

## CHAPTER 1

# Wrong time, wrong place

On March 3, 2004, the last day of his life, Brenton Charlton drove his mother to her job as a personal support worker looking after residents of a Toronto nursing home. At 31, Charlton still lived at home and was considered a bit of a mama's boy. Before driving away, he told his mom he loved her and waved goodbye.

When he returned home, Leonard Bell was there, repairing the weather stripping on the front door of the modest, two-storey house in the Scarborough section of Toronto.

Bell, then 43, had met Charlton's mother, Valda Williams, after he emigrated from Jamaica to Canada in the mid-'90s. Both came seeking a better life and, in part, to escape the crime and violence in their homeland, a country with one of the world's highest murder rates.

They both came to Toronto. It was considered one of North America's safest cities, though statistically the chances of becoming a homicide victim jumped substantially for those who were young, male, black, disadvantaged and involved in what the police referred to as the "criminal lifestyle."

## The Day Everything Changed

On this Wednesday in March, Charlton was on a day off from his job as the manager in one of the concession stands at the SkyDome. Bell, a skilled tradesman who did home renovations, finished the work on the door and agreed to keep his friend company as Charlton ran some errands.

Charlton stood six feet tall and had an athletic build after years of playing football, basketball and cricket. He wore his hair closely cropped and, on that day, dressed casually, a pair of corduroys and a fleece jacket over a T-shirt. Bell wore jeans and a light jacket over a grey sweatshirt. He also kept his hair short and had a trim beard. Neither man was wearing a hat.

They drove in Charlton's 2002 blue Chrysler Neon to a nearby bank, where Charlton applied for a line of credit. He wanted the money to take his girlfriend to Florida.

It was after 5 o'clock, nearing sunset, the streets clogged with evening rush-hour traffic as the two men headed for Bell's apartment. They chatted about a variety of things. Charlton said he was thrilled that his mother, who had never married, had recently started seeing a man with whom she was happy and appeared to have a future. "He was very supportive and looking forward to having him around," Bell recalled.

On Neilson Road, as the men approached Finch Avenue, the light turned amber and Charlton, driving in the centre lane, hit the brakes. Bell gently teased him about not trying to beat the red light when he suddenly felt a jolt in his back and pitched forward. "At first, I felt we were being rear-ended, but I kept hearing the continued explosions and realized it was gunshots," Bell recalled later. Charlton pushed open the driver-side door and stumbled a few metres before collapsing on the hard, cold median. As the Neon began to roll forward, Bell reached for the handbrake. But his left hand was useless. He reached across and used his right hand to bring the car to a stop in the middle of the intersection.

Toronto pastor Juliette Wallace heard four distinct popping noises as she climbed onto a bus with her fare in hand. She and other passengers

stepped off the bus. They saw Charlton, covered in blood, lying face-down on the median.

Wallace spotted a passenger in the front seat of the Neon with blood running down his neck. She rushed to him and reached inside the shattered window. Bell was conscious and told her: "I'm getting numb. My back. I got shot." He told her he was dying.

"I said to him, 'Hold on, hold on, you won't die. Keep praying for Jesus to help you.'" Bell asked her to call his family. They prayed together until paramedics and police arrived.

The Toronto Police Service operated on a computerized dispatch system, assigning an event number to every incident. All calls to 911 are recorded. On March 3, 2004, at about 5:20 p.m., there were several calls about a shooting at the intersection of Neilson and Finch, in front of the Free Presbyterian Church.

The callers included a Toronto Transit Commission driver who reported that one victim was lying on the road in the intersection and a second was inside a Neon with the licence plate AMWX 820. A woman reported seeing a man lying in the road and a black SUV speeding through the intersection. She didn't get the licence plate number or supply a description of the occupants.

Surveillance cameras north of the intersection recorded images of what appeared to be Charlton's Neon being tailed by a black SUV and a silver Chevrolet Impala. Police said later they believed the SUV to be an older model Nissan Pathfinder. But the footage failed to focus on the licence plate or any people in the vehicles.

By the time police arrived, Charlton was dead. An autopsy would find three slugs had hit him. The kill-shot had perforated his right lung and aorta.

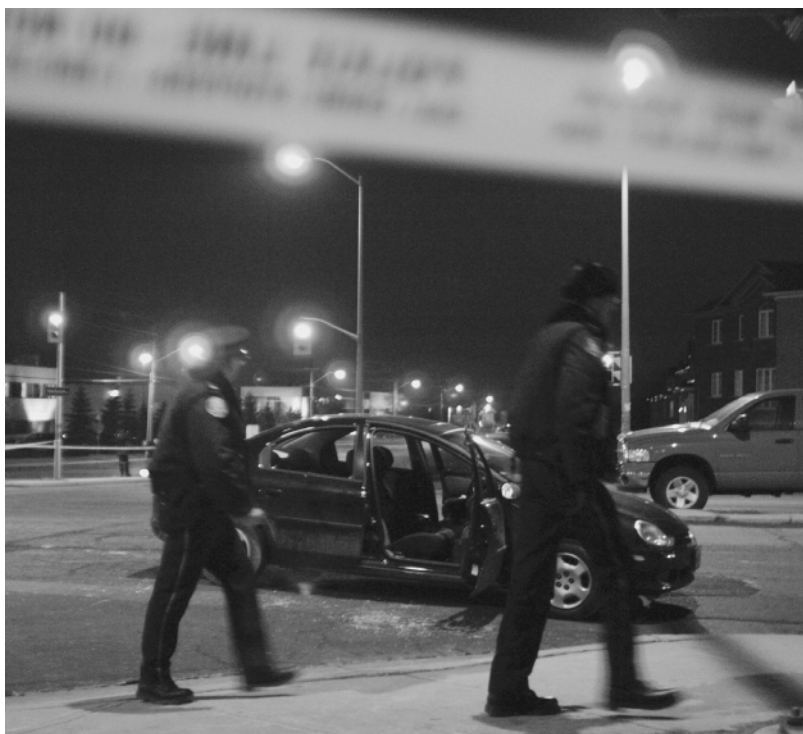
Bell was rushed to Sunnybrook Hospital, which handles some of the most serious trauma cases in the country. He had four gunshot wounds to his back, two to his left shoulder and what appeared to be two bullet grazes to his neck and head.

Forensic firearm tests determined that at least two, and up to six, guns were used in the assault on the Neon. But police couldn't be sure how many shots were fired. Detective Gerry Storbeck collected slugs from the car at the scene, placing wooden dowels into the holes to show

the direction of the shots, suggesting they came from behind the Neon. But no shell casings were found. This was not entirely surprising. In some cases, criminals put a sock over a gun so the shells land inside. Alternatively, if a gun were fired from inside a vehicle, the casings would land inside that vehicle.

## Excruciating Pain

Bell had company that night in Sunnybrook's busy trauma centre where doctors were treating three other gunshot victims. His fiancée, daughter, and ex-wife arrived to a chaotic scene of other frantic relatives trying to find out about their loved ones. Bell was having trouble breathing—fluid was building up in his lungs—so the doctors inserted a chest tube down his throat without using anesthetic. “I was in excruciating pain,”



Police walk by Charlton's bullet-riddled Neon on March 3, 2004.

he said. After undergoing tests and X-rays, he was moved into a room with a police guard posted outside the door.

He would later recall “the look of fear on my younger . . . daughter’s face when she had to come see her father riddled with bullets, lying in a hospital bed and told ‘Your father is in a critical state’; having to see the pain and constant tears in the eyes of my then-fiancée, now my wife, the months of work hours she lost to be by my side all the time without complaint. She suffered many sleepless nights and what seemed like endless crying as she watched me in pain and agony.”

Bell remained in Sunnybrook for four-and-a-half weeks, during which time his lung collapsed—another chest-tube was inserted—and he developed pneumonia. He didn’t have any surgery until three months later, when doctors extracted two of the bullets. Four bullet fragments remained in his left lung. He would later go to Scarborough General Hospital for a consultation to have them removed. A doctor “looked at me and said, ‘You people are always killing each other.’ I got up, said thank you, and walked out. Never had that surgery.”

Still, Bell would hang on to his faith in God and country. He credited his survival to prayer. “I’m not mad,” he said years after the shooting. “I trust in God and I’m going to rely on the justice system to make things right.”

## A Gangland Connection

Bell told police he had no idea why anyone would try to kill him or Charlton. He said he did not see the vehicle that pulled alongside the Neon, or who was in the SUV.

In the hours after the shooting, police conducted criminal record and background checks on the victims. They were quickly convinced a couple of innocent men had been gunned down.

“There was absolutely nothing on either of them that showed up or gave us any reason for why they would have been targeted,” homicide detective Wayne Banks recalled years later. He and partner Al Comeau were assigned to the case. The story was on the front page of the *Toronto Sun* and *Toronto Star*. The *Star* ran it under the headline: “We aren’t safe—It’s so frightening,” quoting a woman who lived nearby with her

three children. Both newspapers mentioned other recent shootings in Malvern, an area in the northeastern part of Scarborough plagued by gun violence. The cops had no idea who was responsible for the brazen attack.

“We had no suspect description,” said Banks, and noted that the vehicle description was almost non-existent: all they knew was that it was a black SUV.

He was instantly struck by the brutality of shooting two people going about their lives, for no apparent reason. The timing—during a Wednesday night rush hour and not under the cover of darkness—also bewildered police. But Banks was certain there was a gangland connection. “It had gang written all over it from the get-go.” Comeau agreed it was a “targeted” ambush, with all the hallmarks of an American drive-by gang shooting. But how could you explain the fact the victims were not in any way connected to gangs?

Most gang beefs play out over drug turf, or perceived disrespect. Yet the loss of innocent lives, while rare, is not unheard of, as gangs protect



A distraught Valda Williams leaving the funeral for her son, Brenton Charlton.

their territory and criminal enterprises from rivals with intimidation, threats, assaults and murder.

Both seasoned investigators in their mid-40s, Banks and Comeau knew that any killing related to gang activity would be tough to solve in an environment where “no snitching” was the code of the streets.

The day after the shooting, police put out a news release that concluded: “Brenton Charlton, Homicide #10 of 2004, and Bell, appeared to have no involvement in any criminal activity or gang-related activities. It is believed that both are hard-working family men and well respected by their friends.” The news release also contained some emotional language, beyond the by-the-book recitation of the facts generally employed by the Toronto Police Service’s public relations department. It said the shootings had “struck this city in the heart.”

Ten days later, at the Malvern Christian Assembly, friends and family gathered for the funeral. “Oh God, I have nothing left,” cried Valda Williams as she followed her son’s casket out of the church. She was so overwhelmed by grief, she needed family and friends to hold her up.

“Black people, stand by your youths,” the 600 mourners were told. “If they’re doing wrong, tell them they’re doing wrong.” Charlton never had to be told to do the right thing.

