

**REPORT TO THE ATTORNEY GENERAL
PUBLIC INQUIRY
THE FATALITY INQUIRIES ACT**

**CANADA
PROVINCE OF ALBERTA**

WHEREAS a Public Inquiry was held at the Provincial Court House, in the town of Ponoka on the 2nd and 30th days of March, 4th day of July; and at the Provincial Court House, in the City of Red Deer on the 29th day of August, 1995, before The Honourable T. G. Schollie, a Provincial Court Judge.

A jury was not summoned and an Inquiry was held into the death of Chester Abraham Saddleback of Wetaskiwin, Alberta and the following findings were made:

Date and Time of Death: Sept. 30, 1994 between 02:00 a.m. and 04:00 a.m. hours
Place: R.C.M.P. cells, Ponoka.
Medical Cause of Death: Drug overdose.
Manner of Death: Whether suicidal or accidental not determinable.

CIRCUMSTANCES UNDER WHICH DEATH OCCURRED

Cst. Christina Charlotte Green attended at the Peigan residence in Ponoka, Alberta on the evening of September 29, 1994 to obtain a statement in an unrelated matter. She observed the subject at the table with Ms Peigan with a glass in front of each, contents unknown. Mr. Saddleback exhibited signs of intoxication. Constable Green agreed to come back another time for the statement and left. Upon checking via radio, she found a warrant outstanding for "Chester Saddleback". She asked Cst. Russell Joseph Blackjack to assist her in the arrest. They attended together and were directed to the basement washroom where they unlocked the door and conversed with Mr.

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Saddleback regarding the warrant. After an estimated ten minutes, Mr. Saddleback emerged and went up the stairs without assistance, put on his footwear and went out to the police car and got in, all without assistance. During the putting on of the footwear, a bottle with pills was taken from the sock of Mr. Saddleback. At the Detachment, another bottle of pills was taken and the pills were explained away by the subject declaring he was on prescription pill for a sore back.

During the booking, about 10:30 p.m. and until 11:30 p.m., Mr. Clayton Ealey, 30, was the guard in charge and noted the subject to be sleeping and specifically, to be breathing without any apparent difficulty.

About 2:00 a.m., 30 September, Officer Green had finally established that her subject in custody was not the Chester Saddleback wanted on the warrant. She considered her options, consulted with Cst. Blackjack, and it was decided to allow the subject to sleep until morning and release him under the Liquor Control Act. Form C13 was then amended to reflect the change in status.

Guard Borys was on duty from 23:25 hours September 29, 1994 to 07:12 a.m., September 30. He checked the three prisoners at intervals no longer than 20 minutes apart.

Guard Cameron came on duty a little after 7:00 a.m. September 30 and observed Guard Borys coming out of cell area. They went over the recording sheets and Guard Cameron took over guarding duties.

Relying on the evidence of Dr. Denmark, the deceased would have expired from respiratory failure due to drug overdose between 2:00 a.m. and 4:00 a.m. September 30, 1994. The evidence of Dr. Denmark also was to the effect that it is difficult to note physical breathing in a person asleep who is breathing quietly. Dr. Denmark testified that it is also difficult to firmly fix the time of death.

RECOMMENDATIONS FOR THE PREVENTION OF SIMILAR DEATHS

1. Consideration could be given to design of cells which would permit guards to get closer to check prisoners from all sides of the cell island.
2. Guards should be supplied with auxiliary light, such as a flashlight, to assist in visual observations.
3. A device such as a sensitive boom mike with headphones attached would allow individual sleeping prisoners to be monitored for breathing without being intrusive.
4. The words "less than fully conscious" be deleted from the R.C.M.P. police manual due to their ambiguity and lack of preciseness.
5. R.C.M.P. officer training should include a segment on decision making when encountering arrests involving intoxication by drugs, or drugs and alcohol, and whether medical intervention is warranted. This may already exist and if so, its sufficiency could be reviewed.
6. Double doctoring should be attacked by more intrusive and fuller identification of people taking addictive and dangerous prescription drugs and entry via computers into a central computer which would reveal the double doctoring and permit specific warnings to doctors and pharmacists that double doctoring is taking place.

DATED this 19th day of September, 1995.


A Judge of the Provincial Court of Alberta