

\$150,000 lawsuit filed against police; Man once accused of swarming officer contends he was assaulted by him

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ABSTRACT

After those charges were laid, he claims he was "harassed and targeted for special attention by members of the EPS," and that officers conducted CPIC searches and issued violation tickets "out of spite or retaliation."

FULL TEXT

An Edmonton man has filed a \$150,000 lawsuit claiming Police Chief Mike Boyd and a police department spokeswoman made him out to be a "hoodlum" at a news conference.

In a statement of claim filed May 11, 20-year-old Cory Royer claims Const. Terry Mishio choked him, kicked him, threw him to the concrete and pepper-sprayed him on May 12, 2008 in "an unprovoked and unwarranted use of force."

Then he claims that after the assault, Boyd and police spokeswoman Karen Carlson told reporters he had participated in the "swarming" of a police officer. The news conference made headlines because Boyd used the case to illustrate what he said was a growing trend of people attacking police officers.

"This is an attack on society when you have police officers being attacked," Boyd said at the time. "I'm putting everybody on notice ... This city is not tolerating this kind of mugging and swarming mentality."

Royer was charged with assaulting a police officer, but he was acquitted in July last year after a provincial court judge ruled Mishio had taken offence at Royer's attitude and engaged in a fight with him.

In all, the statement of claim names seven people, including EPS members Terry Mishio, Selene Burns, Jeffrey Eichmann, Jason Ellett and Randy Abbott.

Statements of claim and statements of defence contain allegations which have not been proven in court. A statement of defence has not been filed.

The statement of claim says Mishio was a school resource officer at Eastglen High School when the incident occurred.

Royer alleges that Mishio "poked and pushed (him) and ripped the chain off his neck" before he started hitting, choking, kicking and pepper-spraying him.

He claims the three officers involved in his subsequent arrest denied him the right to speak with a lawyer, searched his car without a warrant and then seized the vehicle without any authority to do so.

He says the charges filed against him were "initiated maliciously, without reasonable and probable grounds and for an improper purpose."

After those charges were laid, he claims he was "harassed and targeted for special attention by members of the EPS," and that officers conducted CPIC searches and issued violation tickets "out of spite or retaliation."

He claims he suffered agonizing pain, mental anguish, humiliation, embarrassment and injury to his dignity and lost confidence in and respect for police.

kkleiss@thejournal.canwest.com

Credit: Karen Kleiss; Edmonton Journal

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