



VERDICT AT INQUEST

File No.: 2009-0270-0015

An Inquest was held at Coroner's Court, in the municipality of Burnaby

in the Province of British Columbia, on the following dates April 23 - 25, 2012

before T.E. Chico Newell, Presiding Coroner,

into the death of Michael Vann Hubbard 58  Male  Female  
(Age)

and the following findings were made:

Date and Time of Death: March 20, 2009 @ 11:11 hours

Place of Death: 555 Homer Street Vancouver, BC  
(Location) (Municipality/Province)

Medical Cause of Death

(1) Immediate Cause of Death: a) Gun Shot Wound of Abdomen  
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: None

Classification of Death:  Accidental  Homicide  Natural  Suicide  Undetermined

The above verdict certified by the Jury on the 25th day of April AD, 2012.

T.E. Chico Newell  
Presiding Coroner's Printed Name

Presiding Coroner's Signature

**HUBBARD**

Surname

**Michael Vann**

Given Names

**PARTIES INVOLVED IN THE INQUEST:**

Presiding Coroner: T.E. Chico Newell

Coroner Counsel: Rodrick H. Mackenzie

Court Recording Agency: Verbatim Words West Ltd.

Participants/Counsel: Douglas King/Hubbard Family  
Bronson Toy/Vancouver Police Department

The Sheriff took charge of the jury and recorded 4 exhibits. 20 witnesses were duly sworn in and testified.

**PRESIDING CORONER'S COMMENTS:**

*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.*

The jury heard evidence that during the mid-morning of March 20, 2009 there was a Vancouver Police Department radio broadcast describing a black backpack having been stolen from an automobile. Two nearby uniformed duty officers responded and were travelling northbound in the 500 block of Homer Street in Vancouver, BC. The officers spotted a male, later identified as 58 year-old Michael Vann Hubbard, at the west side rummaging through a black bag. The officers stopped their vehicle, emergency lights flashing and proceeded to approach Mr. Hubbard. The officers identified themselves and explained to him that they wanted to inspect his bag. Mr. Hubbard demanded the officers specifically identify themselves. In his right hand he wielded an 'Exacto' type utility knife with the blade extended. The officers responded by quickly stepping back drawing their handguns. One officer called over the radio advising that the subject had a knife and requested back-up officers attend immediately for cover. The officers gave continued and repetitive loud verbal commands for Mr. Hubbard to drop the knife. Mr. Hubbard did not drop the knife, but rather walked in a wide stance slowly and intermittently towards the officers while brandishing the knife. At one point Mr. Hubbard stared deeply at one of the officers then walked directly towards that officer. Fearing for her wellbeing, the officer discharged her firearm as she had been trained to with the intent to stop the threat. Mr. Hubbard immediately fell to the ground. The second police officer went directly to Mr. Hubbard to handcuff him per police policy. That officer checked Mr. Hubbard for identification and attempted to locate the gunshot wound. The officer who discharged her firearm radioed in advising that she had shot Mr. Hubbard and requested an ambulance

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Given Names

to attend on an urgent basis. Additional officers attended. It became apparent to the officer who stayed with Mr. Hubbard that he had stopped breathing. The handcuffs were removed and the officer undertook cardiopulmonary resuscitation (CPR) in the form of chest compressions. The officer asked others for a ventilation mask but none was available. Fire/Rescue personnel attended and assisted with the care of Mr. Hubbard. Paramedic crews attended parking their ambulances to the south on Dunsmuir Street as the immediate scene was inaccessible due to obstruction by police vehicles. Paramedics attended and took over. Paramedics were not able to stabilize Mr. Hubbard for transportation to hospital. An emergency physician was contacted and apprised of the medical situation. This led to an order to discontinue all resuscitative efforts. Mr. Hubbard's death was pronounced at 11:11 hours.

The jury heard that the total incident time from when the officers met Mr. Hubbard to his falling to the ground having sustained the gunshot wound was less than two minutes. Neither officer knew Mr. Hubbard.

A forensic autopsy revealed that Mr. Hubbard died from a single gunshot wound to the abdomen. Toxicology revealed no alcohol or prescription medication. There was evidence of past use of marijuana. No other drugs were detected.

The jury heard that Mr. Hubbard had a history of mental health concern (schizophrenia) for which he had successful and intermittent medical care in the United States of America (US). He was prescribed medication that helped him. There were times that he functioned without medication. He was not prescribed medication in the interval preceding his death.

He had come to Canada from the US. He was granted an application for immigration status. He had a required psychiatric assessment and found to be acceptable. It was established that he felt persecuted by the American government and police. He later failed to appear for an immigration meeting and a warrant for his arrest was issued.

The jury heard that in the interval preceding his death, Mr. Hubbard was homeless. Everything he had was in his black bag. The utility knife was a tool that he had used over a lengthy period for many things including his artwork.

**HUBBARD**

Surname

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Given Names

*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: Chief Constable Jim Chu  
Vancouver Police Department  
3585 Gravelly Street  
Vancouver, BC V5K 5J5

1. Vancouver Police Department to require Basic First aid as a hiring requirement and to be maintained by each and every member as certification expires.

*Coroner's Comments: The jury heard evidence that Vancouver Police Officers are not required to be trained in basic first aid including cardiopulmonary resuscitation.*

2. Recommend that all police Vehicles have a basic emergency first aid kit as part of everyday tools.

*Coroner's Comments: The jury heard evidence that a police officer requested a ventilation mask be provided from a police vehicle yet none was available.*

3. Recommend that once the scene is secure Police do not wait for emergency services to respond and render immediate first aid to the best of their abilities as trained per their proposed hiring requirements.

*Coroner's Comments: The jury heard evidence that the police called for emergency services and waited with Mr. Hubbard until he showed signs of cardiac arrest prior to undertaking resuscitative measures.*

4. Recommend the Vancouver Police Department continue on with their goal of having every member complete and maintain currency in the 40 hr crisis intervention course.

*Coroner's Comments: This recommendation is self-explanatory.*

5. Review and up-grade emergency scene protocols as needed to ensure entry and exit to and from scenes for fire and ambulance personal and equipment.

*Coroner's Comments: The jury heard evidence that when the paramedics arrived that the roadway into the scene was blocked by police vehicles resulting in the ambulances having to be parked at the south end of Homer Street at Dunsmuir Street. This positioning of the police vehicles created a significant barrier.*