



VERDICT AT INQUEST

File No.: 2009:0597:0114

An Inquest was held at The Supreme Court, in the municipality of Kamloops

in the Province of British Columbia, on the following dates November 14 - November 16, 2011

before Rodrick MacKenzie, Presiding Coroner,

into the death of GIBBONS John Paul 39 Male Female
(Last Name, First Name Middle Name) (Age)

and the following findings were made:

Date and Time of Death: November 21, 2009 between the hours of 03:30 and 07:40

Place of Death: Stuart Wood Elementary Schoolyard Kamloops BC
(Location) (Municipality/Province)

Medical Cause of Death

(1) Immediate Cause of Death: a) Intra-abdominal Bleeding due to lacerated spleen
DUE TO OR AS A CONSEQUENCE OF

Antecedent Cause if any: b) blunt force trauma
DUE TO OR AS A CONSEQUENCE OF

Giving rise to the immediate cause (a) above, stating underlying cause last. c) Unknown causes

(2) Other Significant Conditions Contributing to Death: Cirrhosis of the liver, enlargement of spleen

Classification of Death: Accidental Homicide Natural Suicide Undetermined

The above verdict certified by the Jury on the 16 day of November AD, 2011.

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 2009 : 0597 : 0114

GIBBONS

SURNAME

John Paul

GIVEN NAMES

PARTIES INVOLVED IN THE INQUEST:

Court Recording Agency: Joann Watson / Verbatim Words

Participants/Counsel: Attorney General & RCMP / David Kwan
City of Kamloops, Fulton & Company LLP / Jeffrey W. Loake

The Sheriff took charge of the jury and recorded 5 exhibits. 19 witnesses were duly sworn and testified.

PRESIDING CORONER'S SUMMARY OF THE CIRCUMSTANCES OF THIS DEATH:

The following is a brief summary of the circumstances of the death as set out in the evidence presented to the jury at the inquest. The following summary of the evidence as presented at the inquest is 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.

Early on the morning of November 20th, 2009 John Paul Gibbons was found to be intoxicated in a public place by the Kamloops RCMP. He was arrested. He resisted being placed in his cell. Force was employed to obtain his compliance. This event was video recorded at the time and viewed by the Jury. When sober at 18:45 that evening he was released.

The following morning a passerby noticed a man down in the Stewart Wood Schoolyard in Kamloops. The Ambulance Service attended and determined that this individual was deceased. The coroner was summoned and confirmed that the individual was Mr. Gibbons. The coroner ordered an autopsy. The pathologist found that Mr. Gibbons died as a result of internal bleeding caused by blunt force trauma. His spleen was lacerated. There was no evidence as to when Mr. Gibbons received the injury that ended his life.

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The pathologist wrote:

The bleeding appeared to have risen from injuries to the spleen. The rib fractures were located closed to this area but there were no bruises or marks on the skin overlying the rib fractures and no bruises or marks overlying the skin directly over the spleen.

Microscopic examination showed that the injuries to the spleen were recent. The injuries to the ribs appeared to be several days duration as there was early repair of the rib fractures.

The rib fractures may or may not be related to the injuries of the spleen.

Cause of death is intra-abdominal bleeding due to laceration of the spleen.

Splenic injuries can be unpredictable. Some cases are known to have an episodic nature with bleeding followed by intervals of clot formation.

Certain questions remain unanswered respecting the events that lead to his death. This has resulted in the Jury finding that the classification of death could not be determined.



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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: The Government of Canada, Government of British Columbia, Solicitor General of B.C., Minister of Health, the Commissioner of the RCMP and the City of Kamloops

1. That a Sobering Facility be established in Kamloops and any like areas where individuals are taken to sober up rather than a drunk tank. Where the clientele seems to consist of a regular group such as in the Kamloops region it should be staffed by someone capable of maintaining individual records on substance abuse, medical/mental illness and prescription information. As well there should be a nurse capable of administering prescription drugs.
2. That RCMP or local police be educated as to the general needs of each client of the local sobering site and that upgrades be scheduled every 3 months.

CORONER'S COMMENT:

The Jury heard that there is a known group of individuals in Kamloops who are regularly placed in police cells simply to sober up for later release and not for any reason related a criminal offence. As well, the Jury heard that some communities are establishing sobering facilities for persons who are intoxicated and non violent.

To: Interior Community Services, AIDS Society of Kamloops and Canadian Mental Health Assoc.

3. That Supportive Housing Facilities, such as the Henry Leland House of Kamloops, do not expel residents without first making every attempt to provide him or her with temporary accommodations. If the ban exceeds 24 hours we recommend that an established committee review the situation with a view to seeing to his or her well being.

CORONER'S COMMENT:

The Jury heard that Mr. Gibbons had been expelled from his residence for misconduct and had no place to go.