).
- Fluoxetine is a drug that can be prescribed for the treatment of clinical depression. The detected blood concentrations of fluoxetine and its active metabolite norfluoxetine could arise following chronic therapy. In 24 patients receiving 20 to 60 mg fluoxetine per day, serum fluoxetine and norfluoxetine concentrations during weeks three (3) to six (6) of treatment ranged up to 0.47 and 0.45 mg/L, respectively (*Orsulak PJ et al., Clin Chem 34:1875-1878, 1988*).
- Lorazepam is a central nervous system depressant drug of the benzodiazepine class that can be prescribed for the treatment of anxiety. The detected blood concentration is within or below a therapeutic range.
- 7-Aminoclonazepam is a metabolite and breakdown product of clonazepam. Clonazepam is a central nervous system depressant drug of the benzodiazepine class that can be prescribed for the management

of seizures. Clonazepam is susceptible to degradation during sample storage. The detected blood concentration of 7-aminoclonazepam is within a therapeutic range.

- Norquetiapine is a metabolite of quetiapine, a drug that can be prescribed for the treatment of psychotic disorders and insomnia. This laboratory does not have a quantitative method for norquetiapine.
- Tetrahydrocannabinol (T.H.C.) is the primary psychoactive compound in cannabis products. T.H.C. is not expected to produce significant toxicity. Carboxytetrahydrocannabinol is an inactive metabolite of T.H.C.
- In item two (2), no [other] significant findings were detected by the following method(s): QTOF Screen and LC-MS/MS Mix 3.
- In item three (3), no [other] significant findings were detected by the following method(s): Cannabinoid method.
- In item one (1) and four (4), no significant findings were detected by the following method(s): Headspace GC-FID.

P.R.P. COMMUNICATIONS/ COMPUTER-AIDED DESIGN (C.A.D.) INCIDENT DETAILS REPORT – P.R.P. AND THE GREATER TORONTO AIRPORTS AUTHORITY (G.T.A.A.) AND AIRPORT OPERATIONS COMMAND CENTRE (A.O.C.C.)

On April 24, 2025, P.R.P. Communications Services dispatch was contacted by Paladin Security reporting an individual in a possible mental health crisis inside a vehicle at the terminal one (1) departures level (by post marker #40) and requesting P.R.P. assistance. No gender, clothing description, or further information about the individual were provided.

Typically, P.R.P. Communications Services are alerted to incidents on airport property when contacted via telephone. There is no C.A.D. interface with the A.O.C.C. and information is solely provided by the reporting caller. Once P.R.P. receives information, a call for service is created and a C.A.D. call generated.

During this incident, officers were dispatched by P.R.P. Communications in the appropriate fashion. However, due to the significant lack of information provided about the A.P. by the reporting airport caller, responding officers were not provided vital Canadian Police Information Centre (C.P.I.C.) information. Officers were not provided the name of the A.P., nor the history or background, which included previous firearms offences and numerous C.P.I.C. flags regarding 'Firearms Interest' and a 'Caution High Risk Violent Offender' national high-risk flag.

This information clearly would have been extremely important for the responding officers to have known prior to approaching the A.P.

B.W.C.

The responding officer S.O. #2 and W.O. #1 activated their issued B.W.C. in accordance with P.R.P. policy as required. Both B.W.C.'s captured the interaction with the officers and the A.P. which was disclosed to the S.I.U. S.O. #1 did not have B.W.C. footage to provide, as he was not equipped with a device because he had only recently returned to a uniformed position at the Airport Division and was waiting to receive training in order to be authorized to carry B.W.C.

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 enhanced patience when dealing with the A.P. and resorted to applying deadly force only when presented with a deadly threat to themselves and the public.

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

25-OVI-240: (Mr. R.W.)

EXECUTIVE SUMMARY

On Thursday June 12, 2025, at approximately 12:03 p.m. the S.O. from 21 Division was operating his cruiser in the area of Queen Street and Highway 410 in Brampton. While stopped, facing northbound on a red light, the S.O. waited to make a right turn onto Queen Street to proceed eastbound. At the same time, the A.P. was riding his bicycle eastbound on Queen Street. The officer initiated his right turn and came into contact with the A.P.

The A.P. was taken to Brampton Civic Hospital (B.C.H.) where it was determined that they had a small volume intra parenchymal hemorrhage (brain bleed). Due to the fact that the A.P. was on blood thinners, the physician, Dr. Brown, admitted him for 24 hours of observation.

Inspector Ford notified the S.I.U., who subsequently invoked their mandate. Mr. Scott Frail was assigned as the lead S.I.U. investigator.

Detective Sergeant Bouwkamp and Detective LaChappelle of the I.S.B. were assigned to liaise with the S.I.U. and conduct an administrative review.

FINDINGS OF THE S.I.U.

On October 7, 2025, 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 S.O.”

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

“The Complainant was seriously injured in a collision with a P.R.P. cruiser on June 12, 2025. The S.I.U. was notified of the incident and initiated an investigation, naming the driver of the cruiser, the S.O. 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 collision.

The offence that arises for consideration is dangerous driving causing bodily harm contrary to section 320.13(2) of the Criminal Code. As an offence of penal negligence, a simple want of care will not suffice

to give rise to liability. Rather, the offence is predicated, in part, on conduct that amounts to a marked departure from the level of care that a reasonable person would have observed in the circumstances. In the instant case, the issue is whether there was a want of care in the manner in which the S.O. operated his vehicle, sufficiently egregious to attract criminal sanction, that caused or contributed to the collision. In my view, there was not.

The S.O. was under a duty to refrain from turning right unless he could do so safely. The very fact of the collision in the circumstances of this case suggest he failed in that duty. The Complainant was there to be seen by the officer as he approached the intersection – he was wearing highly visible clothing and there were no sightline obstructions in the area – and it remains unclear why the S.O. did not yield. Either the S.O. did not adequately check the sidewalk traffic to his right before he entered his turn or, if he did, he misjudged how close the Complainant was from the crosswalk or how fast he was approaching. In either event, if the S.O. was not as careful as he should have been, I am unable to reasonably conclude on the evidence that he transgressed the limits of care prescribed by the criminal law. Rather, the turn, which it should be noted was attempted at relatively slow speed, is fairly characterized as a momentary lapse in attention that did not depart markedly from a reasonable standard.

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 provided and relevant disclosure provided by the S.I.U., it is the opinion and position of the I.S.B. that on June 12, 2025, the S.O. was returning to 21 Division during his assigned shift operating a fully marked cruiser. As the officer attempted to make a right turn from the Highway 410 off-ramp to proceed eastbound on Queen Street, he struck the A.P. who was operating a bicycle eastbound on Queen Street. The A.P. suffered a small volume intra parenchymal hemorrhage (brain bleed) and was transported to B.C.H.

CONCLUSION

As a result of the S.I.U. investigation, the Director, Mr. Joseph Martino, determined on reasonable grounds that no criminal 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 S.O. was under a duty to refrain from turning right unless he could do so safely. The S.O. did not adequately check the sidewalk traffic to his right as he proceeded to make his turn as prescribed under the *Highway Traffic Act (H.T.A.)*.

Furthermore, an in-depth analysis of all applicable Federal Legislation, Provincial Legislation, P.R.P. policies and procedures was conducted by members of the I.S.B. pursuant to Section 81 of the *Community Safety and Policing Act (C.S.P.A.)*.

The S.I.U. investigation determined that no criminal offence was committed by the S.O. As a result of this review, it was the recommendation of the I.S.B. that this matter be referred to 21 Division for submission to the Collision Review Committee.

25-OCI-285: (Mr. A.C. – YOUNG PERSON)

EXECUTIVE SUMMARY

On Sunday, July 20, 2025, at approximately 12:39 a.m., P.R.P. was notified of a minor assault in which a security guard was punched after the A.P. and two (2) associates were refused entry at 'The Rock and Docks' located at 55 Lakeshore Road East, Mississauga.

The A.P. and two (2) associates left the area on foot and were located a short distance away by the S.O. Specifically, the A.P. was observed hiding behind a large planter on the sidewalk.

The S.O. shouted out to the A.P. and stepped towards them, to effect an arrest. The A.P. then ran, darted between two (2) unoccupied parked cars directly south of them, and was struck by a vehicle travelling westbound on Lakeshore Road East, which fled the scene.

The A.P. was transported to St. Michael's Hospital where Dr. Nada Radulovic confirmed that the A.P. has sustained a broken left leg. Due to privacy, Dr. Radulovic would not advise of any other injuries. The A.P. was listed in serious but stable condition at the time but has since recovered from the injury. The A.P. was visiting Canada from England with family.

The incident was captured on B.W.C. No other officers were present during the interaction. P.R.P. Forensic Identification Services (F.I.S.) and S.I.U. F.I.S. attended and documented available evidence at the scene. P.R.P.'s Major Collision Bureau was assigned to investigate the 'Fail to Remain' with the assistance of 12 Division Criminal Investigations Bureau (C.I.B.).

Inspector Ford notified Mr. Bill Marshall of the S.I.U. who invoked their mandate. Mr. Scott Frail was assigned as the lead investigator.

Detective Sergeant Bouwkamp and Detective LaChappelle of the I.S.B. were assigned to liaise with S.I.U. and conduct an administrative review.

FINDINGS OF THE S.I.U.

On November 6, 2025, 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 S.O."

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

"The Complainant was seriously injured fleeing from a P.R.P. police officer on July 20, 2025. The S.I.U. was notified of the incident and initiated an investigation, naming the S.O. 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 injuries."

The offence that arises for consideration is criminal negligence causing bodily harm contrary to section 221 of the Criminal Code. The offence is reserved for serious cases of neglect that demonstrate a wanton

or reckless disregard for the lives or safety of other persons. It is predicated, in part, on conduct that amounts to a marked and substantial departure from the level of care that a reasonable person would have exercised in the circumstances. In the instant case, the question is whether there was a want of care on the part of the S.O., sufficiently egregious to attract criminal sanction, that caused or contributed to the Complainant's injuries. In my view, there was not.

With information at his disposal from an eyewitness that the Complainant was one (1) of the two (2) males who had punched a doorman in the face, I am satisfied that the S.O. was within his rights in moving to arrest the Complainant for assault when he exited the pizza shop.

I am also satisfied that the S.O. comported himself with due care and regard for public safety during his brief engagement with the Complainant. The S.O. was entitled to give chase when the Complainant failed to stop for the officer and, instead, ran away. When that happened, there was always the risk that the Complainant would run onto the roadway and place himself in danger by passing traffic. However, the events unfolded so quickly – about three (3) to four (four) seconds from the start of the foot chase to the collision – that it is not at all clear there was reasonable opportunity for the S.O. to appreciate the risk. Nor is it apparent, in the circumstances of this case, in which the Complainant could have decided to stop at the direction of the officer, that the S.O. should be held responsible for the consequences of the Complainant's decision to enter the roadway as he did.

For the foregoing reasons, there is no basis for proceeding with criminal charges. The file is closed.”

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

Upon review of the provided and relevant disclosure provided by the S.I.U., it is the opinion and position of the I.S.B. that the involved officer clearly had reasonable grounds to arrest the A.P. for a criminal offence. The A.P. had committed an assault on the bar staff at 'The Rock and Docks' and made a conscious decision to flee ultimately resulting in being struck by a motor vehicle, which also ironically fled the scene.

It is unfortunate that the A.P. sustained serious injuries in their attempt to avoid arrest, however, it is the position of the I.S.B. that the involved officer operated within the confines of prescribed policy, procedure and rendered first aid pending the arrival of emergency support personnel.

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.

The administrative review did not identify any concerns.

25-OCI-310: (Mr. J.S.)

EXECUTIVE SUMMARY

On Wednesday, August 6, 2025, officers attended 45 Florabunda Crescent in Brampton, for a call for service. The A.P. was apprehended under Section 17 of the *M.H.A.* and transported to B.C.H. Upon assessment, he was placed on a Form 1 by Dr. Chui and subsequently transferred into the custody of B.C.H. Security.

On Thursday, August 7, 2025, at approximately 1:05 AM, the A.P. was in Sub Acute room S-1-112-W-29. He became combative with security staff and struck a security guard in the face with his hand. Security personnel attempted to restrain the male, but were unsuccessful and requested assistance from P.R.P.

P.R.P. personnel were present nearby and assisted security. The A.P. was eventually grounded by security with the assistance of P.R.P. and restrained. The A.P. was then put back on the bed in his room. The A.P. began experiencing difficulty breathing and shortly thereafter, he became Vital Signs Absent (V.S.A.). Medical intervention was immediately initiated.

The initial diagnosis was that the A.P. suffered a cardiac arrest and an anoxic brain injury as a result of a lack of oxygen to the brain. He remained in an unconscious state. There is no B.W.C. footage of the interaction as officers were inside the hospital.

The A.P. was admitted to the hospital's I.C.U. in stable, but life-threatening condition.

The S.I.U. supervisor Rhonda Alcock was notified, and Regional S.I.U. investigator Caroline Ibbott was assigned as the lead investigator.

The officers were not injured during the altercation.

Detective Sergeant Bouwkamp and Detective LaChappelle of the I.S.B. were assigned to liaise with the S.I.U. and conduct an administrative review.

FINDINGS OF THE S.I.U.

On December 5, 2025, 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 S.O."

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

"The Complainant suffered a serious injury in the course of his arrest by P.R.P. officers on August 7, 2025. The S.I.U. was notified of the incident and initiated an investigation, naming the S.O. 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 injuries."

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.

I am satisfied that the S.O., having observed the Complainant punching Civilian Witness (C.W.) #1 in the head, was within his rights in moving to take him into custody for assault.

I am also satisfied that the quantum of force brought to bear by the S.O. and others in the Complainant's arrest was no more than was reasonably necessary in the circumstances. The evidence establishes that

the Complainant was very combative and strenuously resisted his arrest, flailing his arms and legs at the police and security personal around him. The S.O. and the others reacted in kind by wrestling him to the floor. The takedown was a reasonable tactic as it would allow the officers and security staff a positional advantage from which they could more safely manage the Complainant's resistance. Though the S.O. and the others were aware of the risks of positional asphyxia, there were also risks associated with the more prolonged struggle that could have materialized had they not acted as they did, including a delay in medical attention for the Complainant to address his manic state. It should also be noted that the police and security personnel, in an effort to minimize the risks associated with the Complainant's position on the floor, went out of their way to avoid placing weight on the Complainant's back while they worked to control and handcuff his arms. On this record, I am unable to reasonably conclude that the Complainant was subjected to unwarranted force.

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 A.P. had been apprehended under Section 17 of the *M.H.A.* and transported to B.C.H. After an assessment by Dr. Chui, the A.P. was transferred to the custody of B.C.H. security, freeing the apprehending officers to leave the hospital. While in the custody of B.C.H. security, the A.P. became combative with security, striking a security guard in the head. P.R.P. officers present in the area observed this and immediately rendered assistance.

The involved officers clearly had reasonable grounds to arrest the A.P. for the criminal offence of assault after observing him punch the security officer in the head. The A.P. was very combative and resistant with security and police when they attempted to affect his arrest. The amount of force used by the S.O. and others was reasonable in this circumstance which included taking the A.P. to the floor to gain control and as Director Martino stated, "safely manage the A.P.'s resistance".

The S.O. and others involved mitigated the risk of causing positional asphyxia by quickly bringing the struggling A.P. under control, avoiding putting weight on the A.P.'s back, and immediately calling for medical attention.

B.W.C.

At the time of the incident, the S.O. was inside B.C.H. for an unrelated matter and did not have his B.W.C. activated.

PRP Directive I-B-173 – Operation of Body Worn Camera (Section F (1) (10) states:

When equipped with a BWC, an Officer shall not record:

attendance at a designated healthcare facility, except for the following:

- i) under exigent circumstances;
- ii) under the authority of prior judicial authorization;
- iii) where officers have custody of a person who is being treated or is waiting for health care treatment and the Officers are alone with that person;
- iv) where the officer has custody of a person who is being treated, or is waiting for health care treatment, and the Officer reasonably believes that the interaction between the Officer and the person in their custody requires or might soon require the use of force; or,

v) with the express consent of the person is the subject of the recording

The A.P. had been admitted to B.C.H. and was in the custody of hospital security. The A.P. was not in the custody of the S.O. or any member of P.R.P. The S.O. was not expected to have his B.W.C. recording prior to the incident when faced with the sudden combative actions of the A.P. forcing him to immediately react and become involved in a struggle. The S.O. advised that his B.W.C. was not activated while inside the hospital due to patient privacy.

Due to the necessity for such a sudden response by the S.O. resulting in force being used, it seems reasonable that his B.W.C. was not activated while inside a designated healthcare facility.

BCH SECURITY VIDEO

The S.I.U. was able to view B.C.H. security video of the interaction which was used as part of their investigation.

P.R.P. ASSAULT INVESTIGATION – PR25-0249124

Members of 21 Division C.I.B. are conducting an investigation into the assault of the B.C.H. security officer.

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 was conducted by members of the I.S.B. pursuant to Section 81, of the C.S.P.A. There were no identified issues as a result of this review.

Approved for Submission



Nishan Duraiappah, Chief of Police

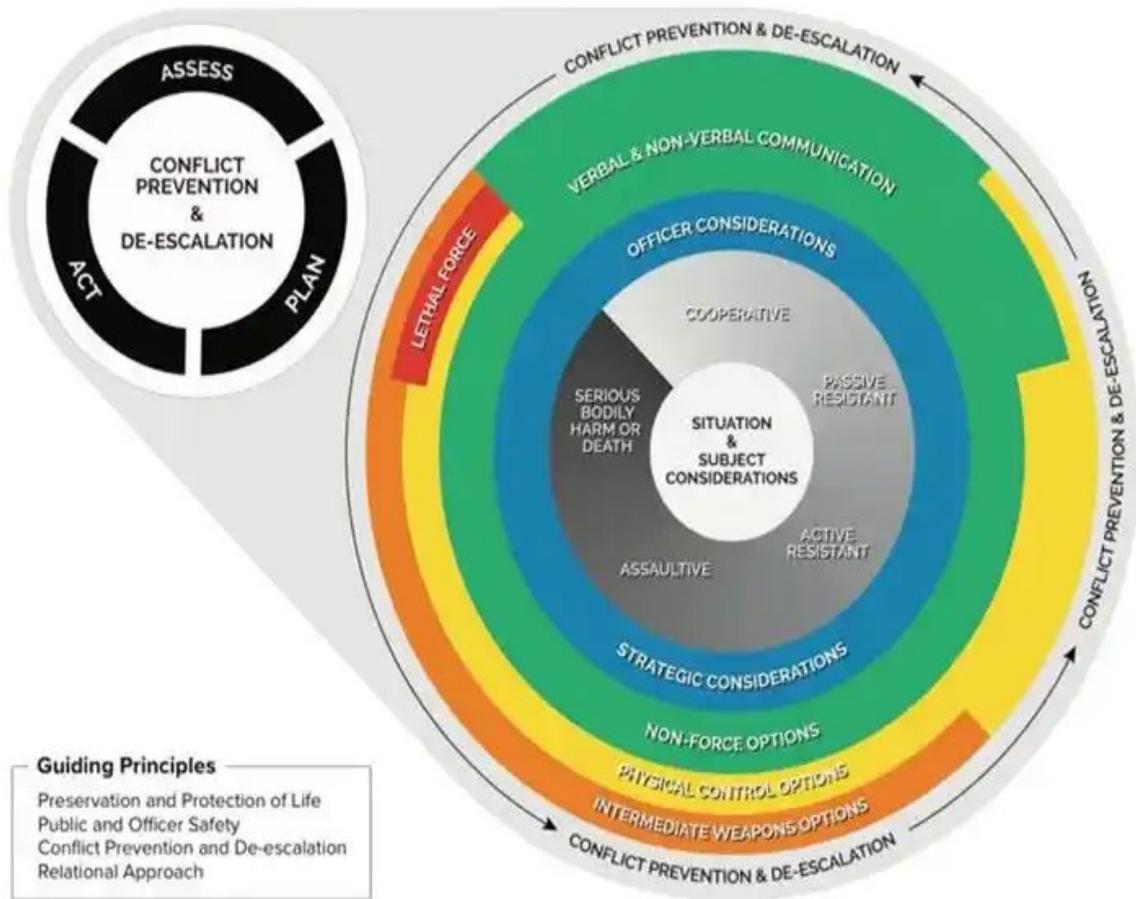
For further information regarding this report, please contact Inspector Matt Hutchison at extension 6080 or via email at 2079@peelpolice.ca.

Authored By: Detective Sergeant Jay Bouwkamp #2165

APPENDIX A: S.I.U. PHOTOGRAPH OF WEAPON (Replica Glock – SIU File: 25-OFD-161)



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.

Occurrence PR250127366

Opinion of:

Sergeant Blair Herd #1965

Currently assigned as a Training Sergeant IRTU. Recognized by the Force Science Institute (F.S.I.) as an Advanced Specialist in the behavioural analysis of Police Use of Force Encounters. I have an extensive history as a Use of Force Instructor and have completed close to 20 expert opinion analyses for SIU cases, Investigative Support Bureau, Internal affairs, Divisional command as well as operational reviews for unintentional discharges. Conducted several debriefs of Use of Force encounters at various levels of command. Accepted and sworn as a Use of Force expert in Ontario Court of Justice and have testified in several inquests as an expert.

History of F.S.I.: The Force Science Institute is dedicated to the study of human dynamics in high stress, rapidly unfolding force encounters. The F.S.I. is led by Dr. Bill Lewinski and draws on leading world class scientist and doctors, including many from Canada.

Background

I received a request from ISB to review details related to a call for service Peel Police attended. This event occurred on April 24th, 2025, at the curbside of Pearson International Airport, Terminal One, departures level, near post 40.

During this encounter police had a use of force interaction with one member of the public. During this interaction police used lethal force, delivered from their issued service handguns.

In forming my opinion, I reviewed the following sources of information related to the incident:

- Incident history
- Body Worn Camera footage from all involved officers.
- CAD Dispatch
- Criminal Code of Canada
- Ontario Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1
- Ontario Public-Police Interaction Model
- Ontario Mental Health Act-Section 17
- Directive I – B – 102 (f) Incident Response [I-B-102 \(F\) Incident Response](#)
- SIU Director's report
- The TEB Model-A new Approach to Crisis Assessment and Intervention-Dr. John Azar-Dickens
- Staller's article "The Problem of Entanglement: Biases and Fallacies in Police Conflict Management" (2021)-Misattribution errors
- "The Real Risks During Police Shootouts-Accuracy of Naïve Shooters" (2015)-Dr William Lewinski-Gaze Action Coupling
- "Excessive" Shots and Falling Assailants: A Fresh Look at OIS subtleties-(2010)-Chuck Remsberg

In forming my opinion, I reviewed the Body Worn Camera (BWC) and interview notes – related to the incident – of the following officers:

Constable Herget #2016 (SO #1)

Constable Carroll #3751 (SO #2)

Constable Yousef#4688 (WO #1)

Note: This is an after-action report. Only with the benefit of hindsight and the known outcome can we consider how the officers might have performed differently or altered the outcome. Any analysis of decision-making is based solely on the outcome. It is important to recognize that the stress of a rapidly unfolding, lethal-force encounter significantly impacts human performance, reaction times, and decision-making.

Incident

At 6:36 a.m. on April 24, 2025, PRP was requested by airport security to attend the departures level outside Terminal 1 of Toronto Pearson International Airport in Mississauga in response to a mental health call. The complainant, the subject's sister, had approached GTAA security for assistance regarding her brother. The subject was reportedly experiencing a drug-induced psychosis, caused by a combination of mental illness (schizophrenia) and the use of illicit narcotics (potentially methamphetamines), and was refusing to leave his vehicle to catch a flight.

SO #2 and WO #1 were dispatched from the Terminal and approached the vehicle on foot. The vehicle, a Jeep Grand Cherokee, was parked near post 40 on the outer ring. Officers arrived at approximately 6:38 a.m.

The complainant explained the situation to the officers. Despite earlier agreeing, the subject was now refusing to exit his Jeep to take a flight to the Yukon, where he had been registered in a treatment program. The complainant and her husband requested police intervention, including removing the subject from the vehicle. They also indicated that the subject had been evicted from a residence they had secured for him and were unwilling to provide housing, citing concerns that he might damage their home or affect their credit. The complainant expressed that she wanted her brother to "get the help he needed."

Canadian Police Information Centre (CPIC) queries on the subject revealed that he was a Special Interest and High-Risk Violent Offender. He had two active weapons prohibitions and a caution for violence. He had no fixed address and a history that included violent offences, robbery, failure to attend court, other criminal code violations, and federal statute offences. The subject had recently been released from prison after serving nearly two years for aggravated assault. According to the complainant, the subject had been using Adderall and methamphetamines.

SO #2 advised dispatch that the call was no longer a mental health concern but was now domestic-related. Officers discussed options, including having the subject exit the vehicle to take a bus or offering voluntary transport to a hospital. SO #1 (acting Sergeant) arrived shortly afterward and joined the conversation with the complainant and her husband. Officers determined there were no grounds to apprehend the subject, noting that the legal threshold was high.

Meanwhile, SO #2 and WO #1 spoke alternately with the subject, who was seated in the rear driver's side seat of the Jeep. He stated he had been brought to the airport against his will and

did not want to attend the treatment program. The subject was sweating, erratic, and paranoid, and expressed fear for his life. Officers repeatedly asked him to exit the vehicle, but he refused, indicating he wanted to return to his residence. When asked about eviction, he adamantly denied being evicted. The subject expressed frustration and distrust toward the police and believed his sister and her husband were manipulating him. As the conversation continued, the subject became more fatalistic, stating: "I do not want to lose my life forever, but at the end of the day, I probably would," and "If I get out of the Jeep, things will not be good; my life will be over." SO #2 became more insistent that he exit the vehicle.

Approximately 15 minutes after the officers' arrival (around 6:52 a.m.), while SO #2 was speaking with the subject on the right rear passenger side of the vehicle, the subject said, "Stop talking about me," and suddenly stepped out of the Jeep through the open rear passenger door, holding what appeared to be a gun awkwardly in his left hand. He told SO #2 to "shut the fuck up" and pointed the weapon in her direction. SO #2 ran toward the rear driver's side of the Jeep, SO #1 backed up toward the front of the vehicle, and WO #1 sought cover behind a post directly across from the Jeep's rear passenger side. From these positions, the officers drew their firearms. The subject pointed the weapon from side to side at the officers. Approximately four seconds after exiting the Jeep, he was shot 16 times and collapsed beside the rear passenger side corner of the vehicle at 6:53 a.m.

SO #2 fired 11 rounds in rapid succession, and SO #1 fired seven continuous rounds. WO #1 did not discharge his weapon.

Officers immediately initiated life-saving measures and administered CPR. An off-duty nurse assisted. Paramedics arrived at approximately 7:00 a.m. and took over care. The subject was pronounced deceased at 7:26 a.m.

A replica Glock air pistol was recovered at the scene.

Incident Response Training Unit Considerations

Legislation

The Criminal Code of Canada is the foundation on which other legislation is based. The application of force by a member of a police service is subject to limitations provided in the Criminal Code of Canada and also guided by legislation and regulations in the Ontario Police Services Act, the Ontario Adequacy Standard AI-012: Use of Force; and the Public-Police Interaction Training Aid (July 2023).

Furthermore, Peel Regional Police Directives, specifically I-B-102(F) Use of Force, and I-B-301(F) Issued/Authorized Weapons, also place some requirements on members of the service, but are reflective of the noted legislation and regulations.

The Criminal Code of Canada

Section 25 of the Criminal Code discusses the protection of people acting under authority. In subsection 25(1), the Criminal Code states that “Everyone who is required or authorized by law to do anything in the administration or enforcement of the law is, if he acts on reasonable grounds, justified in doing what he is required or authorized to do and in using as much force as is necessary for that purpose.”

Further, the Criminal Code discusses the use of deadly force in subsection 25(3). “...a person is not justified for the purposes of subsection (1) in using force that is intended or is likely to cause death or grievous bodily harm unless the person believes on reasonable grounds that it is necessary for the self-preservation of the person or the preservation of any under the person’s protection from death or grievous bodily harm.”

These paragraphs form the foundation for the use of force by members of the police service, offering protection for officers who are acting on reasonable grounds and using only as much force as is necessary to perform their lawful duties.

*As per the Criminal Code, force must be both necessary **and** reasonable.*

The Community Safety and Policing Act

Regulation 926 of the Community Safety and Policing Act details Equipment and Use of Force. This section of the Act outlines the equipment members of a service are authorized to use, training requirements, investigating firearm discharges, and the use of force and its reporting. Specifically, section 9 states:

A member of a police force shall not draw a handgun or discharge a firearm unless he or she believes, on reasonable grounds, that to do so is necessary to protect against loss of life or serious bodily harm.

References:

Peel Police directives

I-B-102 (F) Incident Response Directive

States:

M. Firearms

1. Members authorized to use firearms must recognize that this is an exceptional responsibility that shall be exercised with the highest concern for human life.

AI-012 21.

3. Only members authorized to use force that demonstrate proficiency in the use of firearms authorized by this Service (please refer to [Appendix "C"](#) of this directive for authorized firearms) shall be allowed to carry such weapons.

OReg 391/23 4.(1)

8. The [Community Safety and Policing Act](#) identifies when members authorized to use force may draw a firearm, and when the members authorized to use force may fire. [O. Reg. 391/23](#) Sections 5, 6 and 7 are as follows:

OReg 391/23 5.; 6.; 7.

Section 5

A member of a police force shall not draw a handgun, point a firearm at a person or discharge a firearm unless they believe, on reasonable grounds, that to do so is necessary to protect against loss of life or serious bodily harm.

AI-012 22.(a)

Section 6

Sections 2 to 5 do not apply to a member of a police service or special constable when engaged in a training exercise, target practice or ordinary weapon maintenance in accordance with the procedures of the police service.

Section 7

Despite Section 5, a member of a police force may discharge a handgun or other firearm,

- (a) *to call for assistance in a critical situation, if there is no reasonable alternative; or*

AI-012 22.(b)

- (b) *to destroy an animal that is potentially dangerous or is so badly injured that humanity dictates that it's suffering be ended.*

AI-012 22.(c)

9. Use of deadly force is dealt with in section 25 of the CC.

Mental Health Act of Ontario

Part II

Hospitalization

17. Where a police officer has reasonable and probable grounds to believe that a person is acting or has acted in a disorderly manner and has reasonable cause to believe that the person,

- (a) has threatened or attempted or is threatening or attempting to cause bodily harm to himself or herself.

(b) has behaved or is behaving violently towards another person or has caused or is causing another person to fear bodily harm from him or her; or

(c) has shown or is showing a lack of competence to care for himself or herself,

and in addition, the police officer is of the opinion that the person is apparently suffering from mental disorder of a nature or quality that likely will result in,

(d) serious bodily harm to the person.

(e) serious bodily harm to another person; or

(f) serious physical impairment of the person,

and that it would be dangerous to proceed under section 16, the police officer may take the person in custody to an appropriate place for examination by a physician. 2000, c. 9, s. 5.

Incident Response Training :

The Peel Regional Police Service has adopted critical incident training which emphasizes the three-part **NRA** test for using force. Officers are instructed on asking themselves is it **Necessary**? Is it **Risk effective/Reasonable**? And is it **Acceptable** (legally, morally and civilly)?

When applying the three-part test to the situation under analysis, the writer believes the three-part test was not met on several fronts.

Necessary:

- What has changed?
- Why now (versus earlier or later)?
- Why that way (versus another)?

Risk-Effective:

Risk Effective:

- What/who is at risk? (e.g., victim/hostage, public, police, subject)
- Is there a less risky way to respond?

Acceptable:

Acceptable:

- Legally - What statute or legal authority is the officer acting under?
- Civilly - Is policy, procedure, and training being followed?
- Morally - What will the public think?

The Public-Police Interaction Model (2024)

The Ontario Public-Police Interaction Model illustrates the various elements involved in public-police interactions and is captured graphically. This Model replaced the pre-existing Use of Force model introduced in 2004.

The Model takes into account the principles of procedural justice, those being: participation, fairness and neutrality, dignity and respect, and trustworthiness.

The Model is designed to assist police officers and the public to understand why and in what manner an officer may respond during an interaction given external (i.e., subject, situational), internal (i.e., officer), and strategic considerations (tactics).

As an aid to training, the Model promotes continuous monitoring and critical assessment, assisting officers in choosing viable de-escalation strategies by which to interact with the public in general and subjects specifically (i.e., member(s) of the public who are the focus of the interaction). Ultimately, the goal of any interaction with the public is one that results in a cooperative outcome without the use of force, recognizing that this goal depends on the actions of all parties involved in the interaction.

The Public-Police Interaction Model serves as a visual training aid and reference tool when explaining officer decisions and actions involving non-force tactics (no contact), verbal and non-verbal communication, and, when necessary, use of force. The Model does not justify an officer's actions.

Foundational to the Model is the **ASSESS-PLAN-ACT** (APA) process and a de-escalation approach.

Subject behaviours defined within the Public-Police interaction model are:

Serious Bodily Harm or Death: The subject exhibits actions that the officer reasonably believes are intended to, likely will, or have already caused serious bodily harm or death. Examples include a subject wielding a knife or pointing a firearm at officers or members of the public.

Possible police responses defined within the act:

Lethal Force

This last resort option involves the use of any weapon or technique intended to or reasonably likely to cause serious bodily harm or death.

All weapons used in this encounter were lethal force options.

There were no indications at any time that any of the occupants of the stolen vehicle possessed any weapons.

If an incident poses an **imminent threat** that requires immediate action, officers may have **limited or no time to fully engage the APA process**; they must act immediately in keeping with their training and their legal and moral responsibilities.

If an incident poses no threat or the threat can be effectively managed, more time may be devoted to decision making and evaluating options. Officers options are informed by NRA – a three-part test that requires officers to ask themselves if their actions are Necessary, Risk effective, and Acceptable on legal, civil, and moral grounds.

When applying the three-part test to this situation, the writer believes that the test was satisfied with certain caveats.

Necessary:

Necessary:

- What has changed?
- Why now (versus earlier or later)?
- Why that way (versus another)?

This incident was instigated by the subject's decision to engage officers spontaneously in a manner that could only be perceived as a lethal attack. While the subject exhibited some verbal suicidal ideations, these were more indicative of his mental health state. There was no indication that he had been carrying a functional firearm or had access to one; the weapon he displayed was a replica.

Responding with lethal force from their issued firearms was necessary to prevent an imminent threat of serious bodily harm or death to the officers and members of the public present. The threat was immediate and required immediate action. The officers discharged a total of 18 rounds, 14 of which struck the subject; the remaining rounds were likely ricochets. Given the rapid progression of the attack, this response was the most immediate and effective option.

SO #2 was the first officer to observe the subject presenting the weapon. Her initial reaction was to seek cover at the rear of the Jeep Cherokee, draw her firearm, and engage the subject. At that moment, the subject was pointing the weapon at SO #1. SO #2 could not see whether the weapon was functional or whether the subject was firing it.

Because the subject's weapon was a replica and incapable of firing, officers could not have observed it discharge. SO #2 relied on the sound of SO #1's service pistol, which had already been fired, as sensory evidence that the subject was engaging the officers. This prompted her to respond by firing 11 rounds.

This situation is referred to as **misattribution**, an error that occurs frequently in officer-involved shootings, where officers cannot recall whether they, their partner, or the subject discharged a firearm.

As Staller notes in *"The Problem of Entanglement: Biases and Fallacies in Police Conflict Management"* (2021), **attribution error** and **confirmation bias** can influence decision-making. "The data police officers perceive during an encounter is influenced by the reference data police

officers possess. Such reference points determine filters through which police officers perceive and interpret behavioral and situational cues throughout the police-citizen encounter.”

Attribution error occurs when decisions are “driven by the target they expect or want rather than the actual data emerging from the interaction.” In essence, it is when the brain assigns a perception or stimulus to the wrong cause, resulting in misattribution.

In this event, SO #2 perceived an imminent lethal threat after seeing a firearm pointed at her, hearing gunfire, and observing the subject square off toward her partner—even though the subject’s weapon could not fire. Her response was consistent with the perceived threat.

The SIU Director’s included the below three statements which were included within the Directors final report:

- “The gunfire continued for another three seconds before coming to an end.”
- “The more difficult issue is whether the gunfire that continued (after the first three or four gunshots) after the Complainant (subject) collapsed to the ground following the initial shots was justified.”
- “Very likely, he was at that point no threat to anyone.”

The officers’ actions as they relate to these statements are addressed as follows:

Tunnel vision refers to **fixation**, where attention becomes narrowly focused on one aspect of a scene, often to the exclusion of other stimuli. In police confrontations, officers typically exhibit **weapon focus**, as the weapon represents the greatest threat of harm. While targeting the hand or area holding the weapon may be accurate due to this fixation, it may not immediately neutralize the threat. This phenomenon is referred to as **gaze-action coupling**, meaning officers tend to strike what they are visually fixated on.

In this event, the majority of the rounds fired impacted the subject’s hand holding the weapon and his lower legs—most were non-lethal. This is consistent with the subject raising the gun toward the officers in his left hand and then lowering it. The two fatal rounds to the chest occurred as the subject fell through the plane of fire from SO #1.

To address the suggestion that extra rounds were fired after the subject was no longer a threat, research on **time-to-stop** and **time-to-fall** is instructive. Researcher Alexander Jason reports that, even under controlled experimental conditions, roughly seven out of ten officers continue firing after being signaled to stop. Under real-world stress and threat of death, an even higher percentage is likely to discharge additional rounds. On average, officers may “reasonably” fire six or more rounds into suspects who are initially standing and then begin falling, even if mortally wounded. This is per officer involved in the confrontation.

Dr. Bill Lewinski, executive director of the Force Science Institute, notes:

“Understanding why this occurs can be critical in shooting investigations and in criminal proceedings and civil lawsuits that allege excessive force by officers for firing ‘too many’ shots. So-called ‘extra’ shots are generally beyond an officer’s control. They’re more likely to be an involuntary reaction under stress than a conscious decision with malicious motivation.”

During a confrontation with a standing, armed offender, the most commonly accepted indication that the suspect is no longer a threat is when the person either releases the weapon and/or drops to the ground. Jason's experiments with volunteers holding mock guns showed that subjects took an average of 1.1 seconds to fall after being instructed to do so. During this time, an officer could fire up to four rounds. A crumple fall (knees first, then down) takes longer, potentially resulting in additional rounds being fired until the shooter perceives the threat has ceased.

Jason concludes that for a standing suspect who then falls:

- **1 or more rounds** may be fired before the fall begins,
- **4 rounds** may occur during the fall, and
- **1 or more rounds** may be fired as the body contacts the ground.

In scenarios involving multiple shooters, the total number of rounds scales accordingly—for three officers firing simultaneously, 18 rounds (6 per officer) could be reasonably expected.

Additionally, due to the nature of bullet wounds, officers may not immediately know whether rounds are hitting the assailant, which further motivates continued firing. Depending on the suspect's positioning during the fall, rounds may enter posteriorly, creating the appearance of an unjustified "execution." This explains rounds striking the subject's buttocks and ricochets in this event.

Based on this research, it is reasonable to conclude that both officers continued to fire until the subject was perceived as no longer a threat—identified as having stopped moving and the weapon dropping from his hand. Many rounds were non-lethal because the officers were weapon focused. The final two rounds from SO #1 neutralized the subject's threat. Several additional rounds were fired after the perceived threat ceased because human reaction time prevents instantaneous cessation—analogue to attempting to brake instantly at a traffic light. SO #1 fired 7 rounds, and SO #2, after moving, drawing, and engaging, fired 11 rounds. Force Science research, including VirTra simulations, indicates that even in non-threatening situations, shooters may fire 2–3 rounds after a clear stop signal.

From the available research and data, the total number of rounds fired in this incident is consistent with expected human performance under these high-stress, rapidly unfolding conditions.

Risk-Effective:

- What/who is at risk? (e.g., victim/hostage, public, police, subject)
- Is there a less risky way to respond?

There is a clearly elevated level of risk in spontaneous gunfights, particularly when multiple lives are at stake. In this instance, the subject's sister and brother-in-law were present, along with two Groundside Safety Officers from the Greater Toronto Airport Authority (GTAA). The officers were positioned around a vehicle in live traffic lanes, facing a parking garage during a period of high civilian traffic.

Immediately after the subject presented his weapon, SO #2 moved into a position standing in a live lane of traffic, facing her partner who had begun firing, creating a crossfire situation. While this movement aligns with a human survival instinct, the consequences were potentially dire: rounds that missed could have struck civilians, the airport terminal, or vehicles (SO #2 faced the terminal and inner lanes of traffic; SO #1 faced live lanes and the parking garage). The risk was further heightened when the subject's sister attempted to intervene, stepping into the officers' lines of fire and narrowly avoiding ricochets at her feet.

This risk could have been mitigated if the officers had remained together and used available cover, as WO #1 did with the cement pillar. The presence of the GTAA groundside officers during a volatile mental health event also introduced additional risk, as they were caught in the middle of a lethal-force encounter. It is reasonable to question whether their presence was necessary during this police intervention.

The broader question becomes whether a less risky response could have been employed. This report benefits from hindsight. Officers were initially dispatched to a mental health call, in which the complainant advised that her brother was experiencing psychosis, had a history of bipolar disorder, and abused methamphetamine and Adderall. The officers were attempting to have him board a flight to the Yukon for treatment, which he was actively refusing.

Upon arrival, officers observed the subject sweating, paranoid, and uttering fatalistic thoughts. He refused to exit the vehicle, did not want to fly and there was a high likelihood that the airline would not permit him to fly in his state. He had also been evicted from his residence.

Further queries revealed that the subject was a Special Interest Police subject, classified as a High-Risk Violent Offender, with two weapons prohibitions. He had recently been released from prison after serving two years for aggravated assault. The complainant requested police intervention to "get the help he needed."

The officers opted to escort the subject to a public transit bus to resolve the incident, believing there were no grounds for apprehension under the Mental Health Act.

While it cannot be determined whether an immediate apprehension and control of the subject would have altered the outcome, research shows that early control of volatile subjects can reduce the force required and minimize injuries to all involved. In situations like this, officers may need to quickly intervene with force to prevent escalation.

Acceptable:

- Legally - What statute or legal authority is the officer acting under?
- Civilly - Is policy, procedure, and training being followed?
- Morally - What will the public think?

The officers involved in this incident adhered to their training and were absolved of any criminal liability by the SIU for using lethal force to address an immediate threat to their lives and the lives of civilians in the immediate vicinity. The number of rounds discharged has been addressed earlier

and is not excessive, given research on the time required to stop an action and the time it takes for an individual to fall and be perceived as no longer a threat.

A final consideration is public perception, given that a person in crisis was involved and the interaction with police resulted in his death. While there may be debate over whether the legal threshold for apprehension under the Mental Health Act was met, the officers' primary goal was to safely remove the subject from the vehicle and transport him to a secure location. There is no question that the subject was in crisis, under the influence of narcotics, and, at a minimum, should have been evaluated by medical personnel.

Opinion:

Judging a spontaneous lethal attack and the inherent impacts on decision-making and human performance is extremely difficult. The officers involved responded quickly to a gun being pointed at them and neutralized the threat using the only appropriate option—their service pistols.

The number of rounds discharged and the difficulty in immediately stopping firing have been addressed previously and are largely attributable to normal human reactions under extreme stress and the instinct to preserve life.

A gunfight will always present a high risk to all involved. Due to attentional limitations, officers cannot simultaneously aim their shots while fully assessing the condition of the subject. Their focus is necessarily on the stimuli required to protect their own lives and those of civilians nearby. In this incident, this included **weapon focus**, moving to cover, and addressing the immediate threat.

It is impossible to know precisely what the officers were seeing or thinking during the engagement. While some of their actions may have created elevated levels of risk, no other civilians or property were harmed, and the officers responded in accordance with their training and legal authority.

Although other options, such as relocating the subject, could theoretically have been explored, it is uncertain whether the outcome would have differed. Evidence indicates that the subject had a premeditated intent to provoke a lethal encounter with police on that day, and only the location of the confrontation may have varied.

Recommendations:

- Train all PRP officers on the TEB Model of Crisis Intervention and de-escalation.
- Incorporate new vehicle extraction training to annual IRT training for use with individuals that cannot be de-escalated and must be removed from a vehicle or other conveyance. This can be applied to plane extractions as well.
- Brief Airport divisional officers on the external and internal influences on incident response that are specific to Peirson International Airport and the GTAA.
- PRP review protocol with GTAA groundside officers and their level of involvement in PRP investigations. Two GTAA officers implanted themselves in the middle of this volatile mental health and domestic encounter and ended up in the middle of a lethal force

encounter with high risk of harm to themselves and compromising the effectiveness of PRP officers.

- Design annual firearms training to overcome weapon focus and improve accuracy under critical stress.
- Debrief and re-integration all officers involved and impacted by this incident as per procedure.