



CORONER'S COURT OF BRITISH COLUMBIA

VERDICT AT CORONER'S INQUEST

We, the Jury, having been duly sworn and serving at the inquest, commencing on 13 November 2007 at

Kelowna, British Columbia, and continued on the following dates November 13 - 14, 2007

into the death of Madrusan, Derrick Patrick find he came to his death at approximately 0158 hours

on the 7th day of June AD, 2006 at or near Kelowna, British Columbia

MEDICAL CAUSE OF DEATH

(1) Immediate Cause of Death: a) Myocardial infarction

DUE TO OR AS A CONSEQUENCE OF

Antecedent Cause if any: b) Cocaine overdose

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 [X] ACCIDENTAL [] HOMICIDE [] NATURAL [] SUICIDE [] UNDETERMINED

The above verdict certified by the Jury on the 14th day of November AD, 2007.

BRUCE CHAMBERLAYNE Presiding Coroner's Printed Name

[Signature] Presiding Coroner's Signature

TO BE COMPLETED BY PRESIDING CORONER

Age: 38 years Gender: [X] Male [] Female
Date of Birth: 26 May 1968 Native: [] Yes [X] No
Coroner's Case No.: 2006:0573:0077 Post Mortem: [X] Full [] External [] None
Police File No.: 2006-27341 Toxicology: [X] Yes [] No
Police Department: Kelowna Rural RCMP Identification Method: [X] Visual [] Other (specify below)
Court Reporter: Joann Watson/Verbatim Words West Ltd Identified by: Mother
Phone: 604-591-6677 Premise of Injury: Private residence
Premise of Death: Kelowna General Hospital, Kelowna



held at Kelowna , British Columbia

VERDICT AT CORONER'S INQUEST

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

MADRUSAN
SURNAME

DERRICK PATRICK
GIVEN NAMES

INTRODUCTION

This inquest into the death of Derrick Patrick Madrusan commenced 0930 hours on November 13, 2007 at Kelowna Law Courts, Kelowna, BC, and continued on November 14th, 2007. Mr. Steven Boorne was counsel to the coroner and Mr. Terry McCaffrey appeared on behalf of the Attorney General of Canada (representing the RCMP). Deputy Sheriff Peggy Maerz took charge of the jury and recorded the following exhibits:

- 1. Audio CD of 9-1-1 call
- 2. Image of residence - # 10 (RCMP)
- 3. Image of residence - # 17 (RCMP)
- 4. Image of residence - # 41 (RCMP)
- 5. BC Ambulance Basic Life Support crew report
- 6. BC Ambulance Advanced Life Support crew report
- 7. Final Post Mortem report
- 8. Registration of Death
- 9. Provincial Toxicology Center report

The following witnesses testified:

- | | |
|--------------------------|--------------------------|
| 1. Ms. Kristen De Paul | Neighbour |
| 2. Ms. Tammy Patrick | Tenant |
| 3. Mrs. Juliana Verona | Mother |
| 4. Mr. Thomas Joyson | Step-father |
| 5. Cst. Darryl Robinson | Police officer |
| 6. Cst. Baden Jones | Police officer |
| 7. Cst. Stan Walstrom | Police officer |
| 8. Cpl. Ralph Jolley | Police officer |
| 9. Cst. Mireile Sanchez | Police officer |
| 10. Mr. David Bryan | Paramedic |
| 11. Ms. Laurie Schwaiger | Paramedic |
| 12. Mr. Don Hagen | Paramedic |
| 13. Dr. Wes Woychuck | Emergency room physician |
| 14. Dr. Bill Currie | Pathologist |
| 15. Dr. Walter Martz | Toxicologist |

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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.

The jury heard from Ms. Kristen De Paul, a neighbour of Mr. Madrusan. Ms. De Paul was riding a transit bus home to her Westside residence on the evening of June 6, 2006. Mr. Madrusan was riding the same bus as Ms. De Paul and she reported that Mr. Madrusan was speaking very loudly and singing. They both got off at the same bus stop and she reported that Mr. Madrusan appeared to be somewhat high strung and possibly impaired.

Ms. Tammy Patrick and her daughter lived in the basement suite of Mr. Madrusan's residence. At approximately 0030 hours on June 7, 2006, Ms. Patrick heard banging and raised voices in the upstairs residence. She went to the residence entrance to speak to Mrs. Verona and Mr. Joynson about the disturbance. She was standing outside the open door entrance when she observed Mr. Madrusan on top of his mother with his hands around her throat. Ms. Patrick called emergency personnel and waited on the balcony for the police to arrive. The 9-1-1 call made by Ms. Patrick was played for the jury and entered as an exhibit as she left her cell phone on during the altercation. She did not enter the residence due to the violence of the struggle and concern for her young daughter. She called out to Mr. Madrusan that she had called the police. Mr. Madrusan was speaking incoherently and he had a blank look on his face. When the police arrived at the residence they instructed Mr. Madrusan to stop resisting but the commands had no effect. She reported that several officers were in a violent struggle to control Mr. Madrusan and place him in handcuffs. She estimated the altercation may have lasted ten minutes. Mr. Madrusan's legs were tied with a rope and the rope was attached to his handcuffs in a hogtie fashion. She saw him being placed into the rear of the police cruiser and saw his feet moving in the rear window of the vehicle. She estimates that approximately five minutes later Mr. Madrusan was removed from the police cruiser and placed on the ground and attended to by paramedics.

Mr. Madrusan's mother, Mrs. Juliana Verona, described her son as a good-hearted and kind person and said that he had never acted violently towards them before. There was one occasion in 2003 when her son acted strangely by calling them to tell them the world was coming to an end. He was subsequently involved in an altercation with police in Vancouver and was hospitalized. She understood that her son used illicit drugs but was not familiar with any details. Mr. Madrusan had been living with his parents for the past four months and had recently got a job as a janitor. He was on his day off on June 6, 2006 and arrived home at approximately 2200 hours. He went to bed for a very short period of time and then entered their bedroom and jumped on their bed between herself and Mr. Joynson. He broke a window in the bedroom and was shouting that the world was coming to an end and that they had to leave the residence. He attempted to wrap Mrs. Verona in a bed sheet



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and a struggle ensued on the floor. Her husband, Mr. Joynson intervened to help his wife but Mr. Madrusan chased him away. She said his behaviour was very abnormal and that he was very strong. Mrs. Verona said that she was in shock at the time and does not remember many details of the altercation.

Mr. Thomas Joyson, Mrs. Verona's common law spouse, had known Mr. Madrusan since he was young boy. He reported a similar understanding of the incident as Mrs. Verona. Mr. Joynson said he was acting unusual and in a 'crazy' state. He reported that Mr. Madrusan was incredibly strong and 'threw him around like a baseball'. He said that he was fearful for their safety as he thought Mr. Madrusan was trying to kill his mother. He did not understand why Mr. Madrusan was acting in this way. Mr. Joynson was not aware of any drug use by Mr. Madrusan. Mr. Joynson related few details of the incident to the jury as he was in shock at the time.

Cst. Darryl Robinson and his partner Cst. Baden Jones were stationed at the Westside RCMP Detachment when they received a dispatch at approximately 0030 hours on June 7, 2006 to attend a scene of a young male assaulting his parents. They arrived at the McIver Road residence approximately five minutes later. Cst. Robinson was unable to attend the inquest and had been excused by the Presiding Coroner. His statement was read into the record by Coroner's Counsel. Cst. Robinson was available for questions via cell phone.

Cst. Robinson was the first officer to enter the residence. When he entered through the sliding balcony door he was immediately kicked or punched in the abdomen by Mr. Madrusan. He reported that Mr. Madrusan did not respond to any commands to stop resisting and that he was extremely combative and violent. He described Mr. Madrusan as being in a rage and he felt like he was in a "fight for his life". He reported that his attempt to control Mr. Madrusan in a carotid control technique was futile. Cst. Jones arrived 10 - 15 seconds later and immediately went to the assistance of Cst. Robinson. He observed Mrs. Verona on the kitchen floor bound in a sheet and Mr. Madrusan on top of her grasping the sheet with his hand. Cst. Jones described a violent struggle. The use of pepper spray, strikes and pressure points were futile in their attempts to control him.

A third officer, Cst. Stan Walstrom, heard the dispatch call for backup in his police cruiser and arrived at the residence at approximately 0040 hours. Cst. Walstrom also attempted to de-escalate the situation by speaking to Mr. Madrusan with no effect. All three officers described Mr. Madrusan as having 'super human' strength and that it was a very intense and violent struggle. Each officer weighed over 200 pounds and reported that they were fighting for their lives. After approximately five to six minutes the officers were able to handcuff Mr. Madrusan. His feet were tied with a rope as he was continuing to struggle on the floor and attempted to kick the officers. The officers tied the rope to his handcuffs in a hogtie fashion and turned him on his stomach.

The Watch Commander, Cpl. Ralph Jolley and Cst. Mireile Sanchez attended the residence at approximately



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0045 hours. Cpl. Jolley and Cst. Sanchez assisted the other officers in carrying Mr. Madrusan to the police cruiser. Mr. Madrusan was placed on his left side with his face forward on the rear seat. The rope was removed by Cst. Jolley from his handcuffs and feet. Mr. Madrusan was observed to be sweating profusely.

BC Ambulance paramedics attended to the officers who had received minor injuries and attended to Mrs. Verona who was complaining of chest pains. After approximately five minutes after Mr. Madrusan was placed in the rear of the police cruiser, Cpl. Jolley opened the rear driver's side door and observed that Mr. Madrusan was not breathing. He checked for a radial and carotid pulse and found none. Paramedics were immediately summoned to attend to Mr. Madrusan whose handcuffs were removed and he was placed on the ground.

Mr. David Bryan, a Basic Life Support (BLS) Paramedic, attended to Mr. Madrusan who was in cardiac arrest. He began arrest protocols at 0057 hours on June 7, 2006. He was assisted by his partner, Ms. Laurie Schwaiger, also a BLS Paramedic. An Advanced Life Support (ALS) ambulance was requested by Mr. Bryan at 0109 hours as Mr. Madrusan was in cardiac arrest. The BLS ambulance met the ALS ambulance at 0117 hours at Elk Road and Highway 97. Mr. Don Hagen, an ALS Paramedic, described his cardiac arrest protocols to the jury and reported that Mr. Madrusan did not have any cardiac output. Mr. Hagen considered that Mr. Madrusan may have had some of the symptoms related to the 'excited delirium' syndrome. He was aware of his hyper metabolic activity and great strength. The ALS ambulance arrived at Kelowna General Hospital Emergency department at approximately 0145 hours.

Dr. Wes Woychuck, a Kelowna General Hospital Emergency Room Physician, described Mr. Madrusan's medical condition when he arrived at the emergency department. He had pulseless electrical activity with no cardiac output. He described his unsuccessful resuscitation efforts and reported that Mr. Madrusan died at 0158 hours on June 7, 2006.

Dr. Bill Currie, Pathologist, described his post mortem examination. He described multiple superficial lacerations, abrasions and bruising to the head and body. None of these injuries contributed to his death and were consistent with the altercation. There was a fresh injection site in his right antecubital fossa. There were several fractured ribs, most likely attributed to cardio-pulmonary resuscitation. There was no trauma to the neck and no evidence of asphyxia. There was no petichia hemorrhage in the lungs and the lack of oxygen was not the cause of death. There was no pre-existing heart disease or medical condition that contributed to his death. The cause of death was a myocardial infarction due to an overdose of cocaine.

Dr. Currie commented on the term 'excited delirium'(ED). He described ED as a state of mind rather than a cause of death. He said that ED is a state for which there are many potential diagnoses: psychiatric illness, drug intoxication, combination of psyche and drugs, etc. The behaviour that is observed is a continuum from obtunded to extreme agitation. Features of ED may include bizarre, irrational behaviour, constant



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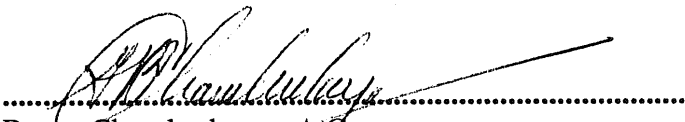
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yelling/screaming, aggression towards inanimate objects, glass attraction and often naked or semi-clothed. Other features include not responding appropriately to police presence, insensitive to pain, may have very hot skin, may sweat profusely, apparent superhuman strength and violent struggles despite futility. He described that death often occurs quickly when the subject becomes quiet and that resuscitation is virtually never successful.

Dr. Walter Martz PhD, Director of the Provincial Toxicology Centre, reported on the examinations conducted on Mr. Madrusan's post mortem peripheral (vein) blood and urine. Blood alcohol levels were not detected. Dr. Martz testified that the blood level detection of 0.50 mg/L of cocaine and 0.91 mg/L of benzoylecgonine were similar to levels seen in recreational use and were in the range where death occurs. He reported that toxicology analysis does not determine the route of administration.

After deliberation, the Jury classified Mr. Madrusan's death as accidental and put forward the following recommendation.


.....
Bruce Chamberlayne, A Coroner
In and for the Province of British Columbia

Pursuant to Section 38 of the Coroners Act, the following recommendation is forwarded to the Chief Coroner of the Province of British Columbia for distribution to the appropriate agency:



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RECOMMENDATIONS OF THE JURY

**To: Assistant Commissioner A. MacIntyre
RCMP HQ – E Division
5255 Heather Street
Vancouver
V5Z 1K6**

1. In such cases that a suspect mimics the symptoms of "excited delirium", an RCMP member remains in attendance with the suspect 'one on one' until emergency medical service is on site.

