

Oakland County Sheriff Michael Bouchard, pilot, county sued over claims of damage from helicopter at Dream Cruise

Published: Sunday, November 04, 2012

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PONTIAC — Oakland County Sheriff Michael Bouchard, the county itself and an Oakland County Sheriff's Office helicopter pilot are named in a lawsuit filed Friday in Oakland County Circuit Court that claims a sheriff's department helicopter injured a man's children and damaged his cars during the Woodward Dream Cruise.

In the suit, Terry McNinch alleges the sheriff's helicopter hovered at a lower altitude than Federal Aviation regulations allow around 10 p.m. Aug. 18 over a lot at Woodward Avenue and Raeburn Street in Pontiac where McNinch's family and friends were having a Dream Cruise party. He claims the helicopter's rotor wash injured his children Jess and Alyssa and kicked up debris, damaging McNinch's 1971 Chevrolet El Camino and his motor home. He is represented by defense attorneys Steven Reifman and Michael Komorn.

The suit calls the department's actions "grossly negligent" and said the helicopter's rotor wash picked up and threw the children "like ragdolls and (caused) them great bodily and emotional harm." The suit, before Oakland County Circuit Judge Rae Lee Chabot, seeks more than \$25,000 in damages.

"The children have substantially recovered, except for the traumatic stress that they suffered from being under kind of a Vietnam-style helicopter coming down right on their heads and causing significant trauma, which has also affected Mr. McNinch as well, and they haven't been treated yet, but they need treatment because of the fact that they've gone through so much," Reifman said at a Saturday press conference at the lot at Woodward and Raeburn.

"When you're bringing in a helicopter in for crowd control, bring it down to 50 feet, it resembles a war zone," Komorn said.

The sheriff's helicopter was reportedly in the area across from the site of the former General Motors Corp. Pontiac West assembly plant to disperse two large fights that broke out after the Dream Cruise ended.

“My client didn’t want to have to file a lawsuit. He’s been waiting for them to get back to (him) and repair his vehicle, but the delay is what’s really brought this about,” attorney Komorn said. He provided repair estimates for McNinch’s El Camino totaling \$28,317.88 from Waterford Collision Inc. and Motor City Speed. Reifman said the car is uninsured.

Oakland County Undersheriff Mike McCabe said “that’s a bold-faced lie” of McNinch’s claim that the department has not gotten back with him.

“Mr. McNinch has failed to cooperate with us. He’s made allegations that there’s damages of all kinds to his vehicle and his motor home, and he has produced nothing to us, despite our requests in writing for estimates for damages,” McCabe said.

A passage in the suit reads, “... although reasonable proof has been supplied, the defendants have failed or refused to reimburse plaintiffs for their various ongoing damages.”

The sheriff’s office has “asked for written documentation estimates, quotes, whatever that he has to show what his damages are so we can turn those over to our insurance company, and he has failed to produce those as of today,” McCabe said Saturday.

“I find the lawsuit extremely interesting based on those facts.”

The suit comes days before incumbent Bouchard, a Republican, will face Democratic challenger Jane Boudreau on the general election ballot.

“We gave them plenty of time before any election took place; our goal was not to make this a political issue. In fact, when we talked to Terry, the reason why he’s here today — he wants to make sure it’s known as not being a political issue. Had they taken care of this a month ago, two months ago, we wouldn’t even be here,” Komorn told reporters.

MCCabe said the timing of the suit “is very suspect, and it would lead anybody with common sense to know that it’s politically motivated.” The undersheriff said Komorn has a history of attacking Bouchard and Oakland County Prosecutor Jessica Cooper.

Komorn said he’s represented “many” medical marijuana patients in Oakland County criminal cases.

McNinch’s attorneys said the helicopter flew at an altitude of 50 to 75 feet over Woodward and Raeburn, and provided a copy of a Federal Aviation Administration regulation stating helicopters should maintain an altitude

of 1,000 feet over congested areas.

“That is an out-and-out lie,” McCabe said of claims the helicopter flew at 50 to 75 feet, “and again, it goes to the credibility of this attorney and this lawsuit.”

At the press conference, attorney Komorn said Oakland County Sheriff’s Office helicopter pilot Bill Christensen, who is named as a defendant in the suit, has been grounded since the Dream Cruise incident.

McCabe said Christensen was flying in a sheriff’s helicopter Saturday night over the I-96 corridor because of concerns on the day of a Michigan State University football game about a string of shootings in the area. “He hasn’t done anything wrong. That’s a blatant lie,” McCabe said.

McIninch said his 11-year-old daughter and 13-year-old son haven’t forgotten the incident.

“My children right now ... when a helicopter comes out, I’ve got a daughter that runs for the house,” the Pontiac resident said.