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## PRESS ADVISORY

### ONTARIO COURT OF APPEAL UPHOLDS CONVICTION & SENTENCING FOR TORONTO POLICE SERVICE CONSTABLE MICHAEL THERIAULT

Today, the Ontario Court of Appeal released its decision upholding the conviction and sentencing for disgraced Toronto Police Service Constable Michael Theriault (“Cst. Theriault”).

The Honourable Justice M. Tulloch, writing for a unanimous court, found the trial judge, Justice Di Luca made no errors in his conviction and sentencing of Cst. Theriault. The Court of Appeal recognized that police officers are held to higher standards than the ordinary person because of the significant powers they are granted. The Court of Appeal found that:

*The fact that a police officer is off duty at the time they commit the offence does not alter the power and corresponding responsibilities that come with the job.... Police officers are trained to respond properly to volatile encounters; when the training is weaponized in a manner that undermines public safety, public trust will be particularly compromised.<sup>1</sup>*

Dafonte Miller, along with his legal counsel Julian Falconer and Asha James, will be holding a press conference, today at 2:30pm via ZOOM to provide comment on the decision from the Court of Appeal.

*To join the ZOOM call, please use one of the methods provided below:*

**<https://us02web.zoom.us/j/87118419805?pwd=bHdPWWE02cCtvOWJ5V1VNdU9CbkdQOT09>**

**Meeting ID: 871 1841 9805**

**Passcode: 024255**

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**For further information, please check our website at [www.falconers.ca](http://www.falconers.ca)**

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<sup>1</sup> July 19, 2021, Decision of the Ontario Court of Appeal, at para 207.

