

# THE WINDSOR STAR

## Windsor police detective David Van Buskirk fires lawyer in assault case

By Sarah Sacheli May 16, 2011



*Windsor Police Det. David Van Buskirk arrives at Ontario Court of Justice where he faces assault and public mischief charges Monday May 16, 2011.*

WINDSOR, Ont. -- A Windsor police detective charged with assault for beating a doctor in a medical centre parking lot last year got his trial adjourned Monday after firing his lawyer.

Through lawyers, David Van Buskirk told the out-of-town judge brought in to preside over the trial that he has hired a Toronto lawyer to review his case. The lawyer needs a month to see if he will take the case, court heard.

Van Buskirk, a 23-year veteran of the Windsor police service, had been working on a plea bargain in the case, court heard. Crown counsel Philip Perlmutter, a prosecutor from Toronto, told the court the case was headed to a “resolution” but “things changed in the last few days and plans were thwarted.”

Ontario court Justice A. Ross Webster said he would give Van Buskirk a month, but said he’d better return on June 13 with a new lawyer.

“You’ve had plenty of opportunity to get a lawyer,” the judge told Van Buskirk. “We’re not going to keep fiddling around with this.”

The Special Investigations Unit charged Van Buskirk in June 2010 with assault causing bodily harm. Two months later, the province’s civilian police watchdog laid an additional charge of public mischief against him.

Both relate to an April 22, 2010, incident in which Van Buskirk, in plain clothes, arrested Dr. Tyceer Abouhassan outside the Jackson Park Health Centre.

Abouhassan, a Windsor-born endocrinologist who at the time was in the process of setting up a practice in the city, suffered a broken nose and head injuries. Already vision-impaired, Abouhassan also suffered a detached retina and had to undergo emergency surgery.

Windsor police at first charged the doctor with assaulting a police officer.

The Crown stayed the charge against the doctor and Van Buskirk was charged with public mischief.

According to the Criminal Code, public mischief is causing a peace officer to start or continue an investigation with intent to mislead.

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