

Adjudication under the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, Sched. 1 ("CSPA")

Between:

PEEL REGIONAL POLICE

Applicant

and

CONSTABLE CONNOR MACPHERSON

Respondent

OPAAC CONSENT ORDER

ADJUDICATOR: Catherine Hoffman

APPEARANCES:

For the Applicant: Sharon Wilmot, Counsel

For the Respondent: Marty Kirwan, Member Representative

Cst. Connor Macpherson

Held via Zoom: September 23, 2025

OVERVIEW

- [1] Peel Regional Police applied under s. 202(1), of the *CSPA* to OPAAC's Commission Chair to appoint an adjudicator to hold a hearing regarding adjudication regarding Cst. Connor MacPherson #4422, subsequent to a guilty plea and conviction on May 1, 2025, for operate a motor vehicle with excess blood alcohol [contrary to s.320.14(1)(b) of the *Criminal Code of Canada*].

- [2] Pursuant to s.202(1) of the *Community Safety and Policing Act, 2019*, I was appointed on August 19, 2025 as the Pre-Hearing Conference Adjudicator regarding this police discipline adjudication with respect to “Demotion and Termination” of a Police Officer.

- [3] An initial Pre-Hearing was held on September 12, 2025. The parties consented to a brief adjournment, with the goal of resolving the matter with an Agreed Statement of Facts and suggested penalty.

- [4] A 2nd Pre-Hearing was held on September 23, 2025 via zoom. Ms. Wilmot and Mr. Kirwan have filed documents for today’s adjudication and have proposed a joint submission to resolve this matter.

- [5] The Agreed Statement of Facts will be marked as Exhibit 1 and is signed by both counsel, and verbally agreed to by Cst. MacPherson via zoom recording. The Memorandum of Agreement will be marked Exhibit 2, and is also signed by both counsel, and verbally agreed to by Cst. MacPherson via zoom. These exhibits are pursuant to s. 202(8) *CSPA*.

- [6] Cst. Macpherson has confirmed: he has copies of these exhibits, which he has reviewed; he agrees to their contents; he understands the proposed disposition that is under consideration; and that the penalty will be posted on the Peel Regional Police website for a period of 3 months; and will be posted by OPAAC and disseminated to its Adjudicators.

- [7] The Agreed Statement of Facts (ASF) sets out that Cst. MacPherson did engage in Discreditable Conduct [Count 1], which constitutes misconduct pursuant to s. 195 of the *Community Safety and Policing Act*. This relates to the March 16, 2025 incident, when Cst. MacPherson, while off-duty, lost control of his vehicle striking a barrier in Milton, ON. When OPP officers arrived on scene, they observed evidence to arrest for Impaired Operation of a Vehicle. An additional charge of Excess Blood Alcohol was also laid by the police when 2 breath samples registered over the legal limit.

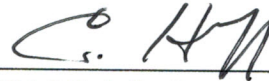
- [8] To summarize the ASF, on May 1, 2025, Cst. MacPherson pled guilty in Milton Court before Justice A. Maclure in Milton Ontario Court of Justice, to s.320.14(1)(b) of the *Criminal Code of Canada* (excess blood alcohol). The facts submitted for the guilty plea, and accepted by Cst. MacPherson include: he was the driver of a single motor vehicle accident at 5:30 am on the 401 collector lane into the barrier then ditch of the roadway. An off-duty Halton officer called 911, and there were other witnesses.

- [9] Cst. MacPherson immediately identified himself to the attending officers and EMS, there were heavy signs of impairment: slurry speech; extremely unsteady on his feet; odour of alcoholic beverage on his breath; paramedics had at times to assist him in standing; he stated he had hit something, refused medical attention. It was discovered that his dog had been ejected during the accident, and sadly, lost its life at the scene. Readings at 8:26 and 9:10 am registered 216 and 198 mg of alcohol per 100 ml of blood.
- [10] The Court imposed a sentence of a \$3,000.00 fine and a 12 month driving prohibition for having excess blood alcohol, [the impaired operation count was marked withdrawn by the Crown]. It as agreed by counsel, the Chief of the Peel Regional Police Service, Cst. MacPherson #4422, and his member representative, that being found guilty of this offence under the *Criminal Code of Canada*, and also pleading guilty to the above ASF, is contrary to section 4 of Ontario Regulation 407/23, Code of Conduct for Police Officers--and therefore constitutes misconduct pursuant to s. 195 of the *Community Safety and Policing Act*.
- [11] As set out in Exhibit 2, the Memorandum of Agreement, and pursuant to s. 202(8) of the *Community Safety and Policing Act*, the Parties, the Chief, and Cst. MacPherson have agreed to an imposition on consent of demotion for the substantiated misconduct, specifically:
- (a) A demotion from the rank of first class constable to the rank of second class constable for 20 months from today's date; at the conclusion of the 20 months, Cst. MacPherson will return to his prior rank.
- [12] Further, the parties agree that pursuant to s. 21(2) of O. Reg. 404/23: Powers of Pre-Hearing Conference Adjudicator, they consent to the Pre-Hearing Conference Adjudicator imposing a consent Order, including determinations on issues that would otherwise be determined at the related Merits Hearing, but have been settled by the parties.
- [13] After considering the exhibits filed, the submissions of the parties, and the relevant statutory and legal considerations, I agree that there is clear and convincing evidence of misconduct in this matter. The predicate criminal offence committed off-duty was serious in nature and outcome, there was strong evidence of impairment, the readings high, and specific and general deterrence must also be considered, as well as the reputation of the police force.
- [14] However, I also consider some of the mitigating factors in this case. Cst. MacPherson pled guilty to the criminal charge at a very early opportunity (only 1.5 months after the accident); he also agreed to take responsibility for police

misconduct at this Pre-Hearing only 2 weeks after the initial Pre-Hearing; there is no evidence of prior charges and/or misconducts; his expression of remorse and guilt today is accepted as sincere and credible—he recognizes the seriousness of what happened on March 16, 2025, and how much worse it could have been, which is not to diminish the actual harm that resulted from his decision to drive while having excess alcohol in his blood that day. This officer has taken every step to quickly admit responsibility, saving both Court and Hearing time and resources.

[15] I accept that the consent proposed demotion in rank from first class constable to the rank of second class constable for 20 months is an appropriate penalty in the circumstances—it will be so imposed. The demotion and its quantum, in this case, reflects the nature and seriousness of the misconduct, and is balanced by this officer's ability to reform and rehabilitate.

[16] I thank all of the parties for their advocacy and timely cooperation in resolving this matter.

A handwritten signature in black ink, appearing to read 'C. Hoffman', is written over a horizontal line.

OPAAC Adjudicator C. Hoffman

DATED : September 24, 2025