



VERDICT AT INQUEST

File No.: 2007:0123:0089

An Inquest was held at the Supreme Court, in the municipality of Nanaimo in the Province of British Columbia, on the following dates February 2nd - 3rd, 2010

before Rodrick H. MacKenzie, Presiding Coroner,

into the death of William Cory DELORME 34 Male Female (Last Name, First Name) (Age)

and the following findings were made:

Date and Time of Death: December 6th, 2007 between 2:00AM and 4:00AM

Place of Death: 236 Victoria Road Nanaimo, British Columbia (Location) (Municipality/Province)

Medical Cause of Death

(1) Immediate Cause of Death: a) Brainstem Herniation DUE TO OR AS A CONSEQUENCE OF

Antecedent Cause if any: b) Acute Traumatic Subdural Hematoma DUE TO OR AS A CONSEQUENCE OF

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

(2) Other Significant Conditions Contributing to Death:

Classification of Death: Accidental Homicide Natural Suicide Undetermined

The above verdict certified by the Jury on the

3rd day of February AD, 2010

RODRICK H. MACKENZIE

Presiding Coroner's Printed Name

Handwritten signature of Rodrick H. MacKenzie

Presiding Coroner's Signature



VERDICT AT INQUEST

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

FILE No.: 2007-0123-0089

DELORME

SURNAME

William Cory

GIVEN NAMES

PARTIES INVOLVED IN THE INQUEST:

Presiding Coroner: Rodrick H. MacKenzie

Court Reporting/Recording Agency: Verbatim Reporting Services

Participants/Counsel: Dr. Balfour and Dr. Paris/Mr. David Pilley
Royal Canadian Mounted Police/Mr. David Kwan

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

PRESIDING CORONER'S COMMENTS:

The following is a brief summary of the circumstances of the death as presented to the jury at the inquest. The summary and my comments respecting the recommendations, if any, are only provided to assist the reader to more fully understand the Verdict and Recommendations of the jury. This summary is not intended to be considered evidence nor is it intended in any way to replace the jury's verdict.

On November 29th, 2007, Mr. Delorme was found by a member of the Nanaimo detachment of the Royal Canadian Mounted Police in a state of intoxication in a public place. He was lodged in the cells of the said detachment for his own protection to be released when sober.

An unexplained dispute which became physical arose between Mr. Delorme and his two cell mates. This dispute carried on for some time and ended only when Mr. Delorme's head was stomped several times onto the concrete floor of the cell. Mr. Delorme became still and may have lost consciousness. The cell mates both then sat down on the floor of the cell.

There were two jail guards on duty. One guard was male and one female. The female guard who was mopping the cellblock hallway heard a loud noise from the cell 100 feet away through a solid steel door (Mr. Delorme's head hitting the floor). She notified the male guard who had been booking in a prisoner. The guard ran to the cell, opened the door, and dragged Mr. Delorme out into the hallway.

An ambulance was summoned. The paramedics arrived quickly, provided first aid, and transported Mr. Delorme to the emergency room (ER) at the Nanaimo Hospital. The ER doctor accessed Mr. Delorme and employing staples closed the head wound Mr. Delorme suffered in the dispute. Mr. Delorme was still in a state of intoxication; therefore, he was returned to the cells and when later sober, released.

The following day, Mr. Delorme attended at the medical clinic where he had been receiving treatment for a number of years. He was seen by the Doctor on duty. He complained of headache and nausea. The Doctor accessed him and gave him a script for Tylenol.



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For the following several days, Mr. Delorme complained of headache. His friends attempted, without success, to have him seek further medical attention.

On the evening of December 5th and into the early hours of December 6th, 2007, Mr. Delorme was drinking with friends at his residence. The friends noted that he became very still, but was still breathing. At the break of day, his friends noticed that he was cold and "something was wrong." They called for help. Help arrived and found Mr. Delorme to be deceased. The ambulance attendant, a man with 40 years experience, gave his opinion that Mr. Delorme died between 2:00 and 4:00 AM that morning.

The Jury heard evidence that a slow bleed related to a head injury is very difficult to diagnose. The pathologist who did the post mortem exam was of the opinion that the injury received in the cell on November 29th was the likely cause of Mr. Delorme's death on December the 6th.



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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:

JURY RECOMMENDATIONS:

To: Mayor and Council
City of Nanaimo
455 Wallace Street
Nanaimo, BC

1. Enhanced capabilities of monitoring system – each cell have a dedicated camera with continuous viewing with audio capacity.

Coroner's Comments:

The Jury heard evidence that only some cells are viewed continuously and that there is no audio capacity. The evidence presented indicated that if there had been an audio capability, the guards may well have heard the dispute in time to have prevented the injury to Mr. Delorme.

2. Guards are not to be required to perform light cleaning and maintenance duties as per (CPIC checks and cell block 19.1-3.4). Custodial staff should be hired to perform cleaning and maintenance duties. In the event of an emergency, if custodial staff is not available, guards will be required to perform emergency cleaning that goes to the custody, protection and welfare of prisoners.

Coroner's Comments:

The Jury heard evidence that the female guard was cleaning (non-emergency), the male guard was busy booking in a prisoner and no one was watching the monitors or checking cells when Mr. Delorme was being assaulted.

To: Commanding Officer
"E" Division
657 West 37th Avenue
Vancouver, BC, and

To: Mayor and Council
City of Nanaimo
455 Wallace Street
Nanaimo, BC

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3. As per OPS manuals 19.3-Guarding Prisoners/Personal Effects
Guards shall participate in annual training sessions consisting of review and interpretation of OPS Manual as it pertains to their responsibilities and duties.

The Jury heard evidence that no ongoing or refresher training is offered.

4. When feasible, guards will place a maximum of two individuals per cell.

The Jury heard care is taken to see that cell assaults are avoided through computer checks to see who is violent. The Jury also heard from a senior police officer that so many of the people who come to cells are noted as violent (perhaps from a decades old minor assault charge) that this check is of little use.

To: Vancouver Island Health Authority
1952 Bay Street
Victoria, BC

5. Investigate the feasibility of establishing detox centers or sobering sites.

The Jury heard that like many of the people who end up in cells, Mr. Delorme was not a criminal, but only needed a safe place to sober up. The Jury heard that, to good effect, some jurisdictions are setting up such places.