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Drunk-driving Peterborough police officer charged with discreditable conduct, will face hearing



By **Jason Bain**, The Peterborough Examiner
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A city police officer who pleaded guilty to impaired driving earlier this year will face a Police Services Act hearing Thursday morning after being accused of discreditable conduct.

Const. Brock Boynton, who was off-duty at the time, was arrested Dec. 9 after he was found by paramedics asleep in his vehicle.

A concerned citizen called 911 at about 5:40 p.m. after finding a man slumped over in the driver's seat of a vehicle stopped on Chemong Rd., south of Milroy Dr. City police were also investigating a report of an erratic driver in the north end.

Boynton, who was placed on administrative duties after his arrest, entered a guilty plea Jan. 18 before Justice John Payne in Peterborough Ontario Court of Justice.

The 31-year-old, a city police officer for six years, was ordered to pay a fine of \$1,750, with a \$525 surcharge, and had his driver's licence suspended for one year. Boynton is to appear before a hearing officer Thursday at 10 a.m. at the Holiday Inn on George St.

No further information will be released about the case, city police said.

Toronto lawyer Joseph Markson, who has extensive experience representing police officers charged with criminal and Police Services Act offences - including a city police officer last year - provided a neutral explanation of what happens in such cases.

There are a number of different definitions of discreditable conduct, but the most common involves being found guilty of a criminal offence, the Bay St. lawyer said. Penalties, for those found guilty, can range from a reprimand to a demotion.

"You're not going to see termination in a case of this kind," Markson said.

Such demotions can last anywhere from six months to two years, although one year is the most common, he added.

Markson is counsel for the Peterborough Police Association - as well as several other police associations across Ontario - and happened to be in the city Monday for a meeting when reached by *The Examiner*. He is not involved with Boynton's case.

Such cases are basically employer-employee discipline, Markson explained. Most employers of every day citizens would not have such recourse, however, the Police Services Act holds police officers to a higher professional standard.

Such charges can have a profound impact on an officer's career.

Often, an early guilty plea is part of an exemplary response, Markson said. "We're all disappointed when a police officer makes this kind of error of judgment. But, what I often say is ... you've fallen down and it is how you get up that will be the measure. It is how you respond to this."

An early acceptance of guilt sends a strong message that a client understands the gravity of what happened and is willing to take responsibility for it before continuing to contribute to the betterment of the community, he said.

A good police officer will put the experience behind them before returning to service to continue representing the positive values of good policing, Markson added, pointing out how important of an asset police officers are to any community.

They are human, after all, he said. "When someone stumbles ... the community must recognize that we can all put this behind him or her."

The Bay St. lawyer has witnessed many officers who have been charged become inspired to approach policing with renewed vigour. Often, they

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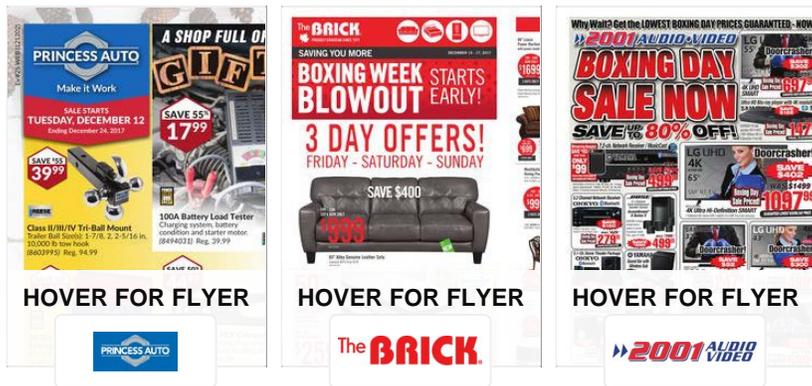
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become fairer in their dealings with the public as a result of their experience, he said.

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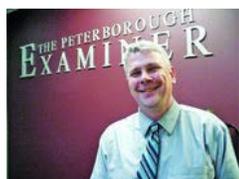
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