



VERDICT AT INQUEST

File No.: 2012:0372:0220

An Inquest was held at The Burnaby Coroners Court, in the municipality of Burnaby in the Province of British Columbia, on the following dates July 7 to July 9, 2014

before Larry Marzinzik, Presiding Coroner,

into the death of RAY Christopher Lewis 52 (Last Name, First Name, Middle Name) (Age) Male Female and the following findings were made:

Date and Time of Death: October 29, 2012 at 9:14 PM

Place of Death: Vancouver General Hospital Vancouver, BC (Location) (Municipality/Province)

Medical Cause of Death

(1) Immediate Cause of Death: a) Gunshot wound to anterior chest and right inguinal region 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 9th day of July AD, 2014.

Larry Marzinzik Presiding Coroner's Printed Name

Handwritten signature Presiding Coroner's Signature

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

FILE No.: 2012:0372:0220

RAY

Surname

Christopher Lewis

Given Names

PARTIES INVOLVED IN THE INQUEST:

Presiding Coroner: Larry Marzinik

Inquest Counsel: Rodrick H. MacKenzie

Participants/Counsel:

Vancouver Police/Bronson Toy

Dr. Kason/David Pilley

Court Reporting/Recording Agency: Verbatim Words West Ltd.

The Sheriff took charge of the jury and recorded six exhibits. Nineteen 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 purpose of the summary 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.

On October 29, 2012, at approximately 8:15 PM, the Vancouver Police Department received a 9-1-1 call of a male acting in an erratic manner outside of the apartment building entrance at 405 Skeena Street, in the City of Vancouver. A second 9-1-1 call was received from the original caller at approximately 8:28 PM to advise the male was now breaking the lobby window with a rock.

Two police vehicles acknowledged the complaint at 8:29 PM, advising they were responding to the incident location. One of these police vehicles was a two police officer patrol unit and the other was a lone dog handler police officer accompanied by his police dog. A third police vehicle also responded to the incident location. The third vehicle was a person transport van operated by a lone police officer who had training in, and was equipped with, a less lethal 'bean bag' shotgun. The police officer in the van was attending in a support capacity. This officer did not broadcast his intentions and was the first to arrive at the incident area.

The person transport van police officer parked his van on the opposite side of the building to the reported incident location, in a MacDonald's parking lot. His intention was to access the 'bean bag' shotgun and offer assistance to the primary units if required. As he exited his marked police van he was verbally confronted by Mr. Ray, who had walked from the original incident location to an undercover parking area on the west side of the 405 Skeena building. Mr. Ray appeared to be damaging vehicles in the undercover parking area and yelled at the police officer to come over to him.

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At this time a vehicle attempted to back into one of the undercover parking spaces. While the vehicle reversed Mr. Ray approached the moving vehicle and struck it with his hand on the rear window and rear body area of the vehicle. The driver was motioned by the police officer to drive away and the driver complied.

Mr. Ray continued to yell at the police officer, demanding the officer to come to his location. The police officer told Mr. Ray to remain where he was, and at approximately 8:34 PM advised over the police radio that he had 'the male in view at the back of the building ... pounding on a vehicle window'. The officer also advised Mr. Ray had something in his hand and was asking him to come over to his location.

The dog handler police officer had arrived at the initially reported incident location at this time and exited his police vehicle with his police dog. The dog handler planned on attending the rear of the building with his police dog to assist the police officer who had been confronted by Mr. Ray.

At the same time the verbal exchange between Mr. Ray and the police officer escalated. Mr. Ray started to approach the officer in the McDonald's parking lot. The officer made a radio transmission at 8:35 PM requesting a 'Hurry up' which was described by the police officer as an urgent request for backup assistance. The police officer started to tactically reposition himself by backing up as Mr. Ray approached. A few seconds later Mr. Ray closed the distance between them by running at a fast pace towards the police officer. The police officer continued to command Mr. Ray to stop and remain where he was. Mr. Ray had his right arm outstretched in front of him with a shiny object in his right hand. Witnesses and the police officer were able to identify the object as a knife as Mr. Ray quickly closed the distance between himself and the police officer. The police officer drew his firearm and shot Mr. Ray twice when he was within two to three metres of the police officer. Mr. Ray and the police officer were faced towards each other when the police officer discharged his pistol. The dog handler police officer heard 'shots' as he ran into the McDonald's parking lot from the drive lane on the south east side of the 405 Skeena building. The dog handler police officer made two radio transmissions at approximately 8:36 PM advising 'Shots fired' and 'Shots fired ... man down'.

Mr. Ray fell to the ground after being shot with one entry wound to his anterior chest and one entry wound to his right groin area. The dog handler police officer came upon the scene seconds after the shots were fired. Additional police units started to arrive at the scene moments later, with some attending to Mr. Ray and the others securing the area and witnesses.

BC Ambulance Services attended the scene at approximately 8:46 PM and transported Mr. Ray to Vancouver General Hospital. The Vancouver General Hospital Emergency Room doctors took over care of Mr. Ray at 9:07 PM. The emergency room doctor pronounced the death of Mr. Ray at 9:14 PM.

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An autopsy was performed which confirmed that the gunshot wounds were the cause of death. Toxicology results indicated Mr. Ray's level of intoxication from alcohol was mild and that he had consumed cocaine and methamphetamine a short period prior to his death.

Mr. Ray had previously attempted to commit suicide in 2011. Although Mr. Ray's lifestyle and living conditions caused him to appear upset and depressed at times, there were no documented indications of suicidal behaviour or ideation since 2011.

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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: Chief Constable, Vancouver Police Department

1. That the Vancouver Police Department install shotgun racks in all vehicles utilized by members with less lethal 'bean bag shotgun' training to provide efficient access by the police officer when the need for this less lethal weapon is required and appropriate.

Coroner's Comments:

The Jury heard testimony that the less than lethal 'bean bag shotgun' was presently carried by trained officers in a soft covered case which they would have secured within the vehicle they were assigned to on their shift. Testimony was presented that the installation of shotgun racks would allow the police officers easier access to the weapon when required.

2. That the Vancouver Police Department review the policy and training standards in relation to police officers to ensure and enforce communication of their status, location and action plans to the Communication Center during response to all service calls, regardless if they are the primary or a support unit in order to ensure that all attending officers are aware of all other attending officers.

Coroner's Comments:

The Jury heard testimony that the attending officers were not aware of each other's location when they initially arrived at the incident scene. The Jury believed a review of the communication policy would possibly assist in having police officers communicate all the necessary information regarding their attendance, so each involved police officer would be fully aware of all officer's arrival time, exact location and action plan intentions.

3. That the Vancouver Police Department review the possible implementation of vehicle radio systems which allow police officers to monitor transmissions not only in their assigned districts but also throughout the City of Vancouver.

Coroner's Comments:

The Jury heard testimony that officers in bordering districts within the City of Vancouver utilized radio systems which did not allow them to monitor the activities of or requests for assistance from other police officers only a short distance away. The Jury believed a review may benefit the overall communications between patrol and support police officers throughout the City of Vancouver.