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Mental health experts have high expectations for police use-of-force report

There is cautious optimism the Iacobucci report, due Thursday, could provoke real change, including better police training and more emphasis on de-escalation.


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Demonstrators asking for reforms of police use-of-force policies marched downtown in the company of shooting victim Sammy Yatim's family last August.

By: **Wendy Gillis** News reporter, Published on Wed Jul 23 2014

It was an honest, and rare, admission. In an address last August to Torontonians freshly enraged by his force, [Toronto Police Chief Bill Blair announced that the time had come to seek outside help.](#)

In the preceding weeks, Sammy Yatim was fatally shot by Toronto police Const. James Forcillo, and the 18-year-old's alarming death in a hail of bullets was disseminated for the world to see through bystander video posted online.

Within days of his July 27, 2013, shooting, Yatim's death had become a rallying point, prompting widespread outrage, raising questions about police conduct, and sending hundreds marching down Toronto streets demanding justice — and change.

And so, in an unusual move, Blair commissioned an independent review of the Toronto Police's use of force against mentally ill and emotionally disturbed people. Struck to examine police policies and practices, the review was intended to produce recommendations Blair assured would be "a blueprint for the TPS in dealing with this serious and difficult issue in the future."

"I don't think I have to do this," he said at the time. "I think it's the right thing to do."

Prepared by [former Supreme Court Justice Frank Iacobucci](#), the report will be released Thursday, three days short of the first anniversary of Yatim's death.

Its 84 recommendations follow nearly a year of research and consultation that cost just short of a million dollars.

Though there are concerns among experts and advocates that Iacobucci's work will be yet another report destined to collect dust on the shelf, there is also cautious optimism that it could provoke real change.

The Star asked some of those consulted by Iacobucci to highlight recommendations

they hope to see.

- Emphasize de-escalation and improve police training

Several experts stressed a need to discourage police from solely issuing what's known as the "police challenge" when confronting a mentally ill person with a weapon.

Instead of shouting orders — usually to "drop the weapon" — police need to be trained to consider defusing a tense interaction by showing understanding and offering help.

In a submission to Iacobucci, lawyer Peter Rosenthal, who has represented families of police shooting victims at many inquests, criticized officer training, saying that it "inexplicably" does not suggest attempting a more sympathetic approach.

Rosenthal implored Iacobucci to double down on the recommendations of a [recent inquiry into the police shooting deaths of Toronto residents Reyal Jardine-Douglas, Sylvia Klibingaitis and Michael Eligon](#), that, where feasible, officers be trained to consider offering verbal help to a person in crisis.

"There should never again be a Toronto police killing that could have been prevented by verbal de-escalation," Rosenthal wrote.



Julian Falconer — [the lawyer for Sammy Yatim's mother and sister](#) — hopes to see substantial changes to police training that would allow for a more nuanced approach in determining a threat.

Current training, he said in one of two submissions to Iacobucci, allows police to use lethal force when confronted with a "very broad range" of potentially legal threats, including items as "innocuous as a pencil or scissors."

- Changes to Mobile Crisis Intervention Teams

Mobile Crisis Intervention Teams (MCIT) — mental health crisis units consisting of a uniformed officer and a mental health nurse — have played an important role in how Toronto police interact with people in mental or emotional distress.

While many applaud the MCIT program, critics say there are key flaws to be addressed, including their limited hours. At best, the teams are available from 6 a.m. to 11 p.m., meaning overnight crises cannot be attended.

Also the specialized team cannot be the primary responders; MCITs must allow regular police to first clear the scene to ensure there is no threat posed by violence or weapons.

That policy should be revisited, experts recommended. The teams should be enabled to attend calls involving weapons, because their expertise would increase the likelihood of a non-violent outcome.

- Include people with a history of mental illness in training

Jennifer Chambers, who advocates on behalf of Centre for Addiction and Mental Health clients, says the best way to address prejudice against a group is to give them a voice.

One of numerous recommendations made by her organization, the Empowerment Council, is to have people with experience of mental illness help in police training.

Having police hear what tactics work is greatly beneficial, Chambers said, and she would like to see a recommendation by Iacobucci calling for the Ontario Ministry of Corrections to supply resources for specialized training.

- No Tasers

Though Conducted Energy Weapons (CEW) — commonly known as Tasers — have been recommended as a solution to decreasing civilian deaths in police encounters, numerous submissions disagree.

The Criminal Lawyers' Association expressed concern the weapon would not be used in lieu of a gun, but rather as “an intermediate force option,” similar to how batons and pepper spray are used.

The CLA said that in situations involving armed mentally ill or emotionally disturbed people, there was a risk that officers would use a Taser “as a substitute for tactical communication (talking) or attempts to de-escalate, and ultimately as a tool to compel compliance.”