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February 16, 2026

Joseph Martino, Director, Special Investigations Unit

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Via Email: joseph.martino@ontario.ca

The Hon. Doug Downey, Attorney General of Ontario

McMurtry-Scott Building
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Toronto, Ontario M7A 2S9
Via Email: doug.downey@ontario.ca

Dear Minister Downey and Director Martino,

RE: SIU's Recent Failures Towards Families Across Nishnawbe Aski Nation (Feb. 2026)

I am writing to express my disappointment and shock at the SIU's disrespectful handling of several related investigations into the deaths of three Nishnawbe Aski Nation members at the hands of the police. The failures of the SIU and its leadership are most recently demonstrated by its callous neglect in publicly releasing the report into the death of Tyresse Roundsky of Wapekeka First Nation, without any meaningful advance notice to the family or our First Nations. Sadly, this mishandling of the SIU's mandate is the latest in a string of blatantly incompetent actions on the part of SIU leaders and investigators. These failures have led to a crisis of confidence in the SIU, and left our communities with more trauma, grief, and mistrust in the police than ever before. In particular, these latest developments have left the tight-knit, remote community of Wapekeka reeling in the face of unimaginable grief and tragedy.

The current situation is all the more disappointing in light of the decade in which NAN and Ontario spent working tirelessly together on the *Community Safety and Policing Act, 2019* ("CSPA"). At the time, we were promised the CSPA would ensure First Nations receive the same levels of safety and security as all other Ontarians. We believed Ontario's promises about a new era of policing, reflective of the unique needs and histories of First Nations – including, in particular, a promise of renewed accountability and cultural competencies within the various police oversight bodies.



Nishnawbe Aski Nation
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In fact, increased oversight and police accountability was something we advocated for, given the long and troubling history of failure by the oversight bodies to support First Nations, who have been traumatized by decades of police violence. Instead, the SIU's recent actions demonstrate how, when not properly administered, such bodies can retraumatize families and communities, and breed mistrust in policing institutions at large. It is difficult to pinpoint where it went so wrong, but the release of this most recent report only amplifies the alarm we have been sounding since 2024, when this tragic series of events began with the shooting of Bruce Frogg, and has left us where we are today: with the mistrust in the SIU at an all-time high across the NAN territory.

Series of Related Police Shooting Fatalities in the North

On June 25, 2024, 57-year-old Bruce Frogg was shot and killed by the Ontario Provincial Police in Kenora, setting off a chain of events that continue to reverberate throughout NAN territory. Bruce was a member of Wawakapewin First Nation, a small remote community with close familial ties to its neighbour, Wapekeka First Nation. At the time of the shooting, the family, along with NAN, held out hope that the SIU investigation would provide the family with some comfort in the wake of this tragedy. However, when the SIU released its report over a year later, in July 2025, we began realizing that the oversight of the police we had fought for was not what we hoped.

The decision by the SIU to clear the officer involved in Bruce's death was shocking and traumatizing for a family and community in the throes of grieving. The family, along with NAN, have rejected the findings of this report ever since its release, and the report's complete failure to consider key evidence pointing to an unlawful use of force. In particular, that includes the fact that none of the four other officers on the scene drew, let alone discharged their weapon – therefore undermining the officer's claim he saw a threat which justified firing his weapon. The SIU's inexplicable decision to clear the officer, despite the officer's own statement, moments after firing, that "I don't know if I made the right call", allows me to confidently say that the SIU did not make the right call in its findings. There can be no trust in a process where the SIU can justify a shooting with no evidence to back up that finding.

The investigation into Bruce's death has left his family and communities with more questions than answers. In a situation where increased oversight of the police should have provided our people a bit of comfort in the face of tragedy, it served only as a catalyst for more trauma, and increased mistrust of the police and the SIU to their highest levels in decades. As you are no doubt aware, this atmosphere across the North would lead to a domino effect of tragedy.

Following the SIU's decision to clear the officer in the shooting of Bruce Frogg, Bruce's son, Eric Nothing, a member of Wapekeka First Nation, was shot and killed in Deer Lake by the police on July 22, 2025, barely a year after his father's death (and shortly after the release of the SIU's careless report on that death). A little over a week later, 23-year-old Tyrese Roundsky was shot and killed in Wapekeka First Nation, in a makeshift courtroom in the community youth centre.

I provide you with this background to ensure you fully comprehend how these tragedies cannot be considered in isolation. The failure of the SIU through its shoddy investigation into the death of Bruce Frogg has had significant, lasting impacts across the North, decimating any trust in the SIU. It is important you

understand this context, in light of the SIU's latest failings in their handling of the release of the Roundsky Report last week.

The Incompetent Handling of the Release of the Roundsky Report

On February 11, 2026, the SIU released its Director's Report regarding the OPP shooting fatality of Tyresse Roundsky on July 31, 2025, at a youth centre in Wapekeka First Nation. The Report found that, while there were no grounds to believe the officer committed a criminal offence, the matter should be referred to the Law Enforcement Complaints Agency (LECA) over the failure to render first aid in a timely manner to Mr. Roundsky.

My purpose here is not to provide comment on the findings of the report, which will come, but to highlight the complete failure of the SIU to treat the family with any respect in the process. Shockingly, the family was forced to learn the outcome of the investigation – including the SIU's decision to clear the officer, and the very disturbing revelation that the officers on scene neglected to even try to provide first aid for nearly forty minutes – on social media, after the SIU failed to make any meaningful effort to properly brief and sensitize the family about its findings.

These complete failures of the SIU lie in stark contrast to its express commitments to deliver culturally competent, supportive services to families and communities affected by police shooting fatalities. The gap between the SIU's stated goals, and the reality experienced by First Nations families, raises serious concerns about whether the SIU is truly equipped, or willing, to provide culturally competent services to individuals in their most vulnerable moments.

Broken Promises and a Culture of Mistrust

As I stated at the beginning of my letter, the culture of mistrust created by the SIU's incompetent investigations is all the more disappointing given the promises made by Ontario to ensure its policing oversight agencies are culturally competent, and accountable to the communities they serve.

When I sat down with Ontario in 2015, I believed that we were working together to fulfill the same objectives: to develop legislation that would be responsive to the unique history and culture of First Nations, and recognize that the safety and security of everyone across Ontario includes the safety of everyone on First Nations reserves. These beliefs are reflected in the preamble of the *Community Safety and Policing Act*, as well as the "opt-in" mechanism available under s. 32 of the *CSPA*, and in the consultation requirements outlined in sections 38(3) and 39(3), which require police boards to work with First Nations in their service area. I was given assurances time and time again that Ontario was taking steps to ensure First Nations cultural competencies were present across its policing oversight agencies. It would be logical to believe that the agencies meant to provide oversight would be governed by the same principles as the police agencies they are mandated to investigate.

Instead, despite the SIU touting the existence of a "First Nations, Inuit, and Metis Liaison Program", it is my understanding there exists no Indigenous Advisor or Indigenous Liaison employed by the SIU whatsoever. These latest actions also suggest a level of backsliding that recalls the worst findings of the 2008 Ombudsman Report, *Oversight Unseen*, which, as you should recall, found that the SIU was hampered by complacent

culture, lack of rigour, and routine delays undermining its ability to provide timely, credible police oversight. That report also found that the SIU's culture is driven by its disproportionate reliance on ex-police officers, in the absence of civilian employees with ties to affected communities. I worry that the same patterns are, once again, playing out today.

The hope and optimism that we had for this new era of policing is waning quickly, and unless there is accountability for the SIU, it will revert to the era of deep mistrust towards the police, as well as the oversight bodies responsible for monitoring them.

Conclusion

Given the way the Tyresse Roundsky Report was released, we will now be taking the time to carefully review its contents before commenting directly on the SIU's findings. However, given the shockingly poor job done on the Frogg investigation, I have no reason to believe this latest report will demonstrate any improvement on the part of the SIU or its investigators.

Coming so soon after the SIU's careless investigation into the Frogg shooting, the profound failures towards the Roundsky family and the community of Wapekeka only adds to the failing reputation of the SIU. I find it unbelievable that a government who worked to ensure First Nations have equal access to safety and security could stand by and allow the failures of the SIU to be swept under the rug.

As Director of the SIU and as the Attorney General of Ontario, it is imperative you accept responsibility for these failings, and work with First Nations to do better. The crisis of confidence in the SIU cannot be addressed without taking immediate steps to address these failures and your many broken promises. I look forward to hearing from you soon.

Sincerely,

NISHNAWBE ASKI NATION



Grand Chief Alvin Fiddler

cc. *Ophelia Mamakwa, Family Member Representing Roundsky Family*
Chief Brennan Sainnawap, Wapekeka First Nation
Chief Anne-Marie Beardy, Wawakapewin First Nation
Michael Kerzner, Solicitor General of Ontario
David Corbett, Deputy Attorney General of Ontario
NAN Executive Council