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PRESS RELEASE

CORONER'S OFFICE CONFIRMS THAT INQUEST WILL CONSIDER VIDEO OF THUNDER BAY POLICE SERVICE'S RACIST MISTREATMENT OF INDIGENOUS PERSON ON THE SAME NIGHT THAT DON MAMAKWA DIED

March 16, 2022/Thunder Bay, ON

Today, Dr. David Cameron, presiding coroner into the deaths of Don Mamakwa and Roland McKay, released his decision confirming that Inquest jurors will review closed-circuit video footage, taken the night that Mr. Mamakwa died, showing Thunder Bay Police Service (TBPS) officers mistreating a different Indigenous individual. The coroner's decision is a resounding rejection of the efforts of TBPS to hide the truth of their ongoing, systemically racist mistreatment of Indigenous individuals.

The TBPS unsuccessfully tried to block the inclusion of the video, which shows yet another incident in the broader pattern of systemically racist mistreatment of Indigenous individuals while in TBPS custody. Mr. Mamakwa (d. August 2, 2014) and Mr. McKay (d. July 19, 2017), who were cousins, both died while in TBPS custody in separate incidents after being brought into the main TBPS jail in Thunder Bay while presenting as intoxicated.

The video footage depicts the mistreatment of a third individual, also at the TBPS jail on the night that Mr. Mamakwa died. Like Mr. Mamakwa, the individual in the footage was an Indigenous person who, on the night of August 2, 2014, was brought into TBPS custody while presenting as intoxicated. Like Mr. Mamakwa, this other man's medical needs were ignored, despite the fact that he appeared to be in medical distress. Like Mr. Mamakwa, he was subjected to mistreatment by TBPS officers. While this individual did not pass away that night, the mistreatment in the video is disturbingly similar to what occurred with Mr. Mamakwa that same night at that same TBPS jail.

Dr. Cameron confirmed the video is relevant and material to issues that will be raised at the Inquest, including:

- *How racism, bias and stereotyping may have been a factor in the Thunder Bay paramedics' and police officers' interactions with Don Mamakwa and Roland McKay;*
- *The goals and appropriateness of taking intoxicated people or suspected to be intoxicated people into police custody; and*
- *The policies and procedures regarding interactions between a police officer and an intoxicated person or a person suspected to be intoxicated.¹*

¹ March 16, 2022, Decision of the President Coroner, re. Motion to Exclude Video Evidence, at paras 47, 56-57.



As Dr. Cameron indicates in his decision, it is important for jurors to see this video footage:

[T]he question of whether racism, bias or stereotyping was a factor in Mr. Mamakwa's death should not be examined in a vacuum. The fact that another Indigenous man was almost simultaneously experiencing very similar treatment may suggest systemic issues that need to be addressed to prevent further deaths.²

In response to the decision, Rachel Mamakwa, sister of the late Don Mamakwa, said:

My brother's death, and the terrible treatment he was subjected to, didn't happen in isolation. It's frustrating that the police tried to block this video, which so clearly shows terrible mistreatment of another man the same night Don died. I look forward to when the Inquest begins, so that the jury can see this and ask themselves, "how do we stop this from ever happening again?"

Julian Falconer, legal counsel to the Mamakwa and McKay families, stated:

The all-pervading racism at the Thunder Bay Police Service is widely known, and Mr. Mamakwa is not the first Indigenous person to die at the hands of the TBPS. This systemic rot is sickening, and community members deserve better. It's bad enough that Chief Hauth and the officers wanted to block this video, which portrays them in a terrible – and accurate – light. But the fact that the TBPS Board sat idly by, while the police service tried to exclude this evidence, is a gross abdication of the Board's responsibility towards the public.

For a copy of Dr. Cameron's decision, see: <https://falconers.ca/wp-content/uploads/2022/03/Motion-to-Exclude-Evidence-Decision-of-Dr.-Cameron-Mar-16-2022-FINAL.pdf>

For more on the video footage in question, see: <https://falconers.ca/mamakwa-mckay-inquest-to-consider-video-depicting-acts-proving-systemic-racism/>

For press enquires, please contact Ms. Sophia Singh at sophias@falconers.ca

For further information, please check our website at www.falconers.ca

² Ibid, at para 52

