



Report to the Minister of Justice and Attorney General Public Fatality Inquiry

Fatality Inquiries Act

WHEREAS a Public Inquiry was held at The Provincial Court House
in the City of Lethbridge
(City, Town, Village) (Name of City, Town, Village)
on the 4th day of December, 2002, (and by
year
adjournment on the 5th day of December, 2002,)
year
before The Honourable Judge L.Brian Hogan, a Provincial Court Judge.

A jury was was not summoned and an inquiry was held into the death
of Allen Thomas Symons 54
(Name in Full) (Age)
of #302, 221 - 2nd Avenue South, Lethbridge, Alberta and the following findings were made:
(Residence)

Date and Time of Death: April 29th, 2001 at 5:01 p.m.
Place: Castle Apartments located at 221 - 2nd Avenue South, Lethbridge, Alberta

Medical Cause of Death: ("cause of death" means the medical cause of death according to the International Statistical Classification of Diseases, Injuries and Causes of Death as last revised by the International Conference assembled for that purpose and published by the World Health Organization -- The Fatality Inquiries Act, Section 1(d)).
Gun shot wounds to the chest

Manner of Death: ("manner of death" means the mode or method of death whether natural, homicidal, suicidal, accidental or undeterminable -- The Fatality Inquiries Act, Section 1(h)).
Homicide - "suicide by cop"
i.e. deceased created almost certain death by his actions

Circumstances under which Death occurred:

See attached page

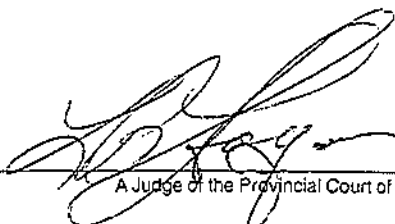
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Recommendations for the prevention of similar deaths:

See attached page

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DATED this 19th
of December, 2002
year


A Judge of the Provincial Court of Alberta

**Report to the Minister of Justice and Attorney General
Public Fatality Inquiry
Allen Thomas Symons**

Circumstances under which Death occurred:

On April 29th, 2001 at 4:40 p.m. Lethbridge City Police Dispatch Office received a telephone call from a male person complaining about a man with a knife in the area of Castle Apartments. It was determined that the caller was in fact the deceased. Police dispatched a number of officers to the scene. It was determined that the caller lived at Apartment #302, Castle Apartments at 221 - 2nd Avenue South. Constable James Fisher was the first officer to arrive at the scene and he proceeded to the 3rd floor of the apartment building and walked the length of the hallway to Apartment #302 where he could hear voices. He knocked on the door and was confronted by the deceased with a butcher knife. Constable Fisher backed off and withdrew his service revolver as the deceased, Allen Symons approached him with the knife at right angles in front of him. Constable Fisher slowly backed down the narrow hallway with his revolver pointed at Mr. Symons. Mr. Symons was initially at the door about three feet away, but Constable Fisher increased the distance to about five yards.

Constable Fisher hollered at Mr. Symons to "Drop the knife or I'll shoot" several times (somewhere between five and ten times). On two occasions, Mr. Symons who had a "crazed look" in his eyes, stopped and said to Constable Fisher, "You won't fuckin' do it" and "Come on, do it".

This back off continued until Constable Fisher's back hit the end wall of the hallway, about 60 feet from where the confrontation started. At this point Mr. Symons was a bit more than five yards away but was closing the distance as Constable Fisher continued to yell "Drop the knife". When he got no response and Mr. Symons continued to close in on him, Constable Fisher fired two shots at Mr. Symons who went down. Seconds after acting, Sgt. Andrews came to the 3rd floor, later followed by paramedics. However there was no signs of life and efforts to survive Mr. Symons proved useless.

It appears that one shot went through the right forearm of Mr. Symons striking his abdomen, but not penetrating it. The other shot went into Mr. Symons chest, through the breast bone, and into the back part of his heart. It could not be determined which shot was fired first but the shot to the chest would have been fatal within seconds.

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Recommendations for the prevention of simiiar deaths:

I have no recommendation as to prevention of similar deaths as it appears the deceased wished to be shot by a peace officer. The evidence by experts appears to indicate that the deceased planned to bring about his own death. It appears from the evidence that Constable Fisher was properly trained, followed all his training and in fact waited until the last possible fraction of a second before firing. One expert indicated that he may have waited longer than he should have for his own safety. It further appears that no other tactical weapons would have been practical or appropriate.