

**IN THE MATTER OF
The Police Services Act, R.S.O. 1990, c.P.15, as amended**

AND IN THE MATTER OF:

TO: Police Constable Irwin Correa (4669)

Hearing Date:

October 26, 2016.

Counsel:

Prosecution: Fredrick Schumann

Defence: Richard Diniz

DECISION AND PENALTY

I have had the benefit of reading the prosecution's submission on penalty together with the accompanying casebooks (Exhibits 18(a) and (b)), and the further oral submissions of both counsel.

The joint submissions as to sentencing in respect to the officers are accepted by this Hearing Officer following the facts, sentencing principles, and precedents as set out in Exhibits 18(a) and (b). The penalties pursuant to section 85(1)(d) of the *Police Services Act* will be as follows:

- For unlawful or unnecessary arrest – suspension without pay for a period of eight (8) days; and,
- For unlawful or unnecessary use of force – suspension without pay for a period of eight (8) days, to be served concurrently.

DATED at Toronto, this 8th day of November, 2016.

A handwritten signature in black ink, appearing to read 'W.S. Gonet', written in a cursive style.

Walter S. Gonet
Hearing Officer