



VERDICT AT INQUEST

FILE No. 2011:369:0032

An Inquest was held at Burnaby Coroner's Court, in the municipality of Burnaby in the Province of British Columbia, on the following dates June 24-26, 2013 before Tara Devine, Presiding Coroner, into the death of Purdie Adam Brian, 28, Male, and the following findings were made:

Date and Time of Death: March 2, 2011 between the hours of 2308-2330

Place of Death: Highway 10 at King George Blvd, Surrey, BC

Medical Cause of Death

(1) Immediate Cause of Death: a) Multiple Gunshot Wounds

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:

Classification of Death: Accidental, Homicide, Natural, Suicide, Undetermined

The above verdict certified by the Jury on the 26th day of June AD, 2013.

Tara Devine, Presiding Coroner's Printed Name

Handwritten signature of Tara Devine, Presiding Coroner's Signature

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

FILE NO. 2011:369:0032

PURDIE

Surname

Adam Brian

Given Names

#### **PARTIES INVOLVED IN THE INQUEST:**

Presiding Coroner: Tara Devine

Inquest Counsel: Rodrick MacKenzie

Court Reporting/Recording Agency: Verbatim Words West Ltd.

Participants/Counsel: Attorney General of Canada/Royal Canadian Mounted Police/ David Kwan

The Sheriff took charge of the jury and recorded 7 exhibits. 17 witnesses were duly sworn 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 that on March 2, 2011 at approximately 2245 hours, Mr. Purdie's vehicle was pulled over by a police officer in the area of 16<sup>th</sup> Avenue and 152 Street in Surrey, BC, for having blacked out tail lights. The officer ran the license plate on the Canadian Police Information Centre (CPIC) and Police Records Information Management Environment (PRIME) then she got out of her cruiser to approach Mr. Purdie. As she was approaching Mr. Purdie's vehicle, a dispatcher came over the radio and informed her that the registered owner, Mr. Purdie, was potentially violent, suicidal, and had previous convictions involving assault and pointing a firearm. Mr. Purdie was prohibited from possessing firearms.

Mr. Purdie's vehicle had dark tinting on all of the windows so he was asked to open the rear windows so that the officer could see inside. When Mr. Purdie rolled down the rear windows, the officer saw the butt end of a rifle on the floor of the backseat covered with a dark jacket. The officer asked Purdie if the gun was real, to which he said it was not. The jury heard that Mr. Purdie gestured his arms toward the backseat so the officer drew her service pistol and instructed him to put his hands on the steering wheel or she would shoot him. Mr. Purdie appeared nervous and made a couple of attempts to lower his arms to which she repeated her instructions. Mr. Purdie was instructed to use his left hand to open the driver's side door from the outside door handle. When he moved his left arm toward the door handle, the officer broke her gaze momentarily from his right hand. Mr. Purdie then used his right hand to put the car into gear and flee. The officer radioed that Mr. Purdie had fled and called "10-30" (a request for additional police support). The officer testified that she followed after Mr. Purdie's vehicle; however, she discontinued her search when she could no longer see the vehicle.

Other police officers testified that they searched for Mr. Purdie. The Staff Sergeant on duty came over the air and advised that there would be "no pursuit". At this time, there was an Air One Helicopter en-route for assistance and

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additional police officers were driving towards Mr. Purdie's home address. At approximately 2300 hours, Mr. Purdie was seen again driving northbound on King George Blvd near Colebrook Road. Officers in the area drove up to the intersection of King George Boulevard and Highway 10 and requested permission to deploy a spike belt. Permission was granted by the Staff Sergeant if it was safe to do so. Just as Mr. Purdie's vehicle approached the intersection the spike belt was deployed. Mr. Purdie's vehicle attempted evasive action; however, the vehicle ran over the spike belt on the passenger side, puncturing both front and back tires. Mr. Purdie then attempted to drive his vehicle between two vehicles driving northbound on King George Blvd. He struck both vehicles, causing one to go off road toward the centre median, and the other to collide with a bus shelter located on the east curb. Mr. Purdie's vehicle drove off road to the eastbound curb and came to a stop.

A police officer that was positioned where the spike belt was deployed got into his police cruiser and drove towards Mr. Purdie's vehicle. The officer testified that he struck the driver's side of Mr. Purdie's vehicle in an attempt to immobilize him and the two vehicles became pinned together side by side. The jury heard that the officer was unable to move his police cruiser backward and saw Mr. Purdie raise what appeared to be an assault rifle towards him. Witnesses in the immediate area testified hearing multiple gunshots being fired but were unable to tell where they originated. The jury heard that the officer fired 15 shots from his service pistol at Mr. Purdie until the clip was empty. He stopped momentarily to reload and shot 15 more times emptying a second clip. The officer could not recall whether he gave Mr. Purdie a verbal warning prior to firing his service pistol. The officer testified that he continued shooting until he saw that Mr. Purdie's gun was no longer pointed at him.

Evidence from a member of the Emergency Response Team (ERT) testified that at approximately 2330 hours, ERT arrived at the scene in a military style vehicle. The ERT vehicle approached Mr. Purdie's car in an attempt to see inside. ERT officers were unable to see inside Mr. Purdie's vehicle due in part to the small size of their own vehicle's windows. As a result, smoke grenades were thrown into the vehicle. When there was no response, the officers approached Mr. Purdie's vehicle on foot, sheltered by a protective shield. Mr. Purdie was in the driver's seat with a rifle lying across his lap and was confirmed deceased by one of the ERT officers. ERT officers took control of the scene and locked it down until independent investigators from the Saanich Police Department arrived.

At the inquest, the jury heard evidence from the pathologist that the cause of death was due to multiple gunshot wounds. Sixteen bullet wounds were present at autopsy and were confirmed to have been fired from the officer's service pistol. Mr. Purdie had also shot himself in the neck. This was a survivable injury. Evidence from the toxicologist also indicated that Mr. Purdie has been intoxicated with cocaine, morphine, and alcohol at the time of the incident which may have affected his behavior.

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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: To the Commanding Officer, "E" Division, Royal Canadian Mounted Police:

1. During a routine traffic stop the RCMP officer should establish the information connected to the license plate of offending vehicle before exiting their vehicle and approaching offending vehicle.

*Coroner's Comment: The jury heard evidence that when Mr. Purdie's vehicle was pulled over for a traffic violation, the officer exited her vehicle and approached Mr. Purdie prior to getting CPIC and PRIME information relayed to her from dispatch causing the officer to not be fully informed about the history of the person or vehicle she was approaching. If the information is obtained prior to exiting the police cruiser this could increase a police officer's personal safety and ability to effectively manage a potentially high risk situation.*

2. All active RCMP patrol vehicles should be equipped with a dash camera providing Audio/video.

*Coroner's Comment: The jury heard evidence that police vehicles are not generally equipped with Audio/video dash cameras. During the course of the Inquest, the jury benefitted from video footage evidence that originated from an officer's personal camera that had been mounted to the dash of his police cruiser. The use of cameras in all cruisers may increase the safety and accountability of officers during the course of duty.*

3. RCMP should periodically review the appropriate scenarios for the utilization of the Emergency Response Team.

*Coroner's Comment: The jury heard from a use of force expert, which included information about communication and involvement of additional police resources being part of use of force protocols. The jury also heard evidence that scenario based training is conducted regularly for police officers. This recommendation is offered for officers to review scenarios specifically involving the inclusion of ERT resources to assist officers as to when the deployment of these resources may best be utilized during a high risk encounter.*

4. Incorporating the Incident Management Intervention Model as a tool also to be used in a group dynamic not only to be used on an individual basis.

*Coroner's Comment: The jury heard evidence from a use of force expert, which included information about the Incident Management Intervention Model (IMIM) used by police on a regular basis. The expert testified that this model can be used in a team approach when dealing with high risk situations. This recommendation is offered to use this tool in a team approach during training to improve communication amongst officers involved in high risk situations and to help them operate together to increase personal safety of the officers, the public, and any other individuals involved.*