

Mounties face charges in Dziekanski case

The Canadian Press

Posted: May 6, 2011 5:44 PM PT

Last Updated: May 6, 2011 7:19 PM PT

The four Mounties involved in the death of Robert Dziekanski after zapping him with a Taser are facing perjury charges for their testimony at a public inquiry.

But Richard Peck, the special prosecutor appointed to look into the case, also declined to recommend any other charges against the officers relating to Dziekanski's death.

"Mr. Peck has concluded that there is no substantial likelihood of conviction in relation to any potential charges arising from the circumstances of the physical altercation with Mr. Dziekanski or the subsequent investigation into his death," said a statement Friday from the attorney general's criminal justice branch.

Instead, Peck has recommended the perjury charges, and the branch said in a news release it has accepted the recommendation. The branch plans to proceed on the charges without a preliminary inquiry, the news release said.

Bentley's lawyer, David Butcher, said his client would plead not guilty.

"No substance to the allegations at all, they will be defended with full vigour," Butcher said in a brief interview.

Lawyers for the other officers could not immediately be reached for comment.

Dziekanski's mother, Zofia Cisowski, released a written statement applauding the charges.

"I am pleased that the special prosecutor has announced criminal charges against RCMP officers involved in the death of my son," wrote Cisowski, who lives in Kamloops, B.C.

"I hope that justice will finally be achieved in the death of my son."

The charges are a result of the officers' testimony at the later public inquiry into the incident, the branch said.

Dziekanski died in October 2007 after spending hours in Vancouver's airport waiting for his mother to come from the B.C. Interior to pick him up.

Throwing furniture

After he became agitated and started throwing furniture, four RCMP officers arrived and within seconds, repeatedly stunned him with a Taser and he died on the airport floor.

The incident erupted in controversy after a bystander's video showed events that were in stark contrast

to the version that the RCMP had offered at the time.

It also showed that no effort was made to calm Dziekanski — who spoke no English — and instead, the officers almost immediately reached for their Tasers.

Controversy was further inflamed after the decision was made not to lay charges in Dziekanski's death.

At the inquiry, the officers — Const. Gerry Rundel, Const. Bill Bentley, Cpl. Monty Robinson and Const. Kwesi Millington — each testified Dziekanski was stunned because he was violent and was threatening them with a stapler.

But inquiry commissioner Thomas Braidwood, a retired appeal court judge, rejected their testimony, saying the testimony was not credible and there was no reason to stun Dziekanski.

Details withheld

Peck was appointed to look at the case again last year to determine whether, in light of the evidence heard at the inquiry, the decision not to charge the officers should stand.

Peck was also asked to review other conduct of the officers, including their testimony at the Braidwood inquiry.

The criminal justice branch released the decision to charge the officers Friday only after a news outlet gained advance knowledge of it.

The branch said in a news release a more detailed statement on Peck's conclusions would be released after the deputy attorney general had a chance to complete his review of Peck's report.

However, the release cautioned that the statement won't include details about why charges weren't recommended relating to Dziekanski's death. That's to protect the integrity of the perjury prosecutions, the branch said.

The details will be released after those cases have wrapped up.

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