

Police must drop the charges and apologize

If the members of the Hamilton Police Service are trained to handle medical emergencies why did they so epically fail Marcus Charles? Lyla Miklos asks.

By Lyla Miklos

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On Oct. 2, 2022 emergency services were called to provide medical care at the [Canadian Tire on Victoria Street because Marcus Charles](#), an employee diagnosed with epilepsy, was having a seizure. The paramedics who responded to the call reached out to police for assistance saying that the patient was violent. Videos shared by the media showed multiple officers pinning Marcus to the ground and tasing him.

After Marcus woke up at the hospital an officer handed him a paper listing three assault charges and told him that he couldn't leave the hospital until he took the papers and signed them.

Hamilton Police Services (HPS) spokesperson Jackie Penman issued a written statement saying: "Hamilton police have obtained video that shows the entire incident and the officers' actions were appropriate to the situation they faced."

Canadian Epilepsy Alliance President Cynthia Milburn said there's a good chance the situation might have been resolved differently if both police and paramedics had stronger training around epilepsy.

The Edmonton Epilepsy Association's First Aid Hand Book on Epilepsy and Seizures includes this guidance: Protect from injury; if necessary, ease the person to the floor; move hard or sharp objects out of the way; place something soft under the head; DO NOT restrain the person; after the seizure, talk to the person reassuringly; do not leave until the person is re-oriented.

Customers of the store described Marcus as a caring employee. The owner of the store said he was well-liked, not violent, and welcome to return to work when he was well enough.

Spec columnist [Margaret Shkimba](#) wrote: "The police defend their actions as appropriate, of course. The question before me is: have the police lost their minds? Are they so insulated against the rest of us that they can't see the insanity

behind this action? There is no reason for police to attend a medical emergency. It's not a crime to suffer from a health issue. Once the police show up, they take charge. They are not trained in medical emergencies or in patient care. They are trained to take people down."

HPS [Chief Frank Bergen rebutted](#) Margaret's column with his own saying: "The article states there is no reason for police to attend a medical emergency as it is not a crime to suffer from a health issue. Hamilton Police members are trained to respond to medical emergencies since we are often first on scene. We administer naloxone to overdose patients, apply tourniquets to wounds, conduct CPR on individuals and perform life-saving measures on car accident victims every day."

So if the members of the HPS are trained to handle medical emergencies why did they so epically fail Marcus Charles?

The Hamilton Anti-Racism Resource Centre, Hamilton Community Legal Clinic, Hamilton Centre for Civic Inclusion, Afro Canadian Caribbean Association of Hamilton and Disability Justice Network of Ontario released a joint statement with a list of questions including "Why was the victim, under medical distress, charged criminally?"

In 2017, I attended [Yosif Al-Hasnawi's](#) memorial service and felt a deep sense of shame. My community failed a young racialized man in his time of need. We failed Marcus Charles, too. The PTSD that he and his coworkers will now suffer is unforgivable. More unforgivable, Hamiltonians who witness someone having a seizure will now hesitate to call 911 for help.

The HPS must drop the charges against Marcus Charles and apologize. We must ensure that the HPS uphold their motto: "To serve and protect in partnership with our communities."

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