

# Windsor police chief abruptly resigns

December 22, 2011

**Betsy Powell** Courts Bureau

Windsor Police Chief Gary Smith abruptly announced his retirement Thursday amid controversies facing the force.

Smith, however, denied the timing related to allegations that include police brutality.

Mayor Eddie Francis, who joined Smith at a news conference, said a review into the force will be conducted and steps taken to “change the culture at the Windsor Police Service.”

“The public is asking questions. We are asking questions,” said Francis, who also heads the city’s police services board.

Toronto lawyer Julian Falconer has filed a \$14 million lawsuit on behalf of Dr. Tyceer Abouhassan, who alleges a Windsor police detective “gratuitously and viciously” assaulted him on April 22, 2010. The doctor, who is visually impaired, suffered a detached retina, broken nose and a concussion.

The doctor was initially charged with assaulting the officer before the charges were dropped. The officer now faces criminal charges.

Smith and the police board are among those named as defendants in the lawsuit. None of the allegations has been proven in court.

Smith, who was sworn in March 3, 2008, said he was planning to step down in February after a 37-year career in policing. His contract was due to expire a year from now but he planned to leave in February, using up outstanding vacation time for the balance of the year.

Deputy police chief Al Frederick was named the acting chief.

In an unrelated case, Windsor police Const. Brad Snyder pleaded guilty to assaulting Rod Wuschenny on Sept. 26, 2009. Wuschenny recently launched his own \$1.25 million lawsuit against the police, the *Windsor Star* has reported.

Smith's resignation comes a week after Ontario Ombudsman André Marin that found Smith failed to respond to four letters sent by the director of the Special Investigations Unit about his "duty to cooperate" with SIU investigations. The SIU is the provincial agency that investigates cases where police officers have seriously injured or killed someone.

"I've seen nothing that jumps out at me that requires a response," Smith told the *Windsor Star* last week.

The mayor told the news conference the SIU report was not behind the resignation, noting the SIU director sent out similar letters to other police departments across the province.

Toronto defence lawyer Andy McKay, who represents a Windsor police office involved in the case, said, "The Windsor Police service has issues like others but overall it has a really good record.

"The city went without a murder for a year — that's a damn good record for a city that borders Detroit."