



DAFONTE MILLER - BACKGROUNDER

On December 28, 2016, in the early morning hours, Dafonte Miller was pursued by Michael and Christian Theriault, who alleged that he was breaking into their car. An altercation ensued and Dafonte was repeatedly kicked and punched in the face, head and body by the two brothers. Dafonte, trying to escape the two brothers, moved to the front of a home and banged on the door in an attempt to secure help. While at the door, Dafonte was again struck in the face with a metal pipe by Toronto Police Service Constable Michael Theriault.

The beating Dafonte sustained caused him severe physical injuries including a broken wrist, fractured nose, fractured orbital bone, and such severe damage to his left eye that he has permanently lost sight in that eye and had it removed.

Once PC Theriault and Christian Theriault had beaten Dafonte, PC Theriault placed Dafonte under arrest and restrained him until Durham Regional Police Service (“DRPS”) officers arrived on scene.

Despite the obvious circumstances, including Dafonte’s physical condition, DRPS Constable Bowler charged Dafonte with two counts of assault with a weapon, possession of a dangerous weapon, theft under \$5000, and possession of marijuana. Neither the TPS nor the DRPS notified the Special Investigations Unit (SIU) of the event. On April 11, 2017, Dafonte, through counsel, notified the SIU of his serious injuries. The SIU promptly commenced an investigation.

On May 5, 2017, the Crown withdrew the charges against Dafonte that the DRPS had issued. On July 21, 2017, the SIU jointly charged PC Michael Theriault and his brother Christian Theriault with criminal offences. The charges against each of them include aggravated assault, assault, and public mischief.

On August 15, 2017, Dafonte filed a complaint with the OIPRD, seeking a systemic review of the conduct of TPS and DRPS into the events of December 28, 2016. Further, on December 21, 2018, Dafonte and his family began a civil lawsuit for damages against the TPS and DRPS for the events of December 28, 2016.

On June 26, 2020, Superior Court Justice Di Luca convicted PC Michael Theriault of assault.

