



VERDICT AT CORONERS INQUEST

FINDINGS AND RECOMMENDATIONS AS A RESULT OF THE CORONER'S INQUEST PURSUANT TO SECTION 38 OF THE CORONERS ACT, [SBC 2007] c 15, INTO THE DEATH OF

BUEHLER

SURNAME

JOHN ROBERT

GIVEN NAMES

An Inquest was held at The Prince George Law Courts, in the municipality of Prince George

in the Province of British Columbia, on the following dates: July 15 - July 23, 2019

before: Donita Kuzma, Presiding Coroner.

into the death of Buehler John Robert 51 Male Female
(Last Name) (First Name) (Middle Name) (Age)

The following findings were made:

Date and Time of Death: September 17, 2014 1942 hours
(Date) (time)

Place of Death: Kinbasket Lake Valemount/British Columbia
(Location) (Municipality/Province)

Medical Cause of Death:

(1) Immediate Cause of Death: a) Gunshot wounds to chest
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 23rd day of July AD, 2019

Donita Kuzma
Presiding Coroner's Printed Name

Presiding Coroner's Signature



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PARTIES INVOLVED IN THE INQUEST:

Presiding Coroner:	Donita Kuzma
Inquest Counsel:	Christopher Godwin, Q.C.
Court Reporting/Recording Agency:	Verbatim Words West Ltd.
Participants/Counsel:	Andrew Kemp, counsel for the Attorney General of Canada with respect to the Royal Canadian Mounted Police and its members
	Anila Srivastava, counsel for S/Sgt. Dan Holt

The Sheriff took charge of the jury and recorded **14** exhibits. **26** 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. This is to assist in understanding, but does not replace, the jury verdict and recommendations. This summary is not evidence.

On June 19, 2014, John Robert Buehler was staying in a travel trailer in a public recreational area near Valemount. His adult daughter was staying with him. Mr. Buehler had six German Shepherd dogs that he told people were trained to attack on his command. After he threatened people that his dogs would attack them, two RCMP officers attended. Four dogs rushed one of the police vehicles. One officer started to negotiate with Mr. Buehler. After approximately four hours, Mr. Buehler turned himself over to the officers. He was arrested and taken into custody.

Mr. Buehler appeared in court charged with two counts of assaulting a police officer and mischief. He was granted bail with conditions and required to appear in court on September 4. His conditions were to report weekly, by phone, to a bail supervisor located in Prince George. The conditions of his release included not having any firearms.

The bail supervisor met with Mr. Buehler in Valemount on July 16, to go over the conditions. Mr. Buehler told the bail supervisor that he was a traveling preacher and did not have a permanent address. The bail supervisor then went on vacation for some time in late July. Mr. Buehler called and left a voicemail for him on July 21, 28 and August 11. He missed all reports after that. The bail supervisor testified that it was up to the police to verify if Mr. Buehler was complying with the bail conditions.



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On July 23, Mr. Buehler's sister, who lived in Alberta, contacted the RCMP in Valemount to advise that her brother was a hunter and a skilled marksman and had been violent toward family members.

She believed he had been diagnosed with a mental illness but refused any treatment for it. She said her brother believed he was a 'prophet' and thought he needed to prepare for the "end times". She told the officer that she believed her brother would not hesitate to shoot police officers and mentioned a well-known incident that occurred in Alberta when four police officers were shot and killed.

Mr. Buehler did not appear in court on September 4.

On the evening of September 6, the owner of a trapper's cabin found that Mr. Buehler had moved into his cabin, was armed with a gun and refused to leave. The bridge on the forest service road that went to the cabin was intact. The cabin owner left and called RCMP in Valemount on September 7 to report the incident.

On September 7, the Valemount RCMP conducted a search of the nearby area and found Mr. Buehler's abandoned trailer.

On September 11, a plan was put into place to observe the cabin for a few days, bring in a negotiation team and deploy the RCMP Emergency Response Team (ERT). The intent was to arrest Mr. Buehler and take him into custody for being in breach of his conditions. The situation was assessed as high risk for the police officers involved, based on the information from Mr. Buehler's sister along with the information from the cabin owner.

The RCMP Rural Surveillance Team, consisting of trained RCMP officers and an officer from the Combined Special Forces Unit, were deployed to the area to gather information about Mr. Buehler, his daughter and the setup of the cabin. September 14, the Rural Surveillance Team set up a hidden viewpoint across a bay so as not to alert Mr. Buehler to their presence. They did not have night vision goggles that allowed for surveillance during the night.

On September 14, Mr. Buehler set fire to the bridge and cut the stringers to prevent any vehicle from crossing the bridge.

RCMP set up an operations/critical incident command centre a distance away from the cabin. They were not able to transport the Tactical Armored Unit vehicle closer to the cabin due to the bridge condition. Cell phone service was not available anywhere in the area and this affected communications.

From September 14 to September 16, the Rural Surveillance Team observed Mr. Buehler



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A psychologist was consulted to assist police with assessing the risk. The psychologist advised that the police should prepare for violence and attempt to negotiate before showing force.

A plan was then developed to have two teams of officers in place along the road that led to the cabin. They would barricade the road with a fallen tree so when Mr. Buehler and his daughter came down the road on their ATVs they would have to stop, creating an opportunity to arrest them. They anticipated that Mr. Buehler would attempt to check on the state of the bridge.

Just before sundown, Mr. Buehler and his daughter were heard to start their ATVs. There were two officers remaining at the barricade closest to the cabin. Initially there were several officers at this location – when they were called to return for the night, five were taken away in a hunter's truck that RCMP used. Two officers remained, as they did not all fit in the truck, and had already pulled the log from the road when they heard the ATVs starting. They reported it over the radio; replaced the log on the road to create a barricade and retreated to hide in the nearby underbrush. While this was happening, the ERT team, with the Rural Surveillance Team/Combined Special Forces Unit member, heard over the radio that Mr. Buehler and his daughter had left the cabin. They were then ordered to "take the den" so they rushed to the cabin to secure it and to prepare for their return and arrest.

Mr. Buehler and his daughter approached the log across the road. They got off their ATVs and started to scan the area. Ultimately, Mr. Buehler and his daughter left the area on their ATVs, without seeing or engaging the officers and drove back towards the cabin.

At approximately 1941 hours, Mr. Buehler arrived at the cabin on his ATV, armed with a rifle. The ERT officers were standing ready in an L formation with three officers standing in a line parallel to the driveway and 3 officers near the back of the cabin. When Mr. Buehler came past the officers on the driveway, those officers shouted out to him, "Stop! Police!" A flash bang device was deployed.

Mr. Buehler continued to drive past the officers despite the loud noise and calls for him to stop. He drove past the cabin and toward the back of the nearby shed. Three officers ran over and approached Mr. Buehler while they shouted for him to stop. The officers testified that Mr. Buehler appeared to be turning around with his rifle up to fire. The officers then fired their rifles at Mr. Buehler and he collapsed on the ground. Information indicating that shots were fired and calls for ambulance paramedics was relayed over the radio. One of the ERT officers was trained in emergency first aid and started cardiopulmonary resuscitation. The resuscitation attempts were not successful and Mr. Buehler succumbed to the injuries.

While this was happening, three officers came up the driveway toward the cabin and came upon Mr. Buehler's daughter's ATV stopped on the road. They located her crouched in the nearby bushes with her gun on the ground. They shouted out to her to put her hands up.



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The officers testified that she picked up her gun causing them to fire their guns at her. She collapsed and emergency first aid was started immediately. The officers took her to the bridge, where she was carried across and placed in the waiting ambulance. She survived her injuries.

The pathologist testified that Mr. Buehler had six gunshot wounds to the chest, back and right shoulder. Four entered the right chest and back areas and resulted in intrusive internal injuries. Two wounds were present on the right arm and were determined to be graze wounds. The cause of death was determined to be due to gunshot wounds to the chest.



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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 Regional District of Fraser Fort George

1. Develop an animal control bylaw for Threatening, Aggressive or Nuisance Behavior Dogs.

Presiding Coroner Comment: *Evidence heard at the inquest indicated to the jury that the dogs added an additional level of complexity to the situation, as well as posed risk to both the public and law enforcement. An animal control bylaw that allowed for the dogs not to be returned to Mr. Buehler may have led to a different outcome.*

To: The Minister of Public Safety and Solicitor General of British Columbia

2. Transition the Province of British Columbia's Police Records Management System to be on the same reporting system as used in the rest of Canada.

Presiding Coroner Comment: *Evidence was heard that RCMP in British Columbia did not have access to Mr. Buehler's criminal records and history with police when he lived in Alberta. Using a common information platform would provide RCMP with quicker access to past criminal activity of any person.*

3. Increase the number of full time members on the North District ERT team and enable the team to get more specialized training.

Presiding Coroner Comment: *Evidence heard indicated that the North District ERT team was staffed with officers who also hold positions in other detachments and only a few officers worked fulltime on the ERT. If ERT officers all worked fulltime for the team, this would allow for the team to train more often together and provide a diverse skill mix on the team.*

4. Equip the ERT teams with both Thermal Imaging and Drone technologies.

Presiding Coroner Comment: *At the time this incident occurred, drone technology was limited and the ERT did not have access to drones or thermal imaging equipment that would have allowed for better surveillance and communication opportunities.*



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- Equip the Rural Surveillance Team with high tech night vision goggles.

Presiding Coroner Comment: *At the time this incident occurred, the Rural Surveillance Team did not have access to night vision goggles.*

To: The Attorney General of British Columbia

- Review procedures and training, to ensure all bail supervisors thoroughly understand the reporting process when a person breaks the conditions of their undertakings/bail/release.

Presiding Coroner Comment: *The jury heard that the bail supervisor had not contacted the RCMP regarding failure to comply with the reporting condition despite multiple missed dates.*

- Ensure there is continuous monitoring for persons released on conditions including providing coverage for bail supervisors on any type of leave.

Presiding Coroner Comment: *The bail supervisor testified that there were insufficient resources to provide vacation coverage, so the suspect was not supervised during the supervisor's leave in the summer.*