

Police board, lawyer question SIU after trial

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York Regional Police Chief Robert Middaugh.

"This was a tragic situation, with a life lost and others never the same and it's time for the healing process to begin," he said.

He said the force has gone through the emotional ups and downs of this case for more than two years, but officers have done a good job despite the cloud hanging over them.

"Officers have risen out of it and the force has risen out of it to give the same quality service all along," he said. "This was a six-week trial with a lot of tension in the organization, and officers rise to their professional best as they always do."

Martin's lawyer, David Humphrey, called the verdict well-deserved for a deserving client.

"There was a tremendous amount of relief (Tuesday)," he said. "We have always had great confidence that when they saw and heard the evidence the jury would have no choice but to decide Randy shot in self-defence."

But both Black and Humphrey said they remain concerned about the effect of the trial on officers who may feel they'll be under scrutiny for using their firearms, even in self-defence.

"There's a danger police officers may not react as quickly as they should for fear of someone second-guessing that use of force," Humphrey said. "There's something very artificial and unfair about the weeks of review in a calm of a courtroom of events that unfolded in a matter of seconds and decisions made in split-seconds."

Black said while the case was a tragedy, she is pleased with the not-

guilty verdict.

"Our officers need to know when they draw their guns they won't be second-guessed. If they are second-guessed every time, they may become nervous about using them."

Middaugh echoed Black's concern about the SIU, especially in light of several obvious failings on the part of investigators in this case, including the fact one of the first to respond to the scene had been drinking.

"I believe in an outside review and accountability process and I still believe it; that hasn't altered," Middaugh said. "If we're going to have this type of unit doing these investigations, the least we expect is a quality investigation. I can't say I'm overly happy with this particular investigation, as an example the officer

that showed up who had been drinking."

Black agrees.

"There were problems in this particular investigation and it's about time the province realizes it has to get serious about putting money into the SIU for quality people to have the funds and resources they need to do the job," she said.

"The question we need to ask is could such a review be done by another force with equal status?"

Humphrey went even farther.

He said he's been involved in two cases where the SIU has laid charges against police and in both, investigators withheld or misled judges to obtain arrest warrants. Neither case resulted in a conviction.

"Should someone scrutinize the way the SIU conducts investigations? Yes. Someone should hold them accountable the same way they very quickly hold police officers accountable," he said.

Const. Keith Aubrey, vice president of the York Regional Police Association, called the verdict "great."

He said the association has always been behind both officers.

"We've been fully supportive from day one and we will continue to provide emotional support as long as they need it."

Humphrey said Martin will take some time over the holidays to take stock and decide what his future holds. Hoskin is expected back on the job in the traffic unit.

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