

THE REGIONAL MUNICIPALITY OF YORK

POLICE SERVICES BOARD

Report of the

REGIONAL SOLICITOR

JEFFREY BLACK CORONER'S INQUEST RECOMMENDATIONS

RECOMMENDATION

It is recommended that:

1. This report be received for information.

PURPOSE

The purpose of this report is to update the Regional Municipality of York Police Services Board (the "Board") on the conclusion of a Coroner's Inquest Touching the Death of Jeffrey George Black, and the verdict and recommendations made by the jury at the Coroner's Inquest.

BACKGROUND

On October 17, 2005, York Regional Police ("YRP") officers were involved in a confrontation with a 21 year old male suspect while investigating a break and enter call. The suspect was later identified as Jeffrey Black. Mr. Black confronted and later attacked the officers with a knife, forcing one of the officers to fatally shoot Mr. Black in order to protect the life of one of the officers. The Special Investigations Unit ("SIU") investigated the shooting, and all YRP officers involved were deemed to have acted appropriately.

In cases where a person dies while detained or in the actual custody of a peace officer, the *Coroner's Act* mandates that an inquest into the death must be held. The Coroner's Inquest was in fact conducted on January 26-29, 2009, at the Aurora Town Hall.

The Board was represented at the inquest by Jason Fraser, Manager, Legal Services for York Regional Police.

The Purpose of a Coroner's Inquest is to Determine Questions of Who, What, When, Where and How Regarding the Death of the Deceased

Under the *Coroner's Act*, the purposes of a Coroner's Inquest are to determine:

- (a) who the deceased was;
- (b) how the deceased came to his or her death;
- (c) when the deceased came to his or her death;
- (d) where the deceased came to his or her death; and
- (e) by what means the deceased came to his or her death.

With respect to the above questions, the jury in the Jeffrey Black Coroner's Inquest determined that the identity of the deceased was, in fact, Mr. Black. With regard to the circumstances of Mr. Black's death, the jury determined:

- Mr. Black died on October 18, 2005 at 1:17 a.m.
- Mr. Black died at Scarborough Grace Hospital, Toronto, ON
- Mr. Black's death was caused by gunshot wounds to his abdomen; and
- Mr. Black's death was a "homicide"

The Coroner's Jury Recommended That More Police Officers Should Carry Tasers

A jury in a Coroner's inquest can also make recommendations directed to the avoidance of death in similar circumstances or respecting any other matter arising out of the inquest. In this particular case, the jury made recommendations to the Ministry of Community Safety and Correctional Services and to York Regional Police. The recommendations, which were released on January 29, 2009, are as follows:

To the Ministry:

1. The Ministry should amend the necessary laws, regulations or guidelines so that they permit front-line primary response police officers to carry Conducted Energy Devices (Tasers) as an additional intermediate weapon in order to provide another alternative to the use of lethal force.
2. The Ministry should provide funding to ensure that all officers who are provided with Conducted Energy Devices (Tasers) receive appropriate training on its uses and refresher training at appropriate intervals.

To the York Regional Police

3. The YRP should provide Conducted Energy Devices (Tasers) to all officers permitted by law to carry such weapons.

For the Board's information, police officers holding the rank of Supervising Sergeant are permitted by law to carry Tasers; at the present time the only YRP officers who carry these weapons are those who are assigned to the Tactical Unit.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

CONCLUSION

A Coroner's Inquest was conducted into the death of Jeffrey Black. It confirmed that Mr. Black died from gunshot wounds on October 18, 2005, at Scarborough Grace Hospital. The Inquest jury recommended to the Ministry of Community Safety and Correctional Services that the laws be amended in the Province of Ontario to allow all primary response police officers to carry Tasers, and that upon such amendment the Ministry provide funding for training. The jury further recommended that YRP should provide Tasers to all officers permitted by law to carry such weapons.

Dan Kuzmyk
Senior Counsel

Joy L. Hulton
Regional Solicitor

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