

Assault on Bardaville

A Personal Account by Steve Harry

Black

I had walked my girlfriend Carol out to her car and then headed toward the Fox Island party store at Grand River and Bardaville (near Waverly) to get a newspaper. It was shortly after 11 p.m. Thursday, April 7. As I approached the store, I met and passed four black youths. Three were full grown, in their late teens or early twenties. One was a smaller teenager. I was after a State Journal and there were none left, so I was in and out of the store in a few seconds. As I walked back toward my apartment on Bardaville, I caught up with and passed the four youths. I was walking in the parking lot and they were on the sidewalk next to the buildings. Suddenly I heard footsteps behind me and turned to see one of the larger youths running at me. He hit me and knocked me to the pavement. There was more hitting and kicking as I got to my feet and I said "Why are you doing this?" There was no answer, but when I make an attempt to strike back, he backed off. I started yelling "Help" as loud as I could and he stayed away. A little further off, the other three watched and laughed. My glasses had been knocked off, but I left them and limped to the building entrance and went upstairs to my apartment.

I immediately called the police and reported the assault. Then I tried to call Carol. She wasn't home yet, so I left a message with her roommate and went to wait at the window. My ribs hurt and I had scrapes on my left hip, my knees, left hand and face - nothing serious, as far as I could tell. A police car drove up within 5 or 10 minutes and I went down. I told my story to a tall, young black cop and 3 neighbor women came out to report what they had seen. Another neighbor said from her third story window that she had been the one who called 911. A second police car came into the parking lot, driven by a woman officer. She asked if I wanted to go to the hospital and I said no; I was hurting, but not that bad, and if I was still hurting in the morning, I would take myself. She talked to the other officer and he agreed to write the report. The woman officer asked if I was sure I didn't want to go to the hospital and I said maybe I'd better. I was starting to stiffen up, and it was getting more and more difficult to walk. I went back up to my apartment to change my pants and get my wallet. I'd been wearing warm-up pants, a t-shirt and a light jacket, and all I was carrying was my keys and 35 cents. I called Carol, who'd been trying to get me and knew something was wrong. She said she'd be right over, so I went back down and told the police that my girlfriend was coming to take me to the hospital. While I was downstairs, I saw 2 other neighbor women who said they saw the attack, and one of them said she knew the guys who did it. She said the one who

attacked me had just gotten out of jail for a similar assault. She said they lived in the apartment complex. The officer asked if he could come up to her apartment and talk to her. She indicated reluctance, but I went back inside, so I don't know how cooperative she was.

Carol took me to St. Lawrence Hospital, where I was treated by a woman doctor, Dr. Nakfoor. The scrape on my hip required 3 or 4 stitches and a tetanus shot. X-rays revealed 2 fractured ribs, but Dr. Nakfoor didn't wrap them. She said that wrapping restricted use of the lungs, and that could lead to pneumonia. She recommended frequent deep breaths and coughing to keep the lungs expanding and contracting. Easy for her to say; painful as hell to me.

When I told Dr. Nakfoor what had happened, she said she had treated a man about a week ago who had been assaulted outside the Fox Island party store. He told her he had been approached by a black man who asked him for a match.

We got out of the emergency room at about 3 a.m. and Carol took me to her place for the night. I slept in her single bed and she slept on the floor. I thought I would never get out of bed the next morning. Getting around once I was up wasn't so bad, but the twisting involved in getting in and out of bed was extremely painful.

I stayed at Carol's apartment while she went to work Friday. Around noon, I called the office at the apartment complex and told Paula, the manager, what had happened. I asked if anyone had found a pair of glasses and she said yes, a maintenance man had picked them up in the parking lot. Carol stopped by my apartment on her way home from work to get me some clean clothes, and then went to the office to get my glasses. She said Paula told her she had called the Police Department, but they had no record of the incident. She wanted to know what had been found out about the assailants. If they lived in the complex, she wanted them out.

One temple piece from my glasses was broken and both lenses were scratched, so Carol took me to NuVision Friday afternoon and ~~got~~ *I had* them replaced. Total cost: \$14. Thank you, NuVision.

On Saturday, I called the police to see what they had found. They said they had no record of the incident and suggested I call the Investigations Unit on Monday. When I called Monday, the Investigations Unit said they had no record of the assault and suggested I call "Patrol". Patrol had no report. They had a "fight call" logged for that location and time by Patrolman Jones, but no report. They explained that unless the victim says that he wants to press charges, no report is written. Jones had made no indication that I wanted to press charges.

began to sweat
I ~~became hot~~ with anger. My next call was to the Chief of Police. He wasn't in, but I talked to an assistant by the name of

Cook. He said patrolmen ordinarily write a report on an assault, but not for a fight unless somebody wants to press charges. He said I should talk to Jones' commander, and he named lieutenants Bauer and Trewiler. They'd be in after 2:30. He'd leave a note for one of them to call me.

My next call was to the Fox Island party store. The lady I talked to said she was there Thursday night and the tall black policeman had come in and asked about their video surveillance. She told him she'd save the tape, and she still had it. She said the policeman had told her the youth who attacked me had just gotten out of jail. She did not remember seeing me or the 4 black youths. She did say, however, that 3 black youths had attacked a man outside the store the previous Tuesday night. They had asked him for a cigarette, then assaulted him. I asked if the police had come and she said no - the man could not use the phone. I did not ask why.

At 3:45, I got a call from the Police Department and I briefly told my story. The man said Jones was conducting first aid training the next 2 days, so he'd send someone else to see me. At 4:00, Officer C.J. Janeski arrived, accompanied by a student ride-along. I repeated the story and told him I wanted to press charges. I told him about the similar assaults reported by Dr. Nakfoor and the woman at the Fox Island store. He asked if I could identify the guy who assaulted me and I said I didn't know. I couldn't picture him in my mind. He said the prosecuting attorney probably wouldn't pursue the case if I couldn't identify the assailant. He used my phone and called the Police Department, registered the complaint, and gave me a slip of paper with the complaint number (8805450), his name and badge number (46) and the phone number of the Police Department. He said his report would be added to anything Jones had and turned over to the Detective Bureau.

Later Monday afternoon I called St. Lawrence Emergency and asked if they could have Dr. Nakfoor call me. I was going to ask her to call the other assault victim she treated and tell him I wanted to talk to him. The receptionist said the emergency doctors are too busy to make calls, and that I should consult with my family physician. I asked if she had an office number; no, she just worked in Emergency. I told her I wanted to ask Dr. Nakfoor to help me get in touch with a patient who was a victim of a similar assault, and she said she wouldn't do that. I slammed down the receiver and made a wish that the receptionist would be the next victim at Fox Island.

Sgt. Tuesday morning I called the Detective Bureau and talked to Lieutenant (2) Dufore. He soon had me screaming at him, asking questions like "Why are there 2 reports? Were you assaulted twice? If you were assaulted Thursday night, why did you not report it until 3:45 Monday? Can you identify the assailant?" To this last I answered, "No - what do you do in case of a murder?" (when the victim can't do your work for you?) He said "Got a minute?" meaning "Calm down" and I said "Yes, I've got 2

fractured ribs and nothing much to do until they heal." I went over the events of the last few days for him. He had Janeski's report, but not Jones'. He said he'd call me back.

I went to see my doctor early Tuesday afternoon. He looked me over and didn't find anything unexpected. He suggested I stay home from work a couple more days, as much for the emotional trauma as the physical.

When I got home, there was a message on my answering machine from a Detective Kegavine. I called him and one of the first things he said was "Can you identify the assailant? If you can't, there isn't much chance of getting a conviction." He said he had both reports, but it took almost a minute of paper rustling before he had both in hand. He obviously hadn't read Jones' report before he called. He said there were no witnesses. I said yes, there were witnesses; one even claimed to know the assailant. He said the report says there were no witnesses. But then he began reading the report, which told of an "anonymous witness" Jones' had talked to, but who was unwilling to give her name. He did have her address, however. It also said he had reviewed the video tape at Fox Island, but they were unable to "locate the approximate time of occurrence." Detective Kegavine didn't think there was much to go on. I told him about the other assaults and he said he would ask at ^{the} his staff meeting tomorrow if there had been reports of other assaults in the area. But he sounded uninterested in looking at the video tape, talking to Dr. Nakfoor, or interviewing my neighbors.

Wednesday morning I called Paula, the apartment manager, and gave her an update. She said she was composing a notice to post around the buildings and had sent letters to a few residents saying she was concerned about the amount of traffic in and out of their apartments. She said there has been other stuff going on in the complex. She said she was going to call the police about my assault.