## **Criminal Law**

## Cop pushed hard for drug deal involving Ford friend, court told

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TORONTO – An undercover police officer pushed hard for a dry cleaner to arrange a drug deal with then-mayor Rob Ford's driver but there's no evidence the store owner was ever a trafficker, an Ontario court heard Wednesday. <u>CBC News</u>

In closing submissions, defence lawyer <u>Jacob Stilman</u> said the officer subjected Jamshid (Jay) Bahrami to `incessant pressure'' to organize a deal with Alexander (Sandro) Lisi, who was also Ford's sometime bodyguard.

``Mr. Bahrami is not a drug trafficker,'' Stilman said. ``He is a dope-smoking dry cleaner and he's smoking it for medicinal purposes.''

Bahrami, who has a debilitating arthritic condition, had a licence to grow 292 marijuana plants, store 13 kilograms of pot, and carry close to two kilograms for medicinal purposes, Stilman said.

Both Lisi, 36, and Bahrami, 49, have pleaded not guilty to trafficking in marijuana, minor drug possession charges, and possessing the proceeds of crime.

Despite months of extraordinary surveillance of Ford and Lisi in 2013 as well as the undercover operation, police charged Bahrami with brokering only about 680 grams in two drug buys worth \$3,200.

In her closing submissions, prosecutor Kerry Benzakein told court that Bahrami was more than just an ``agent'' for Det. Ross Fernandes in those deals.

``He assisted in the transactional enterprise,' Benzakein told Ontario court judge Ramez Khawly. ``He handled the drugs. He handled the money.'

Benzakein rejected the idea that Bahrami was simply helping his new-found buddy to find some pot to smoke, noting Fernandes was posing as drug dealer.

Bahrami had a ``longer-term goal'' in mind, she said: to draw Fernandes into a plan to use the licence to grow and sell marijuana for profit. Police found a copy of the licence behind the visor of Lisi's Range Rover.

The fact that Lisi was carrying marked police money should be enough to convict him of drug-trafficking, Benzakein said.

However, she said, other circumstantial evidence supports her contention that Lisi supplied marijuana through Bahrami to Fernandes.

On Oct. 1, 2013, when officers arrested Lisi outside Bahrami's west-end dry cleaners, he had \$900 in police ``buy'' money in his pocket.

``This is where it all comes together,'' Benzakein said.

The money was for three bags of marijuana \_ weighing about 260 grams \_ Lisi had given Bahrami, who sold it to the undercover officer 90 minutes earlier, the Crown said.

Evidence shows Bahrami referred to Ford's friend as his supplier in conversations with Fernandes, who had befriended him as part of the investigation into the then-mayor.

``My guy is Sandro, you know, the mayor's guy,'' Bahrami is heard telling Fernandes at one point.

Police also retrieved a doctored pop can containing 6.4 grams of pot in the plaza parking lot when they arrested Lisi and two similar, but empty, ones in his vehicle.

Stilman said there's no proof a small amount of cocaine found in Bahrami's store was his.

Also Wednesday, the Toronto Star cited sources as saying the city's ombudsman was set to release a report critical of how security at city hall try to shield an intoxicated Ford from surveillance cameras and public scrutiny amid the raging ``crack'' video scandal.

Closing submissions continue May 5 with Lisi's lawyer Domenic Basile making his case. Khawly said he would then try to render his judgment May 8.

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