

## News

# Questions haunt slain man's family

**James Maltar shot by OPP in holding cell during struggle**

**Siblings wonder why non-lethal weapons or pepper spray not used**

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The siblings of a man who died after being shot in the head in an OPP holding cell on Sunday are reeling from the loss of their "Jimmy," the big brother they could always count on.

James Maltar had just celebrated his 45th birthday last Tuesday, five days before he was killed during a struggle with police.

"I haven't felt this empty since we lost

our parents 11 years ago," said Rob Maltar, 41.

He last saw his brother on his birthday, when the two met near their Bowmanville-area homes. James Maltar, a painting contractor who had a bipolar disorder, spoke with excitement about his plans for the future, which included moving west and finding new work.

Maltar was pulled over on Highway 403 near Erin Mills Parkway in Mississauga around 10 p.m. Sunday and taken into custody when he refused to identify himself, police said. An officer was attempting to put him into a holding cell at the Port Credit detachment when a struggle broke out. A second officer ran in to help and shots rang out moments later. Maltar was pronounced dead at hospital a short time later.

Rob and his sisters Anna and Margaret can't believe anyone could harm

their brother. Throughout a tough childhood — there was no food on the table half the time, said Anna — James took responsibility for his younger siblings while their parents worked.

He also faced his own personal struggles, including an ongoing battle with bipolar disorder, and spent many years on and off medication. The condition causes extreme shifts in mood and energy level, from manic highs to depressive lows, and can lead to impulsive or erratic behaviour.

Anna knew something was wrong when her 40th birthday went by this past Tuesday without a phone call from her brother, but the family wasn't notified by police of his death until Wednesday afternoon, nearly three days after he was killed. Other questions haunt the family. They want to know why non-lethal weapons, like Tasers or pepper spray, weren't used,

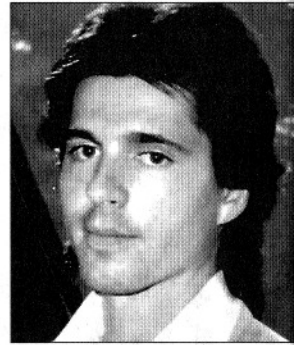
and why their brother was shot in the head instead of an arm or leg.

He'd had minor encounters with police, they said, including a traffic violation in Oshawa, but the 5-foot-9, 170-pound man had no history of aggression. "Our brother was not violent by any means. He was afraid of conflict," said sister Margaret tearfully. "(Did police have) no other option?"

With his mental illness, Anna said, it's possible he was disoriented enough when stopped by police that he was unable to identify himself.

The OPP said Maltar was stopped because his car had no licence plates, but Rob said the car had plates on it from Illinois, where his brother recently lived with his American wife and her five children. The renewal sticker on the plates had expired, he said.

The Special Investigations Unit is investigating.



James Maltar, 45, shown in an undated photo, was killed during a struggle with police in a Port Credit jail cell Sunday.