

CORONER'S COURT OF BRITISH COLUMBIA



held at NzeekzAhhn Hall, Westside, Lytton, British Columbia

**VERDICT AT CORONER'S INQUEST**

We, the Jury, having been duly sworn and serving at the inquest, commencing on 06 November, 2007 at Lytton, British Columbia, and continued on the following dates 06 - 08 November, 2007

into the death of Abbott, Brent Andrew find he/she came to his/her death at approximately 20:30 hours, on the 29th day of April, AD, 2005 at or near Lytton, British Columbia.

MEDICAL CAUSE OF DEATH

- (1) *Immediate Cause of Death:* a) Drowning  
 DUE TO OR AS A CONSEQUENCE OF
- Antecedent Cause if any:* b) Falling into the river  
 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:* Hitting cable on bridge  
 alcohol consumed prior to falling

CLASSIFICATION OF THE EVENT  ACCIDENTAL  HOMICIDE  NATURAL  SUICIDE  UNDETERMINED

The above verdict certified by the Jury on the 8th day of November AD, 2007.

T.E. CHICO NEWELL

*Presiding Coroner's Printed Name*

*Presiding Coroner's Signature*

**TO BE COMPLETED BY PRESIDING CORONER**

Age:	19 years	Gender:	<input checked="" type="checkbox"/> Male	<input type="checkbox"/> Female
Date of Birth:	14 February, 1986	Native:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Coroner's Case No.:	2005:512:0005	Post Mortem:	<input type="checkbox"/> Full	<input type="checkbox"/> External <input checked="" type="checkbox"/> None
Police File No.:	2005-0426	Toxicology:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Police Department:	RCMP Lytton Ms. Joann Watson,	Identification Method:	<input type="checkbox"/> Visual	<input checked="" type="checkbox"/> Other (specify below)
Court Reporter:	Verbatim	Identified by:	Investigative Findings	
Phone:	604-591-6677	Premise of Injury:	River	
		Premise of Death:	Fraser River	



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FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST

INTO THE DEATH OF

**Abbott**

SURNAME

**Brent Andrew**

GIVEN NAMES

**INTRODUCTION**

This inquest into the death of Brent Andrew Abbott commenced 0930 hours on November 6, 2007, at NzeekzAhhn Hall, Lytton and continued on through November 8, 2007. Dr. Sydney J. Pilley was counsel to the coroner and Ms. Helen Roberts appeared on behalf of the Attorney General of Canada (representing the RCMP). Deputy sheriff Rhonda Kaban took charge of the jury and recorded the following exhibits:

1. Booklet of Scene Photographs
2. RCMP Continuation Report (Cst. Todd J. Vande Pol. Dated 2005-04-29: 2130 – 2330 hours)

The following witnesses testified:

1. Mr. Ralph Abbott
2. Mr. Chad Harry
3. Mr. Sam Spinks
4. Ms. Chrissie Sam
5. Cst. Todd Vande Pol
6. Cst. Trevor Cook
7. Mr. James Laverdure
8. Sgt. Gaetan Thomassin
9. Mr. Michael Hume
10. Ms. Janet Webster

**PRESIDING CORONER'S COMMENTS**

*The following is a brief synopsis of the circumstances surrounding the death of Brent Andrew Abbott heard during the inquest. The purpose of these comments is to assist the reader to more fully understand the Verdict of the jury. It is not intended to be considered evidence nor is it intended in any way to replace the jury's verdict.*

Brent Andrew Abbott, aged 19 years, was a highly regarded young man in his community. He had worked with his father, a qualified electrician. He enjoyed his family, friends and was active in sports. Mr. Abbott was happily looking forward to becoming an uncle and completing his life skills program. He enjoyed having a few beers with his friends.



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Mr. Abbott is missing and presumed dead. He disappeared on Friday, April 29, 2005 at approximately 2030 hours, while in the custody of two RCMP officers at Lytton, BC. He was taken into custody while on the West Side, a rural residential area across the Fraser River from Lytton. He was arrested for being intoxicated in a public place.

The incident began at approximately 2000 hours when an RCMP officer saw a male acting in a suspicious manner in an alley in Lytton, BC. The man fled when the officer approached him. The officer spotted two men a short time later, one of whom he believed was the same individual. The pair ran away and the officer followed them across the CN railway trestle, which spans the Fraser River at the south end of Lytton. The railway trestle has a pedestrian walkway on the up-river or north side of the span, with fencing on either side of the walkway, for pedestrian safety.

The officer eventually located one of the men, identified as Brent Andrew Abbott, on the west side of the Fraser River, hiding in some bushes. He found a quantity of liquor in Mr. Abbott's back pack. Mr. Abbott was of legal drinking age but, according to the officer's statement, was intoxicated. The officer stated that he read him his Charter warning and arrested Mr. Abbott for being intoxicated in a public place. He did not secure Mr. Abbott with handcuffs.

The officer then escorted Mr. Abbott to the railway trestle and they began to walk along the pedestrian walkway, with Mr. Abbott in the lead. A second officer approached them from the east (Lytton) end of the trestle and met them approximately one third of the way from the west side.

As the second officer turned to walk back the way he had come, with Mr. Abbott behind him, followed by the first officer, Mr. Abbott climbed over the north side walkway fence. According to the officers' statements, Mr. Abbott subsequently struck a steel cable running under the trestle with his upper torso or shoulder, before landing in the river more than 100 feet below.

The officers went immediately to the south (downriver) side of the bridge and scanned the water surface for Mr. Abbott, but they did not see any trace of him. Mr. Abbott's baseball cap was later located on a girder under the bridge, at the location where the officers report he jumped.

Extensive air, water and riverbank searches in the following weeks failed to turn up any sign of Mr. Abbott. Further searches in that area were fruitless.

The Inquest heard that at the time of Mr. Abbott's death, it was not uncommon for the youth to be drinking alcohol in and around town and there had been a widespread dislike for the police.



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Pursuant to Section 38 (4) of the Coroners Act, the following recommendations are forwarded to the Chief Coroner of the Province of British Columbia for distribution to the appropriate agency.

*T.E. Chico Newell*  
.....  
T.E. CHICO NEWELL, A Coroner  
in and for the Province of British Columbia



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**RECOMMENDATIONS OF THE JURY**

To: Village of Lytton  
Attn: Mr. Tom Dall, Village Administrator  
P.O. Box 100  
380 Main Street  
Lytton, BC V0K 1Z0

Skuppah Indian Band  
Attn: Chief Doug McIntyre  
P.O. Box 400  
Lytton, BC V0K 1Z0

Lytton First Nation  
Attn: Chief Byron Spinks  
P.O. Box 20  
Lytton, BC V0K 1Z0

Nicomen Indian Band  
Attn: Chief Arlene Quinn  
P.O. Box 670  
Lytton, BC V0K 1Z0

Kanaka Bar Indian Band  
Attn: Chief James Frank  
P.O. Box 400  
Lytton, BC V0K 1Z0

Siska Indian Band  
Attn: Chief Fred Sampson  
P.O. Box 519  
Lytton, BC V0K 1Z0

Cook's Ferry Indian Band  
Attn: Chief David Walkem  
P.O. Box 130  
Spences Bridge, BC V0K 2L0



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Nlaka'pamux Nation Tribal Council

Attn: Chief Robert Pasco

P.O. Box 430

Lytton, BC V0K 1Z0

Interior Health Authority

Attn: Mr. Murray Ramsden, CEO

220 - 1815 Kirschner Road

Kelowna, BC V1Y 4N7

Health Canada

Attn: Ms. Joanna Nahanee, Acting Treatment Manager

Suite 405, Winch Building

Sinclair Centre

757 West Hastings Street

Vancouver, BC V6C 1A1

1. That the above addressees meet to develop a strategic plan and proposal for the creation of a Treatment and Detoxification Centre. Consider the use of a detoxification centre as an alternative for intoxicated people to be taken rather than remain in police custody.

Background Information

The Jury heard there is a real community need for an alternative to the 'Drunk Tank' approach for the youth of Lytton who are found by the police and others to be intoxicated in public. This would involve a non-police facility that was founded in cultural sensitivity and be treatment based.



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To: Ministry of Health for BC  
Attn: Honourable George Abbott  
P.O. Box 9050, Stn Prov Govt  
Victoria, BC V8W 9E2

Commanding Officer of RCMP "E" Division  
Attn: Gary Bass, O.O.M.  
657 West 37<sup>th</sup> Avenue  
Vancouver, BC V5Z 1K6

Minister of Indian Affairs  
Attn: Honourable Chuck Strahl  
Ottawa, Ontario K1A 0H4

Ministry of Aboriginal Relations and Reconciliation  
Attn: Honourable Michael de Jong  
PO BOX 9051, Stn Prov Govt  
Victoria, BC V8W 9E2

Assembly of First Nations  
Attn: Phil Fontaine, National Chief  
473 Albert Street, Suite 810  
Ottawa, ON K1R 5B4

Union of BC Indian Chiefs  
Attn: Stewart Phillip, President  
500 - 342 Water Street,  
Vancouver, BC V6B 1B6

Ministry of Public Safety and Solicitor General  
Attn: Honourable John Les  
P.O. Box 9053, Stn Prov Govt  
Victoria, BC V8W 9E2



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Ministry of Community Services

Attn: Honourable Ida Chong  
PO Box 9490, Stn Prov Govt  
Victoria, BC V8W 9N7

2. That the above listed recipients of Recommendation #1 anticipate the receipt of the proposal and that they interact in a cooperative basis, in an urgent manner, with a view to making it happen.

Background Information

The Jury heard there is an urgent need, with the direct support of the various relevant areas of government, to move ahead cooperatively with the community stakeholders in a committed fashion to put together a considered plan that will address the needs of the community towards developing that community to their personal, familial, social, and cultural benefit.





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To: Village of Lytton  
Attn: Mr. Tom Dall, Village Administrator  
P.O. Box 100  
380 Main Street  
Lytton, BC V0K 1Z0

Lytton First Nation  
Attn: Chief Byron Spinks  
P.O. Box 20  
Lytton, BC V0K 1Z0

Skuppah Indian Band  
Attn: Chief Doug McIntyre  
P.O. Box 400  
Lytton, BC V0K 1Z0

Kanaka Bar Indian Band  
Attn: Chief James Frank  
P.O. Box 400  
Lytton, BC V0K 1Z0

Siska Indian Band  
Attn: Chief Fred Sampson  
P.O. Box 519  
Lytton, BC V0K 1Z0

Nicomen Indian Band  
Attn: Chief Arlene Quinn  
P.O. Box 670  
Lytton, BC V0K 1Z0

Cook's Ferry Indian Band  
Attn: Chief David Walkem  
P.O. Box 130  
Spences Bridge, BC V0K 2L0



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GIVEN NAMES

Lytton Employment Services

Attn: Service Manager

P.O. Box 458

Lytton, BC V0K 1Z0

Nlha'7Kapmx Health and Healing Society

Attn: Society President

P.O. Box 567

Lytton, BC V0K 1Z0

Nlaka'pamux Nation Tribal Council

Attn: Chief Robert Pasco

P.O. Box 430

Lytton, BC V0K 1Z0

School District #74 – Board of Trustees

Kumsheen Secondary School –Lytton Elementary School

Attn: Ms. Valerie Adrian, Chair

District Administration Office

P.O. Box 250

Ashcroft, BC V0K 1A0

Stein Valley Nlakapamux School Board

Attn: Board Chair

P.O. Box 300

Lytton, BC V0K 1Z0

Nlaha'7Kapmx Child and Family Services Society

Attn: Society President

P.O. Box 567

Lytton, BC V0K 1Z0

Nzen'man' Child and Family Development Centre Society

Attn: Society President

P.O. Box 400

Lytton, BC V0K 1Z0



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Helping Hands Transitions House

Attn: House Director  
Trans Canada Hwy  
Lytton, BC V0K 1Z0

3. That the above addressees meet to form a working group whose mandate is to develop a comprehensive strategic plan and proposal to focus on:
- The enhancement of recreational programs and infrastructure to support programs for children and youth in Lytton and surrounding areas.
  - The holistic well-being of children and youth in Lytton and surrounding areas.
  - Existing interagency collaboration with the goal to enhance services for children and youth.



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To: Ministry of Health  
Attn: Honourable George Abbott  
P.O. Box 9050, Stn Prov Govt  
Victoria, BC V8W 9E2

Ministry of Child and Family Development  
Attn: Honourable Tom Christensen  
PO Box 9057, Stn Prov Govt  
Victoria, BC V8W 9E2

Ministry of Indian and Northern Affairs  
Attn: Honourable Chuck Strahl  
Ottawa, Ontario K1A 0H4

Ministry of Community Services  
Attn: Honourable Ida Chong  
PO Box 9490, Stn Prov Govt  
Victoria, BC V8W 9N7

Ministry of Public Safety and Solicitor General  
Attn: Honourable John Les  
P.O. Box 9053, Stn Prov Govt  
Victoria, BC V8W 9E2

4. That the above listed recipients of Recommendation #3 anticipate the receipt of the proposal and that they interact in a cooperative basis, in an urgent manner, with a view to making it happen.



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To: Lytton First Nation  
Attn: Chief Byron Spinks  
P.O. Box 20  
Lytton, BC V0K 1Z0

RCMP Lytton Detachment  
Attn: Sgt. B. Melanson, NCO I/C  
P.O. Box 69  
Lytton, BC V0K 1Z0

RCMP "E" Division  
Attn: Gary Bass, O.O.M., Commanding Officer  
657 West 37<sup>th</sup> Avenue  
Vancouver, BC V5Z 1K6

5. To develop a cultural/community awareness and sensitivity curriculum to train RCMP members posted in Lytton.

Background Information

The community of Lytton would strengthen with the support of RCMP officers that had the benefit of a culturally sensitive training curriculum; a curriculum that consistently educated officers on the history, pride, current challenges, and the future that the community of Lytton looks toward.

The Jury heard that RCMP officers selected for work in Lytton are culturally unaware of the community, its history and current members. Relationships in the small community with the police are valued but are rare, in part, because of the brevity of officer retention. The process for posting, selection and retention would do well to include the Lytton First Nation.



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To: RCMP "E" Division  
Attn: Gary Bass, O.O.M., Commanding Officer  
657 West 37<sup>th</sup> Avenue  
Vancouver, BC V5Z 1K6

Ministry of Public Safety and Solicitor General  
Attn: Honourable John Les  
P.O. Box 9053, Stn Prov Govt  
Victoria, BC V8W 9E2

Ministry of Aboriginal Relations and Reconciliation  
Attn: Honourable Michael de Jong  
PO BOX 9051, Stn Prov Govt  
Victoria, BC V8W 9E2

6. That the above listed recipients of Recommendation #5 fund the Lytton First Nation to develop and deliver the cultural/community awareness and sensitivity curriculum.



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To: Lytton First Nation  
Attn: Chief Byron Spinks  
P.O. Box 20  
Lytton, BC V0K 1Z0

Nicomen Indian Band  
Attn: Chief Arlene Quinn  
P.O. Box 670  
Lytton, BC V0K 1Z0

Skuppah Indian Band  
Attn: Chief Doug McIntyre  
P.O. Box 400  
Lytton, BC V0K 1Z0

Cook's Ferry Indian Band  
Attn: Chief David Walkem  
P.O. Box 130  
Spences Bridge, BC V0K 2L0

Kanaka Bar Indian Band  
Attn: Chief James Frank  
P.O. Box 400  
Lytton, BC V0K 1Z0

Siska Indian Band  
Attn: Chief Fred Sampson  
P.O. Box 519  
Lytton, BC V0K 1Z0

Village of Lytton  
Attn: Mr. Tom Dall, Village Administrator  
P.O. Box 100  
380 Main Street  
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RCMP Lytton Detachment

Attn: Sgt. B. Melanson, NCO I/C

P.O. Box 69

Lytton, BC V0K 1Z0

RCMP "E" Division

Attn: Gary Bass, O.O.M., Commanding Officer

657 West 37<sup>th</sup> Avenue

Vancouver, BC V5Z 1K6

7. That the above addressees submit a proposal to the Federal Ministry of the Solicitor General to enter into a community tripartite agreement to provide RCMP First Nations Community Policing Services.

Background Information

The Jury heard that the development of RCMP First Nations Community Policing Services would be a highly valuable strategy towards strengthening the community. They heard of an underlying dysfunctional relationship between the Youth of the Community and the RCMP. Each of the local schools having designated/consistent/visible/regular School Liaison Officers would be a valuable means towards eliminating the existing negative relationship and beginning a positive one.





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To: RCMP Lytton Detachment  
Attn: Sgt. B. Melanson, NCO I/C  
P.O. Box 69  
Lytton, BC V0K 1Z0

RCMP "E" Division  
Attn: Gary Bass, O.O.M., Commanding Officer  
657 West 37<sup>th</sup> Avenue  
Vancouver, BC V5Z 1K6

8. That the above addressees respectfully approach all First Nations Bands and Village of Lytton immediately to develop protocols to address:
- a. Police/Community Relations
  - b. Jurisdiction issues
  - c. Community issues
  - d. Restorative justice



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To: RCMP Lytton Detachment  
Attn: Sgt. B. Melanson, NCO I/C  
P.O. Box 69  
Lytton, BC V0K 1Z0

RCMP "E" Division  
Attn: Gary Bass, O.O.M., Commanding Officer  
657 West 37<sup>th</sup> Avenue  
Vancouver, BC V5Z 1K6

9. That the above addressees allocate resources and staffing for consistent School Liaison Officers for each of the area schools – Lytton Elementary School, Stein Valley Niha'kapmx School and Kumsheen Secondary School – to have a visible presence in each school on a regular basis (e.g. DARE Program).



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GIVEN NAMES

To: Commission for Public Complaints against the RCMP  
Attn: Mr. Paul E. Kennedy, Chair  
7337 – 137 Street; Suite 102  
Surrey, BC V3W 1A4

10. To develop literature specific to First Nations Communities that clarifies and explains the process of filing a complaint against the RCMP.

Background Information

The local First Nations want their complaints against the RCMP to be heard. Specific literature to assist First Nations Communities through a direct simplified process may prove an effective means. This would describe the process and potential outcomes in total.



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To: Village of Lytton,  
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Skuppah Indian Band  
Attn: Chief Doug McIntyre  
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Nlaka'pamux Nation Tribal Council

Attn: Chief Robert Pasco

P.O. Box 430

Lytton, BC V0K 1Z0

RCMP Lytton Detachment

Attn: Sgt. B. Melanson, NCO I/C

P.O. Box 69

Lytton, BC V0K 1Z0

BC Ambulance Service

Attn: Executive Director

P.O. Box 9600, Stn Prov Govt

Victoria, BC V8W 9P1

11. That the above addressees take steps immediately to review existing policies, procedures, and protocols of search and rescue services in the Lytton area with the intent to form a qualified Search and Rescue Service Team.

Background Information

Lytton sits at the confluence of the Thompson and Fraser Rivers. The river is a part of the community and, as such, the community members are at some degree of risk to their personal safety. The current means of search, rescue and recovery is limited and marginally effective. The issue of the current lack of qualified and equipped Search and Rescue Service Team was identified.



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To: RCMP "E" Division  
Attn: Gary Bass, O.O.M., Commanding Officer  
657 West 37<sup>th</sup> Avenue  
Vancouver, BC V5Z 1K6

RCMP Lytton Detachment  
Attn: Sgt. B. Melanson, NCO I/C  
P.O. Box 69  
Lytton, BC V0K 1Z0

12. That the above addressees review the current policies, procedures, and guidelines regarding the implementation and/or enforcement of:
- a. Liquor Control Act, particularly public drunkenness.
  - b. Securing a scene where a death and/or major crime has occurred.
  - c. Contact with and including the arrest and detainment (e.g. handcuff procedures) of intoxicated persons.
  - d. Foot pursuits in areas that may pose risks to the personal safety of those involved.
  - e. Radio use and communication

Background Information

The Jury heard that the community wants to know that the police officers are acting within the RCMP policies and procedures of public safety when enforcing the Liquor Control Act.



held at NzeekzAhhn Hall, Westside, Lytton, British Columbia

**VERDICT AT CORONER'S INQUEST**

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST

INTO THE DEATH OF

**Abbott**  
SURNAME

**Brent Andrew**  
GIVEN NAMES

To: RCMP "E" Division  
Attn: Gary Bass, O.O.M., Commanding Officer  
657 West 37<sup>th</sup> Avenue  
Vancouver, BC V5Z 1K6

Federal Ministry of the Solicitor General  
Minister of Public Safety and Solicitor General  
Attn: Honourable Stockwell Day  
269 Laurier Avenue West  
Ottawa, Canada K1A 0P8

- 13. That the addressees review their existing policies, procedures, and guidelines regarding the hiring, posting, selection, and retention of RCMP officers in rural First Nations communities with the intent to include community input.

To: Ministry of Public Safety and Solicitor General  
Attn: Honourable John Les  
P.O. Box 9053, Stn Prov Govt  
Victoria, BC V8W 9E2

- 14. That the above addressee ensures that a coroner's inquest occurs in a timely manner and that the families involved receive regular correspondence from those investigating.

Background Information

The Jury heard that the family has suffered a tremendous loss. Time has passed and they have not been able to heal or provided direct outside support. The coroner's inquest needs to be timely so as not to prolong the suffering and inhibit the healing.



CORONER'S COURT OF BRITISH COLUMBIA

held at NzeekzAhhn Hall, Westside, Lytton , British Columbia

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15. That "in-custody" deaths should not be investigated by the police force involved in that death.