



VERDICT AT CORONER'S INQUEST

File No.: 2006:364:1192

An Inquest was held at Coroner's Courtroom, in the municipality of Burnaby in the Province of British Columbia, on the following dates May 13-15, 2008 before Marj Paonessa, Presiding Coroner, into the death of BERTHOLET James Hector, 21, Male, and the following findings were made:

Date and Time of Death: 30 August, 2006 at 2158 hours

Place of Death: Surrey RCMP Cell Block, Surrey, BC

Medical Cause of Death

(1) Immediate Cause of Death: a) Acute alcohol intoxication. 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: [X] Accidental [] Homicide [] Natural [] Suicide [] Undetermined

The above verdict certified by the Jury on the 15th day of May AD, 2008.

MARJ PAONESSA Presiding Coroner's Printed Name

Original signed by M. Paonessa Presiding Coroner's Signature



VERDICT AT CORONER'S INQUEST

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

FILE No: 2006: 364:1192:1192

BERTHOLET

SURNAME

James Hector

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: Officer in Charge
RCMP "E" Division
Vancouver, BC

1. Take whatever measures deemed necessary to ensure full compliance with Policy 19.2 "Assessment Responsiveness/Medical Assistance" with particular attention to 2.1 and Sections 19.2.4.2.
2. We recommend that the C-13 Form be amended to include two boxes confirming that the "4R Assessment" has been completed on each prisoner as they arrive in cells, and again within an hour of arrival for those prisoners who have had any possible ingestion of alcohol or drugs. These boxes should have the initial of the personnel performing the check and a recording of the time of the procedure.
3. If a person in an extremely intoxicated state is assessed by the "4R's" and is in a questionable state of consciousness in the opinion of the arresting officer given the circumstances of his arrest, the prisoner should be placed in cells and the guards given instruction to enter the cell with an officer and assess the prisoner (using the 4R's) every 30 minutes to confirm their wellbeing until their condition is clearly improved.
4. Two more boxes should be put on the C-13 Form to record initials and time indicating the guards have read the C-13 for new prisoners.

To: Commanding Officer
Surrey RCMP Detachment
Surrey, BC

City of Surrey
Surrey, BC

5. We recommend that there be nursing or properly trained medical staff on site at Surrey RCMP cells readily available for intake assessments on prisoners arriving in a compromised state prior to the transfer of responsibility of care to the guards.

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To: City of Surrey
City Administrator
Surrey, BC

6. We recommend:

- a) documentation of adherence to the policy section entitled "Commencement of Shift" requiring a review of all the C-13 Forms on arrival on shift (see pg. 56 of 147) of Module D "Standing Operation Procedures".
- b) Update Module D – "Standard Operating Procedures" (pg. 57 of 147) to indicate more frequent cell checks at 15 minute intervals on all new prisoners;
- c) Adding "Ensure you have read C-13 Forms for all newly admitted prisoners prior to your next cell check". Guards should initial that they have read the C-13 and have initialled and recorded the time on the C-13.

To: Officer in Charge
RCMP "E" Division
Surrey, BC

City of Surrey
Surrey, BC

Minister of Health
BC Ambulance Service
Victoria, BC

7. We recommend that the above named should meet to collaborate and develop a specialized, enhanced airway training course that would be beneficial to guards. This course should be required for at least one guard per shift at each facility where prisoners are incarcerated, in this case at the Surrey cells.

To: The Commissioner
RCMP
Ottawa, Ontario

8. We recommend that a section be added to the Operational Manual of the RCMP to indicate that any intoxicated prisoner should not be allowed to sleep on their backs unless they have responded successfully and appropriately during the "4R" Assessment.
9. Guards should be instructed to place sleeping prisoners in the recovery position, with their backs against the wall, or use a sandbag bolster against the wall to ensure a higher degree of confidence that they do not roll onto their backs. In such cases, guards should monitor their video screens more closely for changes.



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To: City of Surrey
Surrey, BC

10. We recommend consultation with the B.C. Ambulance Service to ensure appropriate and “best practice” resuscitation equipment is chosen for the use of the RCMP and guards at the Surrey cells.

To: Officer in Charge
Surrey RCMP Detachment
Surrey, BC

Commissioner
RCMP
Ottawa, Ontario

11. We recommend that this case serve as a teaching tool during future block training sessions with respect to reinforcing the importance of the “4R” Assessment, when a prisoner arrives in a non-responsive state.
12. We recommend reinforcing the importance of airway control and positioning for intoxicated prisoners, and the importance of following National RCMP policy.

To: Minister of Health
Victoria, BC

13. We recommend that persons at risk such as James Bertholet be provided with the opportunity to receive treatment for mental health issues in a timely fashion at the nearest hospital if they request it. Resources should be available to ensure this is possible.