

THE VANCOUVER SUN

Windsor mayor shares concerns over police beating lawsuit

By Sarah Sacheli, Postmedia News October 27, 2011



Dr. Tyceer Abouhassan leaves a Police Act hearing at the Major F. A. Tilston, V.C. Armoury and Police Training Centre in Windsor, Ont., on Tuesday, Oct. 25, 2011. Photograph by: Tyler Brownbridge, The Windsor Star

WINDSOR, Ont. — Windsor, Ont., Mayor Eddie Francis says he shares concerns about the integrity of the Windsor Police Service in the wake of allegations that officers tried to cover up a case of police brutality by laying bogus charges against an innocent man.

"I am not happy," the mayor said when asked about the allegations contained in a \$14.2-million lawsuit filed in Superior Court by Dr. Tyceer Abouhassan.

Abouhassan says he was minding his own business April 22, 2010, jogging from the train station to the Jackson Park Medical Centre where he was scouting out potential office space, when he was set upon by a man he later learned was Det. David Van Buskirk.

Van Buskirk, allegedly called to the area by his daughter after she was harassed by a man, broke Abouhassan's nose, detached his retina and gave him a concussion.

The doctor's lawsuit says Van Buskirk filed a bogus report alleging the doctor assaulted him and that other officers backed up Van Buskirk's version of what happened despite video surveillance and eyewitness reports to the contrary.

"Many people are forming their opinions and are concerned," Francis said Thursday. "I would share the fact that I do have concerns."

Francis, who is head of the Police Services Board, said he had to be careful not to say too much about the case. "The reason I am measuring my words is because this is a criminal matter. There is the likelihood of two, three, probably more Police Act matters and there's an ongoing civil matter.

"The last thing I want to do is interrupt the due process and have my words used as an excuse why due process can't be afforded the parties."

After a provincial investigation into the case, Van Buskirk was charged with assault causing bodily harm and public mischief. Meanwhile, charges against the doctor were stayed.

Two officers, staff sergeants Patrick Keane and Paul Bridgeman, face Police Act charges for discreditable conduct for allegedly using the trumped-up charges against the doctor to coerce him into dropping his complaint against Van Buskirk.

In all, Abouhassan's suit names 10 officers he says were involved in framing him to protect one of their own.

"There are so many people involved and there are so many issues," Francis said.

Police Chief Gary Smith said Thursday his force has been as transparent as possible since the allegations arose. "We have been as open and honest as possible," he said.

He said he is concerned about his force's reputation, but noted that up to now there have been no other officers charged under the Police Act regarding the incident.

But Francis said he is "certain" that will change. Other Police Act hearings are pending, he said.

Yet Francis urged residents not to lose faith in the police service. "All I can do is reinforce the fact that we have a group of dedicated men and women that put their lives on the line every single day," he said. "The success of their work is often in the stories you don't hear about."

He encouraged people "not to pass judgment on the rest of the force based on the actions of some."

With files from Dave Battagello

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