



VERDICT AT CORONER'S INQUEST

File No.: 2006:699:0015

An Inquest was held at Pioneer Complex, in the municipality of Williams Lake

In the Province of British Columbia, on the following dates June 2, 3, 4, 5, 6, 9

before Shane DeMeyer, Presiding Coroner,

Into the death of Lewis Donald, 43, Male Female (Last Name, First Name) (Age)

and the following findings were made:

Date and Time of Death: August 13, 2006 2105 hours

Place of Death: Beaver Lake Road, Runaway Lane McLeese Lake, British Columbia (Location) (Municipality/Province)

Medical Cause of Death

(1) Immediate Cause of Death: a) Gunshot wound to left chest DUE TO OR AS A CONSEQUENCE OF

Antecedent Cause if any: b) DUE TO OR AS A CONSEQUENCE OF

Giving rise to the immediate cause (a) above, stating underlying cause last. c)

(2) Other Significant Conditions Contributing to Death:

Classification of Death: Accidental Homicide Natural Suicide Undetermined

The above verdict certified by the Jury on the 9th day of June AD, 2008.

SHANE DEMEYER Presiding Coroner's Printed Name

Handwritten signature Presiding Coroner's Signature





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FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST INTO THE DEATH OF

FILE No. 2006:699:0015

Lewis

SURNAME

Donald

GIVEN NAMES

PARTIES INVOLVED IN THE INQUEST:

Presiding Coroner: Shane DeMeyer

Coroner Counsel: Mr. Mitch Houg

Court Reporting/Recording Agency: Ms. Vivian Kariya/Verbatim Reports

Participants/Counsel:

Ms. Sarah Lewis/Mr. Cameron Ward

Department of Justice/Mr. Andrew Kemp, Mr. David Butcher

The Sheriff took charge of the jury and recorded 47 exhibits. 20 witnesses were duly sworn in and testified.

PRESIDING CORONER'S COMMENTS:

The following is a brief summary of the circumstances of the death as set out in the evidence presented to the jury at the Inquest. The following summary of the evidence as presented at the Inquest is to assist the reader to more fully understand the Verdict and Recommendations of the jury. This summary not intended to be considered evidence nor is it intended in any way to replace the jury's verdict.

On August 13, 2006, at approximately 1714 hours, a caller contacted RCMP Dispatch, based in Prince George, to report a suspicious male who was camping near her property outside of McLeese Lake. The reporter stated that as she was living alone, she asked that the RCMP look into this individual for her.

Constable Cole Brewer of the Williams Lake Detachment received the report from Dispatch and called back to the reporter for further clarification. As the reporter did not express any immediate concern, Constable Brewer attended other duties before leaving for McLeese Lake.

Constable Brewer arrived at a runaway lane that ran from the Beaver Lake Road at 1953 hours. At this time, he located a motorcycle part way up the lane and asked Dispatch to run the registration. Dispatch reported that the vehicle was registered to a woman who lived in the Whistler area.

Constable Brewer proceeded further up the lane and discovered a camp where he found Mr. Lewis sleeping in a tent. During a conversation about the ownership of the motorcycle, Mr. Lewis fled into the surrounding bushes. Constable Brewer ran in pursuit of Mr. Lewis and a subsequent physical altercation ensued. Constable Brewer testified that during the confrontation he attempted to use pepper spray and his police issued baton. He stated, however, that these attempts to subdue Mr. Lewis were unsuccessful and that he subsequently discharged his handgun while they were fighting on the ground. This gunshot struck Mr. Lewis in the chest causing a fatal injury.



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Pursuant to Section 38 of the Coroner's Act, the following recommendations are forwarded to the Chief Coroner of the Province of British Columbia for distribution to the appropriate agency:

JURY RECOMMENDATIONS:

To: Deputy Commissioner Gary Bass
Royal Canadian Mounted Police, "E" Division
657 West 37th Avenue
Vancouver, British Columbia
V5Z 1K6

1. When responding to an area of questionable radio reception, all police vehicles should be equipped with radio repeaters. Availability of hand held communication is critical in rural areas.

Coroners Comments: The Jury heard evidence that hand held communication for police officers is limited in many areas. This communication is greatly enhanced if their police cruisers have radio repeaters on board.

2. Amend policies to allow for a second RCMP Officer to attend when responding to reports from an area where backup is not immediately available.

Coroners Comments: The Jury heard evidence that there is added risk to both the RCMP and members of the public when only one member of the RCMP attends a call in an area that does not have readily available back up.

3. When checking the registered owner of a vehicle, cross checks should be completed to identify any possible people of "interest" to the RCMP.

Coroners Comments: The Jury heard evidence that it may benefit the RCMP member to have Dispatch "cross check" information to identify any possible persons of "interest" that may be associated with the initial person.

4. If possible in emergency situations, OCC should monitor radio traffic to direct Officers responding to a call.

Coroners Comments: The Jury heard evidence that it may be beneficial for operators at OCC (RCMP Dispatch) to assist attending members by overseeing all communications and providing guidance as to how to reach the scene of an incident.



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5. All RCMP Officers should be trained in the use of, and be issued, conductive energy weapons (TASER)

Coroners Comments: The Jury heard evidence that the availability and use of a conductive energy weapon (TASER) would likely have removed the need for the lethal use of a RCMP service firearm.

6. To ensure an accurate record of all events, all Officers should carry and use an audio recorder when entering into an active investigation.

Coroners Comments: The Jury heard evidence that it is difficult to reconstruct an event in its entirety without the benefit of an objective recording.