



CORONER'S COURT OF BRITISH COLUMBIA

held at VANDERHOOF, British Columbia

VERDICT AT CORONER'S INQUEST

We, the Jury, having been duly sworn and serving at the inquest, commencing on 18 January, 2007 a Vanderhoof, British Columbia, and continued on the following dates 19, 23, 24, 25, 26 January, 2007 into the death of St. Arnaud, Kevin Edmond find he/she came to his/her death at approximately 0109 hour on the 19th day of December, AD, 2004 at or near Vanderhoof, British Columbia

MEDICAL CAUSE OF DEATH

- (1) Immediate Cause of Death: a) Gunshot wounds to chest DUE TO OR AS A CONSEQUENCE OF Antecedent Cause if any: b) being shot by an RCMP Officer in the line of duty DUE TO OR AS A CONSEQUENCE OF c) Giving rise to the immediate cause (a) above, stating underlying cause last. (2) Other Significant Conditions Contributing to Death:

CLASSIFICATION OF THE EVENT [] ACCIDENTAL [x] HOMICIDE [] NATURAL [] SUICIDE [] UNDETERMINED

The above verdict certified by the Jury on the 26th day of January AD, 2007.

SHANE DEMEYER Presiding Coroner's Printed Name

Presiding Coroner's Signature

TO BE COMPLETED BY PRESIDING CORONER

Age: 29 years Gender: [x] Male [] Female Date of Birth: 1 April, 1975 Native: [] Yes [x] No Coroner's Case No.: 2004:726:0061 Post Mortem: [x] Full [] External [] None Police File No.: 2004-1365 Toxicology: [x] Yes [] No Police Department: North District MCU, RCMP Identification Method: [x] Visual [] Other (specify below) Court Reporter: Alanna Siemens Identified by: Family Phone: 250-561-0048 Premise of Injury: Soccer field off Stewart St. Premise of Death: Soccer field off Stewart St.



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FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE INQUEST

INTO THE DEATH OF

St. Arnaud

SURNAME

KEVIN EDMOND

GIVEN NAMES

INTRODUCTION

This inquest into the death of Kevin Edmond St. Arnaud commenced at 0930 hours on January 18, 2007, at the Vanderhoof Courthouse, Vanderhoof, BC, and continued on 19, 23, 24, 25, 26 January, 2007. Mr. Chris Godwin was counsel to the coroner, Mr. Cameron Ward appeared on behalf of Rebecca Gingera (spouse) and Ms. Helen Roberts appeared on behalf of the Attorney General of Canada (representing the RCMP). Sheriff Al Lindsay took charge of the jury and recorded the following exhibits:

1. Registration of Death
2. Post Mortem Report
3. Toxicology Report
4. Photograph of Mr. St. Arnaud's shirt
5. Forensic Lab Report, scene sketch, 2 photos of Mr. St. Arnaud and the soccer field
6. Site plan
7. Site plan enlarged
8. 2 photos of Mr. St. Arnaud prior to incident
9. Witness modified site plan
10. Site plan with Cst. Erickson
11. Photo of Mr. St. Arnaud on field
12. Sketch outlining wound #2
13. Sketch outlining wound #3
14. Sketch outlining wound #4
15. Right side diagram showing trajectories
16. Left side diagram showing trajectories
17. Top view diagram showing trajectories
18. Ambulance Crew Report
19. Situational Factors (Use of Force) Chart
20. RCMP Exhibit Report
- 20 (A) Exhibit Report Continuation
21. RCMP Ident Report
22. Aerial photo of Field
23. Aerial photo of Field
24. Aerial photo of Field
25. 4 photos of shell casings
26. Photo of Mr. St. Arnaud's face
27. Video of Field and Mall



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28. Diagram of Mall
29. 3 photos of Mall
30. 19 photo proof sheets
31. Forensic Lab Report
32. Test Firing Diagram
33. Diagram of 5 Firing Scenes
34. (A) Audio Recording of Dispatch
34. (B) Transcript of Dispatch
35. Video of interview with Cst. Sheremetta
36. RCMP Exhibit Bag
37. RCMP Time Line

The following witnesses testified:

1. Dr. J.D. McNaughton
2. Mr. Sid Skiffington
3. Ms. Jackie Thiessen
4. Ms. Christa Siemens
5. Mr. Michael Bulkley
6. Mr. Chris Lyell
7. Mr. John Thiessen
8. Mr. Abe Klassen
9. Mr. Dennis Nooski
10. Mr. Matt Malo
11. Ms. Sylvia Isaac
12. Ms. Rebecca Gingera
13. Cst. Ryan Sheremetta
14. Cst. Colleen Erickson
15. Mr. Drew Hunsaker
16. Mr. Jim Vanderploeg
17. Sgt. James MacLellan
18. Sgt. Glen Doll
19. Sgt. James Gallant
20. Mr. Earl Hall
21. Staff Sgt. Glenn Krebs



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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 December 18, 2004, Mr. Kevin Edmond St. Arnaud was working as a welder when he was noted to have hurt his right hand and was required to attend the local hospital to have it professionally attended and bound.

Although he returned to work, Mr. St. Arnaud left early so he could visit with his spouse's family prior to attending a get together of Mr. St. Arnaud's coworkers at a local pub.

Witnesses reported that while at the pub Mr. St. Arnaud consumed an excessive amount of alcohol. Although it was reported that he initially appeared to be in a good mood and the "life of the party", Mr. St. Arnaud's behaviour deteriorated as the night progressed and he continued to consume alcohol at the bar. Following a disagreement with his spouse, Mr. St. Arnaud is reported to have initiated a fight with another patron of the bar. At this time he was asked by staff to leave the premises.

At approximately 0015 hours on the morning of December 19, 2004, Mr. St. Arnaud was witnessed in an intoxicated state at a local residence. Although he was described as being too intoxicated to pose a threat, Mr. St. Arnaud refused to leave the premises for approximately 20 minutes despite the repeated requests of the tenant.

At approximately 0051 hours an alarm company contacted the Prince George Dispatch to report an alarm at the Rexall Pharmacy in the COOP Mall. Cst. Sheremetta was at the Vanderhoof RCMP Detachment with Cst. Erickson when he accepted the call and proceeded to the Mall in a police cruiser. Cst. Erickson also accepted the call, but took a separate police vehicle and approached the Mall from a different direction.

At 0108 hours Cst. Sheremetta attended to the location and saw a man running from the back of the COOP Mall across Stewart Street. Initially, the Constable drove his police vehicle in pursuit. However, after following the suspect into an alley behind the curling rink, he continued the pursuit on foot. The temperature was below freezing and the footing was described as being extremely slippery due to ice.



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Cst. Sheremetta followed the suspect through the tennis courts and onto the local soccer field. Although there wasn't any lighting on the field itself, there was lighting on the road alongside the field (streetlights) that provided adequate illumination to see the suspect reasonably well. Cst. Sheremetta stated that he was concerned the suspect had been running with his right hand within his jacket despite the slippery conditions. Cst. Sheremetta reports that after they were both on the field, the suspect slowed to a walk before raising both hands in the air. At this point he turned towards the Constable and started to walk back with his arms down.

The Constable testified he attempted to back up from the suspect but fell down on the slippery surface of the snow. He further reported that the suspect continued to advance and uttered a threatening statement while approaching the fallen Officer.

At this point Cst. Sheremetta stated that while lying on the ground he feared for his life and fired twice into the chest of the suspect. When the suspect didn't stop, he fired a third time which caused the suspect to fall directly downwards.

Cst. Erickson reported that she had attended the call at the pharmacy in the other police vehicle and had been in front of the mall when Cst. Sheremetta started his pursuit of the fleeing suspect. She followed behind Cst. Sheremetta as he updated her on his location by radio. Cst. Erickson testified that she was driving on the north side of Stewart Street when she witnessed Cst. Sheremetta standing and shooting at an advancing Mr. St. Arnaud.

An independent witness to the incident, Mr. Abe Klassen, reported driving up Stewart Street by the soccer field to assist the police in their pursuit. This witness testified that he saw a man raise his arms and start walking back towards a police officer. At this point he thought the man was surrendering so he looked away from the field. He reported then hearing two rapid shots and looked back to see a man on the ground. The witness testified he had assumed he heard warning shots, and that the man on the ground had given himself up, so he drove away.

The BC Ambulance Service was called at approximately 0112 hours and arrived at the scene at 0124 hours. Ambulance attendants testified that the man later identified as Kevin St. Arnaud was already deceased at the time of their arrival.

The RCMP Identification Officer who was in charge of the initial collection of evidence from the field and COOP Mall testified they were unable to definitively trace the footsteps of Mr. St. Arnaud and Cst. Sheremetta due to the nature of the snow which did not reveal any identifiers from the footwear. He reported that from the available evidence he could not state where Cst. Sheremetta was positioned at the time of the shooting.



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Forensic Pathologist Dr. McNaughton spoke to the nature of the injuries suffered by Mr. St. Arnaud. Dr. McNaughton identified four bullet wounds on Mr. St. Arnaud. He clarified that although there were four wounds present; they were caused by only three bullets. One of the bullets was shown to have struck Mr. St. Arnaud's hand prior to entering his abdomen.

Dr. McNaughton testified that he was able to map the downward trajectory of the three bullets.

One gunshot wound was located on the upper left chest region and appeared to travel from front to back with an approximate 30 degree downward trajectory.

The second gunshot wound was to the right of the midline approximately 6 centimetres below the right nipple. The wound tract appeared to go from front to back at an approximate 45 degree downward trajectory.

The third gunshot wound was located on the left lower chest region. This wound was consistent with the bullet first passing through Mr. St. Arnaud's hand before entering his body. This bullet again entered from the front with an approximate 30-40 degree descending trajectory.

Dr. McNaughton's testimony was that all three chest wounds were potentially fatal.

Primary RCMP investigator Staff Sergeant Glenn Krebs testified that he reviewed all of the evidence gathered at the scene of the incident as well as information provided by other experts (firearms expert, blood analysis expert, and engineering expert) following the incident.

After reviewing all of the information, the RCMP did not believe there was evidence to support a request for charges to Crown Counsel.

Crown Counsel also reviewed the provided evidence and did not believe there was reason to file any charges from the circumstances of the incident.

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Pursuant to Section 38 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:
S/Sgt. Rick KOWALEWICH
Officer in Charge
Vanderhoof RCMP Detachment
Box 650
Vanderhoof, B.C.

1. Consider possible modifications to staffing levels of RCMP Officers on weekend evenings and holiday events.
2. Consider possible improvements in training and equipment in regards to communications between Officers involved in investigative incidents.
3. Ensure Officers involved in investigating incidents properly identify themselves including using emergency lights where appropriate.

To:
Honourable John Les
Ministry of Public Safety and Solicitor General
Province of British Columbia
Parliament Buildings
Victoria, B.C.
V8V 1X4

4. Review and ensure proper enforcement regarding sales of alcohol in licensed premises.

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To:
Owners and Managers of Co-op Mall
188 East Stewart Street
Vanderhoof, B.C.

5. Ensure all potential access sites on the roof be secured so as to restrict access by unauthorized individuals..

To:
Janice and Dennis Biggin-Pound
Owners and operators of Rexall Drug Store
188 East Stewart Street
Vanderhoof, B.C.

6. Review and upgrade security measures within the dispensary area of the store.

To:
Rita Dreher
Operations and Communications Centre
North District RCMP
4020 Fifth Avenue
Prince George, B.C.
V2M 7E7

7. Ensure as much detail as possible be provided to officers upon report of an alarm

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