



CORONER'S COURT OF BRITISH COLUMBIA

held at Houston, British Columbia

VERDICT AT CORONER'S INQUEST

We, the Jury, having been duly sworn and serving at the inquest, commencing on 22 May, 2007 at Houston, British Columbia, and continued on the following dates May 23-25, 2007, July 3-6 into the death of BUSH, Ian Geoffrey find he/she came to his/her death at approximately 2150 hours on the 29th day of October AD, 2005 at or near Houston, British Columbia

MEDICAL CAUSE OF DEATH

(1) Immediate Cause of Death: a) Single Gunshot Wound to the Head

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 THE EVENT ACCIDENTAL HOMICIDE NATURAL SUICIDE UNDETERMINED

The above verdict unanimously certified by the Jury on the 6th day of July AD, 2007.

SHANE DEMEYER

Presiding Coroner's Printed Name

Presiding Coroner's Signature

TO BE COMPLETED BY PRESIDING CORONER

Age: 22 years Gender: Male Female
Date of Birth: 23 July, 1983 Native: Yes No
Coroner's Case No.: 2005:726:0052 Post Mortem: Full External None
Police File No.: 2005-1305 Toxicology: Yes No
Police Department: Houston RCMP Identification Method: Visual Other (specify below)
Court Reporter: Alanna Siemens Identified by: Family
Phone: 250-614-4681 Premise of Injury: Houston RCMP Detachment
Premise of Death: Houston RCMP Detachment



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Bush

SURNAME

IAN GEOFFREY

GIVEN NAMES

INTRODUCTION

This inquest into the death of Ian Geoffrey Bush commenced at 0930 hours on May 22, 2007, at Houston, BC, and continued on May 23-25 and July 3-6, 2007. Mr. Mitch Houg was counsel to the coroner and Ms. Helen Roberts appeared on behalf of the Attorney General of Canada (representing the RCMP). Mr. Douglas Eastwood appeared on behalf of the Province of British Columbia. Mr. Howard Rubin appeared on behalf of the Bush family. Sheriff Froese took charge of the jury and recorded the following exhibits:

1. Sergeant Duncan's Curriculum Vitae
2. Blue Binder (Reports and Floor Plan)
3. Sergeant Hignell's Curriculum Vitae
4. Blue Book of Photographs
5. Plan of Interview Room
6. Violation Ticket
7. Driving Extract
8. Promise to Appear
9. "Poznikoff" Violation Ticket
10. Constable Koester's Statement
11. Aerial Photograph
12. Large Plan of Interview Room
13. a) Picture of Folliculitis
13. b) Picture of Furuncle and Abscess
14. Diagram of Interview Room
15. Dr. Crawford Report
16. Dr. Crawford Curriculum Vitae
17. Nov. 8 Statement of Cst. Koester
18. Joseph Slemko Curriculum Vitae
19. Joseph Slemko Report
20. Dec. 9 Bowman Report
21. Mar. 1 Bowman Report
22. Diagrams of Blood Spatter
23. Sketch of Blood Spatter



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The following witnesses testified:

- | | |
|-----------------------------------|---------------------------------------|
| 1. Sergeant Charles Duncan | RCMP Identification Officer |
| 2. Sergeant James Hignell | RCMP Blood Spatter Expert |
| 3. Dr. Walter Martz | Provincial Toxicology Centre |
| 4. Constable Paul Koester | RCMP |
| 5. Dr. John Stefanelli | Forensic Pathologist |
| 6. Marianne Dekker | Victim Services |
| 7. Michalle Brown | Ambulance Service |
| 8. Corporal Derek Donovan | RCMP |
| 9. Corporal Doug Stone | RCMP |
| 10. Constable Darren Woroshelo | RCMP |
| 11. Aux. Constable Shane Ketchell | RCMP |
| 12. Scott Stapleton | Community Member |
| 13. Ian Brockerville | Community Member |
| 14. Karen Cumming | Community Member |
| 15. James MacInnis | Community Member |
| 16. Corporal Troy Durand | RCMP |
| 17. Sergeant Sheila White | RCMP |
| 18. Robert Tobin | Community Member |
| 19. Rita Dreher | RCMP Dispatch |
| 20. Corporal Chris Knight | RCMP Firearms Expert |
| 21. Corporal Richard Murray | North District Major Crime Unit, RCMP |
| 22. Linda Bush | Mother |
| 23. Joseph Slemko | Blood Spatter Expert |



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PRESIDING CORONER'S COMMENTS

The following is a brief synopsis of the issues reviewed during the inquest. The purpose of these comments is to assist the reader to more fully understand the Verdict and Recommendations of the jury. It is not intended to be considered evidence nor is it intended in any way to replace the jury's verdict.

On October 29, 2005, Mr. Ian Geoffrey Bush made plans with friends to attend the opening game of the Houston Luckies hockey season. Prior to the start of the game, Mr. Bush and his friends attended the residence of an acquaintance that lived in an apartment across from the arena. They had planned to stay there and have a couple of drinks prior to walking to the arena for the start of the hockey game. Witnesses reported that Mr. Bush was not drinking much at the apartment as he had complained of heartburn and not feeling well.

The group of friends attended the arena to watch the first period of the game prior to returning to the apartment for some more drinks at the first intermission. Again, witnesses reported that Mr. Bush complained of heartburn and was not seen drinking like the rest of the group.

Mr. Bush and his friends returned to the arena for the second period of the hockey game. At the second intermission, they were asked not to go back into the apartment as there had been a complaint about the amount of people during the first intermission. A member of the group went to the apartment and brought back the alcohol that they had been storing in the residence during the game.

At approximately 2100 hours on October 29, 2005, Constable Paul Koester and Corporal Derek Donovan started doing a foot patrol around the arena during the Houston Luckies hockey game. There had been a previous discussion at the Houston RCMP Detachment about the amount of drinking and subsequent fighting that often happens outside these games.

Upon their arrival at the arena, both Corporal Donovan and Constable Koester discovered open cases of alcohol that they either confiscated or the owners were directed to empty the bottles. Testimony from Constable Koester and Corporal Donovan was that the cases of alcohol were open, but none of the bottles within the cases had been opened.

At approximately 2104 hours, Constable Koester reported seeing Mr. Ian Bush by the main entrance to the arena with an open bottle of beer. Constable Koester stated that he asked Mr. Bush to empty the beer and then asked him his name. Reportedly, Mr. Bush responded by saying his name was "Jeremy".

Constable Koester then explained that he was going to be giving Mr. Bush a ticket for having an open bottle of alcohol in a public place. At this time, Auxiliary Constable Shane Ketchell and Constable Darren Woroshelo



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that although he was trained to fight back in different ways, he couldn't recall if he managed to strike back at Mr. Bush during this initial combat.

Constable Koester stated that while in the middle of the room, Mr. Bush struck him extremely hard on the side of the head which made his knees buckle and caused him to fall forward. Following this hit, Mr. Bush was reported to have placed Constable Koester in a head lock from behind. While in this position, the two fell forward onto the couch that was at the end of the interview room.

Constable Koester testified that his face was down on the couch's cushions and that he believed Mr. Bush had his left arm around his throat in a hold against his carotid artery. He is unaware of where Mr. Bush was specifically located as he was pinned underneath and couldn't see him. He reported feeling signs of losing consciousness and attempting to break the hold around his neck. He stated that he reached back and pulled out his service pistol and attempted to strike Mr. Bush several times prior to making the decision to pull the trigger and shoot Mr. Bush.

Constable Koester stated that immediately following the shooting he called for assistance on his police radio. He testified that he is unaware how he got out from under Mr. Bush or if he moved him in the process. Corporal Donovan was the first person to respond to the call for assistance and reported finding Constable Koester lying on the floor of the interview room and Mr. Bush deceased lying across the couch. Corporal Donovan testified that he immediately contacted RCMP Dispatch and asked them to notify the North District Major Crime Unit in Prince George as he knew it would be their responsibility to investigate the incident.

RCMP Blood Spatter expert, Sergeant James Hignell, attended the Detachment to analyse the blood evidence present in the room as well as on Constable Koester's handgun. Sergeant Hignell testified that after analysis of the weapon, he believed it was most likely that Mr. Bush was struck several times by the handgun in an inverted position consistent with Constable Koester being beneath Mr. Bush. The evidence indicated the gunshot happened while the handgun was near or against Mr. Bush's head. He also believes the blood spatter evidence in the RCMP Interview Room was consistent with Mr. Bush being behind Constable Koester, lying across the couch, when the handgun was fired.

Blood Spatter expert Joseph Slemko testified on behalf of the Bush family that he had reviewed Sergeant Hignell's written report as well as reviewing photos of the blood evidence photographed at the scene. Mr. Slemko reported that his bloodstain analysis of this evidence supported Mr. Bush's head being on or near the cushions of the couch at the time the shot was fired. He testified that he thought it most likely Constable Koester was not directly beneath Mr. Bush's head as that would have raised the elevation of Mr. Bush's head which was inconsistent with his analysis of the blood stain evidence.



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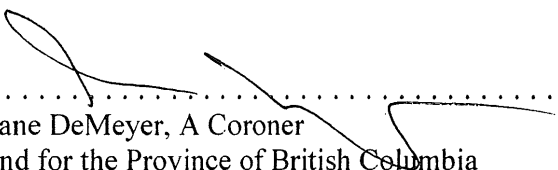
Forensic Pathologist Dr. John Stefanelli testified that the cause of death was a single gunshot wound to the head of Mr. Bush. It was Dr. Stefanelli's evidence that the gunshot wound was indicative of the muzzle of the handgun being in partial contact with Mr. Bush's head at the time of discharge. In addition, he testified that other wounds on the top of Mr. Bush's head were of a size and shape consistent with being caused by the sight on Constable Koester's handgun.

Dr. Walter Martz of the Provincial Toxicology Laboratory testified that Mr. Bush had a blood alcohol level of .24 percent. However, he explained that this level was artificially elevated due to natural autolytic changes that happen in the body following death. He reported that Mr. Bush's actual blood alcohol level would be .17 percent when adjusted for these changes.

Sergeant Sheila White presented testimony regarding the use of recording equipment in the Interview Room of the Houston RCMP Detachment. Sergeant White reported that there was a camera in the Interview Room that covered the table that Mr. Bush and Constable Koester were using. This camera could record images and audio through a connected VCR. In addition, there was also a sound recording device that recorded onto a standard tape for stenographers to use. These devices would be started from the room adjacent to the Interview Room.

Sergeant White stated that the recordings were only done when taking statements from witnesses or suspects that had to be recorded for future use. This recording equipment was not utilized in situations where an individual was coming in to sign a Notice to Appear as a statement was not being taken at the time.

Sergeant White testified that since this incident, the RCMP has upgraded the equipment in the Interview Room. The video is no longer recorded on VHS tapes which required the changing of the tape after sixty minutes. They are now utilizing a digital system which can record up to 284 consecutive hours. In addition, they are now able to start the recording with a remote control located in the Interview Room.


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Shane DeMeyer, A Coroner
in and for the Province of British Columbia



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Pursuant to Section 3(2)(d) 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:

RECOMMENDATIONS OF THE JURY

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

1. RCMP "E" Division's information technology staff should design and set the standard for audio and visual recording equipment to be installed in every detachment. Further, it is recommended that the equipment be similar to those commonly in use by banks and retail stores to minimize human intervention with the equipment. Finally, the use of the recording equipment be made mandatory. Verbal warnings be given, and printed signage be installed, advising those entering an interview room that they will be recorded for everyone's safety.

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

Sergeant Sheila White,
Houston RCMP Detachment, Officer in Charge
Box 490, Houston, B.C.
V0J 1Z0

2. Review the working alone policy such that when a person of interest is detained by a police officer in the detachment he or she must have an additional person within the employ of the RCMP present until the detained person is released and exited the building or the person has been placed in a cell.



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To: Deputy Commissioner Gary Bass
Royal Canadian Mounted Police, "E" Division
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3. The RCMP should conduct a business design review to look at current procedures and find potential areas where processes can be revised with the goal of continuous improvement.

RCMP members should annually conduct a self assessment and have a continuing education plan aimed at maintaining competency.

To: Mayor Sharon Smith,
District of Houston, British Columbia
3367 12th Street
Houston, B.C.
V0J 1Z0

Sergeant Sheila White
Houston RCMP Detachment, Officer in Charge
Box 490, Houston, B.C.
V0J 1Z0

4. In the area of public relations, the jury recommends joint efforts between Mayor Sharon Smith, representing the District of Houston, and Sergeant Sheila White, Officer in Charge of the Houston RCMP Detachment, to further educate the general public on various aspects of the criminal code with the aim of reducing the violations of the law.

For example, but not limited to the following:

Liquor Violations, Obstruction of Justice, Theft, Assault and Vandalism.

The potential vehicles for disseminating this information may include:

- Articles in papers



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- Reminders on the radio and television
- Workshops in schools and/or community
- Local Council motions to adopt the support of the principles of law.
- Increased signage at public venues to describe the law and how to report offences.