

**REPORT TO THE MINISTER OF JUSTICE  
and THE ATTORNEY GENERAL OF CANADA**

**PUBLIC INQUIRY**

**THE FATALITY INQUIRIES ACT**

**CANADA  
PROVINCE OF ALBERTA**

A Public Inquiry into the death of Andrew Mofid Kamel, 19 years of age, born April 22, 1979 of 167 Abinger Crescent N.E., in the City of Calgary in the Province of Alberta, was held at the Provincial Court of Alberta, 323-5th Avenue S.E., before The Honourable Judge Douglas M. McDonald, a Provincial Court Judge. A jury was not summoned.

The Inquiry was held on June 28, 2000, and by adjournment on August 31, 2000 and by further adjournment on November 21, 2000. The following findings were made:

1. **DATE AND TIME OF DEATH:**    ***DECEMBER 22, 1998; 0615 [approximate]***
2. **PLACE:**                            ***167 ABINGER CRESCENT. NE  
CALGARY, ALBERTA***
3. **MEDICAL CAUSE OF DEATH:**   ***SHOTGUN WOUND TO HEAD***  
["Cause of death" means the medical cause of death according to the International statistical Classification of Diseases, injuries and causes of death last revised by the International Conference assembled for that purpose and published by the World Health Organization - The Fatal Inquires Act, Section 1(d)]
4. **MANNER OF DEATH:**               ***SUICIDE***  
["Manner of death means the mode or method of death, whether natural, homicidal, suicidal, accidental or undeterminable - The Fatal Inquires Act, Section 1(g)]
5. **CIRCUMSTANCES UNDER WHICH DEATH OCCURRED**

**Summary -**

[1] The deceased, Mr. Andrew Kamel, was found at home in bed with a sawed-off shotgun by his body. He was known to have a history of paranoid schizophrenia and previous suicide attempts.

**Circumstances -**

[2] Andrew Kamel came to Canada when he was two years old, became a good student and excelled in athletics. At the time of his death he had just received a football scholarship from the University of Ottawa.

[3] In the fall of 1997 his family started to notice resentment building up in the deceased, but knew nothing of any underlying mental condition. In April of 1998 he was diagnosed with Schizophrenia Disorder.

[4] Mr. Kamel's father stated that his son, on December 21, 1998, had mentioned that he was having suicidal thoughts. After some discussion, the deceased, his father and his brother decided to stay at home that night. The two brothers went shopping for dinner. On the way to the store the deceased received a phone call on his cellular phone and requested that he be dropped off at a friend's home, which was done. This was the last time any member of his family saw him alive.

[5] At 10:54 p.m. the Mr. Kamel was found under the influence of "something" by the arresting constables and was taken into custody under Sec. 112(2) of the *Gaming and Liquor Act* (Intoxicated in a public place). Upon arrival at the Arrest Processing Unit, Mr. Kamel stated "If I had a gun I would blow my brains out" and was placed before the staff medical officer. The medical officer testified that Mr. Kamel had informed him that before being apprehended he had been "doing cocaine for three days and had finished consuming two drinks". He also repeated the intention to "blow his brains out".

[6] Cash in the amount of \$1,180.00 was seized from the Mr. Kamel upon arrest.

[7] It was decided, because of his suicidal statement, that Mr. Kamel would be placed under observation. Mr. Kamel was then stripped, given "baby dolls" and placed into observation cell #2 of the Arrest Processing Unit. At 3:30 a.m. Mr. Kamel was noticed standing on the cell bars attempting to stuff the "baby dolls" through the bars. The "baby dolls" were removed from him, he was pulled down to the ground and he was left naked in the cell until the arrival of the morning shift.

[8] The medical officer checked Mr. Kamel throughout the night shift and testified that by it's end Mr. Kamel was not violent, appeared alert, responsive and able to move on his own. He was present when Mr. Kamel was released. The commissionaire who released Mr. Kamel did not notice anything out of the ordinary. Mr. Kamel was released at 5:40 a.m. arriving home shortly before 6:19 a.m. when police dispatch received a 911 call from his residence.

[9] Mr. Kamel's family were never advised by the authorities, of his whereabouts between the evening of December 21 and the morning of December 22, 1998. They became aware of these events some seven months later when the money seized from Mr. Kamel (\$1,180.00) was returned to them.

#### **Comments -**

[10] Much of the testimony centred around the procedures used at the relevant time by the Calgary City Police. The Calgary Police service have instituted many changes since the occurrence of these events which do not require extensive comment by me. I have attached their submission to the Inquiry as an exhibit. The Kamal Family has submitted a series of recommendations which I also add as an exhibit to these proceedings.

[11] Some additional testimony was requested by myself in the hope of determining if the consumption of alcohol and the extensive use of cocaine would have produced any observable effects which would indicate, to an observer, an intention to commit suicide. The testimony indicated that a person, in such circumstances would, in all probability, be in a period of deep depression, but would not show symptoms that would be easily recognized as suicidal.

[12] It must be borne in mind that the purpose of a Fatal Inquiry is to make recommendations which will help to prevent death by circumstances similar to those being investigated. It should be noted that testimony from the Arrest Processing Unit personnel indicated many individuals often deliberately display symptoms similar to those of the deceased, in the hope of gaining "the privilege" of having a cell to themselves. In this case the deceased was being held on very minor charges, arrived in an intoxicated state, was

placed in an observation cell and after seven hours was deemed to be "normal" and was released. The Arrest Processing Unit had dealt with the deceased on six previous occasions without any difficulty. Since these events occurred the Calgary Police Service, when dealing with individuals in conditions similar to those shown by Mr. Kamel, have instituted changes to the operation of the Arrest Processing Unit, which, had they not been instituted, would have formed the bulk of my recommendations. There is, however, the difficulty experienced by Mr. Kamel's family in receiving information from the Police Service, and the apparent lack of communication between the Arrest Processing Unit and the investigative branches of the department.

## RECOMMENDATIONS

[13] The testimony of the Kamels indicate that they were not aware of the whereabouts of the deceased after he was dropped off at his friends house. The police service certainly had all information necessary to advise the family on the December 22, 1998. The evidence produced clearly shows the following:

### Dates of the deceased's attendance at the Arrest Processing Unit

97-09-12	01:16 hrs	courtesy hold
97-12-16	15:00 hrs	175.(1)(A), 145(5)
98-02-19	19:30 hrs	266 x2, 430(1)(A)
98-03-09	-date of Discharge	Summary - Forensic Services
98-07-01	23:30 hrs	145(3)
98-08-01	12:30 hrs	145(3), 145(2)(A)
98-09-25	19:45 hrs	145(3)
98-12-21	22:25 hrs	courtesy hold - SUICIDAL

All Arrest processing Unit's documentation clearly show the deceased name and address. Exhibit 11 (Incident Report) also clearly shows the name and address of the deceased. It is difficult to understand how the investigative arm of the service would not know the whereabouts of the deceased twelve hours before his death. One would think that information would be a part of the initial investigation of any suicide.

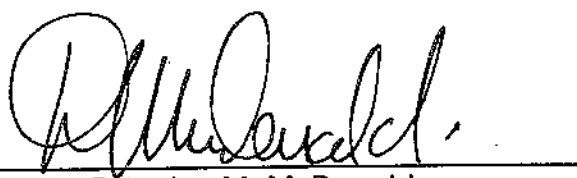
**Recommendation 1**

The Calgary Police Service Arrest processing Unit should provide all investigative units of the force with a daily record of those individuals they have dealt with during the previous twenty-four hours.

**Recommendation 2**

The same information should also be made available, upon request, to those members of the general public inquiring about the whereabouts of specific individuals, if they establish a legitimate reason for such an inquiry. (i.e. next of kin, lawyer, etc.) and there is not a legitimate reason for withholding same (i.e. security of investigation, public policy etc.)

DATED this 16th day of March, A.D. 2001 at  
Calgary, Alberta.



Judge Douglas M. McDonald  
A Judge of the Provincial Court of Alberta