

Tim Best Trial Proves Worst For Former Mayor Anne Marie DeCicco

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Here in London, Ontario, Canada there is a trial taking place that is larger than its small players in that it illuminates the worst parts of our global, human character. I am writing of an insignificant event involving an alleged drunk driver who happens to be involved in two minor collisions and flees the scene. A fellow driver sees the impacts and begins a relentless chase through the rural outskirts east of London. The alleged drunk driver is ultimately caught by police and therefore the reason for the current trial.

All of this would have been minuscule if the alleged drunk driver had not been the recently-wedded husband of the popular mayor of the City of London. But he was, or should I say, she was. Well, what I mean is that the mayor lost the election just before this trial began.

So what really happened? Well, being of the popular crowd and seemingly moral upbringing, the mayor, Anne Marie Decicco, stood by her husband and held his hand as she walked him in and out of the preliminary court proceedings. Given her apparent good standing in the community it led all to the conclusion that this husband was being victimized and that, once the trial began, all would be revealed in the husband's favour. After all, nobody of such high moral standing as Anne Marie Decicco would stand beside a lying, cheating, good-for-nothing scoundrel who would plead innocent when there was some fairly strong evidence of his wrong-doing. So what was the evidence?

Well, before the trial we all heard of the husband, Tim Best, who ran a downtown bar and was whispered to run a somewhat less than spotless place. So that did not bode well.

But the actual facts of the night in question ran something like this. Mr. Best was at a hockey function in Tillsonburg, which is a local town approximately a half hour south east of London. Tim Best drove from that location toward London and during that travel he used the busy expressway of Highway 401. During his travel on this busy expressway his vehicle was seen by a witness (let's call the witness Mr. Persistent, because of its appropriateness) to swerve and then collide with another vehicle. Mr. Persistent decided to follow the striking vehicle in the belief that Mr. Best was impaired by alcohol. Mr. Persistent used his cell phone to call police. Instead of following the route that would take him directly to London, Mr. Best turned off Highway 401 and entered the local town of Dorchester where he was involved in another minor collision with another vehicle, also witnessed by Mr. Persistent. Eventually Mr. Best deserted his vehicle and reportedly fled on foot where he was apprehended by police.

Now that's generally what was heard through the news media before the trial. But as the trial began, Mr. Best's defense was given an opportunity to explain a different scenario.

Articles authored by reporters from the London Free Press provided us with some of the details, as follows.

At trial Best claimed that he was not drunk on that night. He confirmed that the weather conditions that night were not good. As he merged his vehicle onto Highway 401 he "...moved over into the fast lane where the traffic was only travelling about 75 km/h. He then nodded off. He was awakened to a jolting thud. He straightened out the truck, checked his mirrors for anyone waving him over, pulling off or honking, then saw a sander in the middle lane. Best couldn't see any damage on his truck and thought that maybe a piece of ice had flown off the sander. He decided to pass it".

Now let me stop here to make my comment before carrying with the rest of the evidence.

I have read numerous transcripts from drivers testifying at Examinations for Discovery (or depositions in the U.S.). I know what smells in a cow pasture. Mr. Best is involved in a substantial collision that results in reported soft tissue injury to the driver of the struck vehicle, yet he is unable to locate that vehicle anywhere in his vicinity upon "waking up". I'm sorry but that is simply too farfetched. At highway speeds the striking vehicles do not simply pass by each other like they pass a mail box. Both vehicles travel at similar speeds even if one is travelling faster than the other. Let me give you some numbers. A vehicle travelling at 75 km/h travels 20.8 metres every second. A vehicle travelling at 100 km/h travels 27.8 metres every second. Even if Best was travelling at 100 km/h when he struck the vehicle which was travelling 75 km/h, and assuming no speed loss/gain of either vehicle from the impact, after five seconds his vehicle would travel ($5 \times 7 = 35$) only 35 metres past the struck vehicle. That is only 7 car lengths. Are we to believe that Mr. Best cannot see that there is vehicle within his vicinity that is only 7 car lengths away? No perception of the glow of nearby headlights? I don't think so.

But this is just one of the circumstances we are asked to believe: That he happens to fall asleep, and that he cannot seem to locate a vehicle that his close by him. But let us continue with his evidence.

So he decides to pass this highway sander, but then turns off the major highway. Why does he turn off the major highway at this location? No, it could not be that he is attempting to elude the witness to the crime. But who knows why. Best then proceeds to an area on a road where once again he is involved in another collision. This time Best claims that the driver steered into Best's path. And the remarkable claim is that Best "jammed on the accelerator hoping to avoid the side-swipe". I could be pretty naive at times but I keep smelling this stuff drifting through the cow pasture. Poor, unfortunate Mr. Best has been victimized again by sheer coincidence by a citizen who cuts him off and forces him to accelerate. In the accidents I reconstruct few normal people accelerate to avoid a collision: They steer away and they brake. But maybe I've been reconstructing collisions from a different planet than Best's.

Next Best steers his vehicle into a sub-division and parks in someone's driveway while the witness vehicle of Mr. Persistent hovers over the area like a vulture. So Mr. Best moves his vehicle to another driveway and then exits the vehicle while calling his brother on his cell phone to pick him up. Next, he claims to go to his hockey bag where he retrieves a bottle of beer and sits on the tailgate of his truck, drinking the beer.

Let me stop again for comment. How naive does Mr. Best think that we are? The logical reason why Mr. Best would say that he started drinking a beer is to provide an alibi for the later finding of a high alcohol reading during police testing. But wait there's more...

He then reaches into the glove compartment of his truck and pulls out a half-empty bottle of Smirnoff and begins drinking that. Well, here is the difference because I, and I'm sure all of us do not drive around with half empty Smirnoff bottles in our glove compartments. Certainly the Smirnoff bottle in my glove compartment is always full!! How naive does Mr. Best think we all are?

But when Mr. Best is apprehended by police they never find this bottle of Smirnoff. My, how clumsy of the police investigation. They are told by witnesses that this fella is likely impaired, they are aware of two collisions he has been involved in, and when they apprehend him then cannot seem to locate this bottle of Smirnoff. But magically, at the trial, Mr. Best claims that his bother finds it and it is produced as evidence. Obviously the existence of this vodka bottle would support Mr. Best's assertion that he only drank the liquor after he stopped in someone's driveway and this was the reason for the finding of the large alcohol reading in his system. But he was not drunk when he did all those things on the highway. Yes, Mr. Best, that is so convincing we should let you out of court with our apologies. I think not.

Next, when he is apprehended by police he insists that the investigating officer contact his wife, the Mayor of the City of London, and also that the arresting officer contact the Chief of Police, Murray Faulkner. But no, that could not have anything to do with attempting to intimidate the investigating officer. Best claims he wanted the Chief of Police to be contacted because the Chief would know where the Mayor was. Oh how cozy is this family unit that they are all looking after each other?

Apparently a toxicology expert testified at the trial. But so far nothing of that testimony has been discussed in the London Free Press articles. What I believe I heard on the local TV news coverage (A-Channel) is that the toxicologist would confirm that Best's alcohol reading would be consistent with his drinking the vodka since the alternative would mean that Best would have had to consume over 12 bottles of beer at the hockey function before stepping into his vehicle to drive.

As of January 27th, 2011 the London Free Press has provided further disclosures of evidence from Best's trial. A total of 85 photographs were provided showing the damage to the involved vehicles and various markings in the snow perhaps indicating Best's activities. I am not a foot print expert, but I know a lot about vehicle damage from

accidents. So the extent of damage to Best's Avalanche and to the other two vehicles was quite revealing. I won't go into that for now.

The latest London Free Press article (January 27th) talks about persons seeing Best at the hockey function and claiming that he did not appear to be drunk. Yes, I have heard that line before. Let me see...it was in August of 1997 in a Paris tunnel when a number of paparazzi were "convicted" of causing the death of a Princess Diana, only to discover that the driver of her Mercedes, Henri Paul, who also happened to look sober, was found to contain a huge concentration of alcohol in his system. And there are numerous similar examples of such erroneous conclusions.

UPDATE: JANUARY 28, 2011

The London Free Press has reported that the jury verdict found Tim Best guilty of impaired driving causing bodily harm, failing to remain at the scene of an accident and dangerous driving.

In my mind Mr. Best should also have been convicted of a fourth crime. That of failing to accept responsibility for his actions and attempting to manipulate society in every possible way. To me that is an indication of an even greater deficit in his character.

None of us are perfect, and each of us could become caught up in a disastrous circumstance, resulting in a knee jerk reaction of further poor judgment. But upon having time to reflect, a person of noble character would accept their mistakes and shortcomings. Time gives us all a second opportunity to correct what our instinctual drive for survival has forced us into. The true tragedy in all of this is that neither Tim Best, nor apparently Anne Marie Decicco, have been able to accept their responsibilities. I have read numerous comments of persons in the newspaper and also around town at coffee shops and the like. Almost all are negative. Some have gone overboard, as is typical. But I think a majority of Londoners are not really focused on the acts of Mr. Best on the night in question but more so on the fairy-tale he concocted in his attempt to avoid being found guilty. It is this attempt at deception that will truly mark Mr. Best's reputation in this city. In every day of his life he has an opportunity to correct what he has made wrong and until he does so, even when he finishes any criminal penalties he may face, it is really what people will think of his deceit that will be his true punishment.

UPDATE: JANUARY 29, 2011

Further reports from the London Free Press indicate Mr. Best is thinking about appealing his guilty verdict. Apparently due to the jury's failure to convict him on a charge of "...having over 80 milligrams of alcohol in 100 milliliters of blood and over 80 causing bodily harm" (LFP). Best's lawyer was quoted as suggesting that "...the over-80 mg acquittals might suggest inconsistent verdicts with the impaired driving count".

In a strange twist, Best's attempt to escape conviction by claiming that he drank alcohol after fleeing from two collisions, would appear to have been successful because the jury would appear to say that they did not have enough evidence to be without doubt of that possibility.

Reports of MADD's (Mothers Against Drunk Driving) response is consistent with my disgust. MADD's spokesperson, Pauline Newton, referred to Best's expensive defense costs as "It's a rich man's defense. If jurors believes that defense, they give drunk drivers a license to act even more recklessly, encouraging them to drive away after a collision".

What is consistent about Mr. Best's actions is a manipulative, scheming, lack of conscience, exhibiting no remorse or responsibility for his actions. Side-bars to this are the additional reports by the London Free Press of Best's business dealings related to a "payday loan and cheque-cashing business" opened up by Best "in the same building as - and only steps away from - the city's welfare office". The LFP reports that "The location has sparked concern and shock among poverty activists".

"These businesses are really exploitive of the impoverished", said Dick Rastin, head of Street Connection and a member of the London Homeless Coalition, "Why would you do it there?" (as per LFP, Jan 28/11).

As reported by the London Free Press, "Edward Lantz, a member of a group trying to get the business shut down in Ontario, was harsher in his assessment of the location. These businesses prey upon the poor and they don't contribute any money back into the community".

While we can all understand how husbands and wives can be supportive of each other, the actions of Anne Marie Decicco need to be pointed out. Did she not know of Best's intentions to follow the line of defense that he did? Did she not have an opportunity to advise him of his responsibilities? When he, or they, chose to open up this latest cheque-cashing business, was Anne Marie Decicco totally unaware that this was taking place? Did she not ponder and reflect on what is moral and right? What other actions and history of Mr. Best is the public not aware of? Was Anne Marie Decicco not aware of who she was getting involved with? I need not say that these thoughts are also running past the minds of all Londoners. Deception can only run so far, but ultimately we all have to confront the reality of who we are.