

Weep for Adonais

Nicole Baer

In brief

A 1995 MOTOR-VEHICLE CRASH BROUGHT A TRAGIC END to the promising medical career of Michael Agapitos, a specialist in physical medicine and rehabilitation who graduated from the University of Ottawa in 1982. The death of the popular young Ottawa physician and the subsequent court case involving the driver of the other vehicle have had a major impact on the victim's family and patients, Nicole Baer reports.

En bref

UN ACCIDENT DE LA CIRCULATION SURVENU EN 1995 A MIS FIN TRAGIQUEMENT à la carrière médicale prometteuse de Michael Agapitos, spécialiste en médecine physique et en réadaptation qui a obtenu son diplôme de l'Université d'Ottawa en 1982. La mort du jeune médecin populaire d'Ottawa et le plaidoyer négocié accordé par la suite au conducteur de l'autre véhicule ont eu des répercussions irréparables sur la famille et les patients de la victime, signale Nicole Baer.

The medical profession is diminished by every physician's death, but at a time when medicine's sky seems full of storm clouds the senseless loss of an exceptional young doctor seems particularly cruel. This account of Dr. Michael Agapitos' life and death, and what the tragedy has meant to his family, patients and professional colleagues, serves as a sobering reminder of the fragility of life. — Ed.

Mary Agapitos thought it charming if unusual that her son Michael invited her to go shopping that Saturday in July. But her elder son Peter was having a birthday in 10 days, so why not pick out some gifts together?

"I didn't believe him because he never did this," confides Mrs. Agapitos. True to his word, Michael showed up at 1:30 and dragged his mom on a whirlwind spin through the malls. He was happy, energetic as always, delighted to land some fabulous deals. On the way back they stopped to examine some art pieces that would be auctioned that evening. At 36, Michael Agapitos was a lover of fine art, classical music and beautiful things.

After supper, the Ottawa-area physical medicine and rehabilitation specialist climbed into his gold Pontiac, picked up a friend and headed back to the auction. Moments later, his car was sideswiped by a white truck that had run a red light. The collision sent the Agapitos car spinning into a hydro pole. Michael died instantly.

Michael Degruyter, now the same age Agapitos was when he died, pleaded guilty in January to charges of dangerous driving causing death.

Last fall, Degruyter's lawyer convinced a court to drop the far more serious drunk-driving charges — impaired driving causing death, impaired driving causing bodily harm and driving with more than the legal amount of alcohol in the blood — on the grounds that a police procedural error had violated the defendant's constitutional rights. The court held that the police should have given Degruyter a roadside breath test before taking him to the station house for a formal test. Because they skipped that preliminary step, they lacked the "reasonable and probable grounds" required for a drunk-driving arrest.



Feature

Chroniques

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Michael Agapitos and son, Julian



The sudden plea agreement, reached exactly 3 months into the trial, added only bitterness to the Agapitos family's pain. "It's unbelievable," Mary Agapitos says. "You go to find justice, and you find nothing. It's an empty shell." She sees a system stacked in favour of defendants fortunate enough to find wily lawyers, while the police and prosecution stumble and fall. "I can do nothing now; but [other] people can campaign against the system. Write to the newspapers. Write to the politicians. I lost Michael, but maybe tomorrow it can be you or it can be me. We have to protect ourselves from the system."

[In November, while on trial for the charges relating to Agapitos' death, Ottawa police charged Degruyter with careless driving, refusing to provide a proper roadside breath sample and failing to stop. Another trial on those charges is pending. On Feb. 12, Degruyter received a jail term of 2 years less a day for causing Agapitos' death. — Ed.]

A year-and-a-half after the tragedy, every detail of that summer day in 1995 is seared into the mother's memory. Amid the gut-wrenching cruelty of fate, she feels privileged to have shared her son's final hours.

Dressed in black from head to toe, she talks about her physician son's life and his utterly senseless death. Her eyes dance as she describes his remarkable zest for life; within seconds, they flood with tears at the waste.

She recalls how she was entertaining friends when Peter phoned to say he was coming over. He seemed agitated, and to her astonishment insisted that she send her guests home. A baseball game was on TV when he arrived a short time later. "We sat down and looked at him and he started screaming, 'Michael is dead.'"

"I didn't believe him.

"Then he took me to the hospital, and I cannot get that picture out of my mind. Michael lying there like that. Dead."

Michael Agapitos' parents say the pain has changed them forever. Mary says they are "half-people" now. Her husband, James, a quiet metallurgic chemist retired from the Royal Canadian Mint, agrees: "It's a different way of life. We don't have that vim anymore."

The couple's home in Nepean, an Ottawa suburb, is jammed with family portraits and treasured mementos. On the wall by the window is a picture of the University of Ottawa Medical School graduating class of 1982. Among the proud faces are both Michael and his brother, Peter, now an Ottawa ophthalmologist.

One of the more prominent pictures shows Michael with longer hair and a modest little beard. He was just 19 when he entered medical school and the beard was a transparent attempt to look older.

By any measure, he was an achiever. When he moved to Ontario from Quebec after Grade 10, he went right into

Grade 13; not only did he complete the year, keep up his athletics and make the team for Reach for the Top, a CBC quiz show for quick-thinking high-school kids, he also made the provincial honour roll. But he was no bookworm. He was an accomplished pianist, tennis player and photographer, and had an unusual eye for art and interior design.

Dr. Nigel Spencer, a former medical school classmate who later referred psychiatry patients to him, remembers Agapitos as fun loving and well liked, even if he stood out for his youth and intellect. "Mike never seemed to study," laughs Spencer, a Nepean family physician. "He was always socializing with the girls in the library."

Agapitos was "one of those front-row guys" during medical school, Spencer acknowledges, but he still enjoyed widespread popularity. He also had a flair for business, investing wisely in the real estate boom of the '80s. When family friend Lorna Squires met him at age 26 he owned 3 houses — "of course, he was mortgaged to the hilt" — had a grand piano in the living room and the beginnings of a serious art collection. "And I thought, 'Hey, this is just a student!'"

He loved children, and his mother thinks he might have gone into pediatrics had he been able to deal with their suffering. He was crushed by the breakdown of his marriage in 1994, which reduced the time he could spend with his toddler son.

There is a huge box of sympathy cards and letters in his parents' house, attesting to the respect patients felt for Agapitos.

Squires remembers accompanying him on a Sunday-morning house call. "When I saw him with his patient, I immediately had a tremendous amount of respect for him. I saw how gentle and kind he was with this older man, and I was so impressed."

She says the young doctor's relationship with patients was founded on mutual loyalty. When he left general practice to specialize in physical medicine, he ensured that none of his patients would be left without a family physician. His caring nature was rewarded — some patients travelled an hour each way to see him.

Agapitos, who was especially fond of elderly patients, was dumbfounded when a patient in her 80s confessed that his routine hug had been her first physical contact with another human in 20 years. "He really agonized about that because he thought it terrible that nobody touches or hugs old people," Squires says.

The local medical community misses him too. "Mike had real talent and a lot to give," says Spencer. "It's terribly unfortunate that he's no longer here to prove that to his patients." ?

The Agapitos family has established a memorial fund in Dr. Agapitos' name at the Ottawa Civic Hospital.