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MD felt officer was being 'unfair'

Alleges offer to drop charges against detective

Dave Battagello, The Windsor Star

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A Windsor doctor testified Tuesday he felt he was being "bullied" by police to drop an assault complaint against a city cop.

Dr. Tyceer Abouhassan told a Police Act hearing that he bristled at an offer by two officers to drop an assault charge he faced in exchange for abandoning his complaint against Det. David Van Buskirk.

"I thought the offer was unfair. I was being bullied," Abouhassan said. "I didn't do anything in the first place. I felt I was being cornered to drop the charges.

"My understanding at that time was it was clear from the video and eyewitnesses it didn't happen like Van Buskirk's account of the situation."

Staff Sgt. Paul Bridgeman and Staff Sgt. Pat Keane have been charged with discreditable conduct in the case.

Van Buskirk is facing criminal charges stemming from an April 22, 2010, altercation with Abouhassan outside the Jackson Park medical centre.

The Windsor-born endocrinologist was jogging from the Walkerville train station to his family's home in South Windsor when Van Buskirk confronted him outside the health centre.

Abouhassan, who is visually impaired, suffered head injuries, a broken nose and detached retina. He required emergency surgery.

Police have remained tightlipped about why Van Buskirk confronted the doctor.

Lawyer Tony Barile testified he met twice within several days in late April 2010 with Abouhassan, who turned to him for help after being charged with assaulting a police officer.

Between those two meetings Barile viewed a building security camera video which captured the confrontation.

He said he also interviewed several witnesses he believed had evidence that would clear his client.

Keane was the first to call and a couple of days later he was approached by Bridgeman in the same manner, Barile testified.

Both offered a deal to drop the assault charge against Abouhassan in exchange for the physician abandoning the assault allegations against Van Buskirk, the lawyer said.

Barile said that during a meeting with Abouhassan he told the doctor about the evidence he had acquired pointing to his innocence and also presented the police offer.

"I told him an offer was advanced that if he didn't pursue charges against Van Buskirk, charges on him would be withdrawn," Barile testified.

"My advice was not to accept the proposal and he followed my advice."

Barile testified he called Keane with the decision and told him Abouhassan would be filing a complaint against Van Buskirk and wanted a formal criminal charge.

"He had no reaction; he was cordial," Barile said of Keane. "He thanked me for letting him know and that was the end of it."

Within a few weeks Barile and Abouhassan filed complaints with the province's Special Investigations Unit, an independent police watchdog, and the Windsor police professional standards branch.

Their investigation led to charges against the two officers.

Abouhassan said he learned of the offer through Barile and never spoke directly with police about it.

The hearing was adjourned after lawyers for Keane and Bridgeman asked for time to review Barile's notes before questioning the lawyer. It will resume on Nov. 28 at 10 a.m.

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