



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

Fatality Inquiries Act

WHEREAS a Public Inquiry was held at The Law Courts, 1A Sir Winston Churchill Square  
 in the City of Edmonton  
(City, Town, Village) (Name of City, Town, Village)  
 on the 24th day of JUNE, 2002, (and by  
Year  
 adjournment on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_)  
Year  
 before Assistant Chief Judge P.M. CAFFARO, a Provincial Court Judge.

A jury  was  was not summoned and an inquiry was held into the death

of HOANG, Long Duy 28 years  
(Name in Full) (Age)

of #34, 9230 - 149 St., Edmonton, Alberta and the following findings were made:  
(Residence)

Date and Time of Death: January 7, 2000 - 8:15 hrs.

Place: University of Alberta Hospital

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).

Multiple gunshot wounds  
Including lacerations of the right side of the brain resulting in bleeding and swelling

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

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### Circumstances under which Death occurred:

On January 5<sup>th</sup>, 2000 around 5:30 P.M. police received reports that the deceased had been driving a Honda Licence #TRE796 and seen in various locations in the City of Edmonton threatening persons with a Glock pistol, and alternatively, a submachine gun type weapon. From information received, the police learned that the suspect and companion had parked the Brown Honda Accord Licence #TRE796 and entered the premises at 9802 - 155 Street at approximately 6:30 P.M. It was decided by the police that it was too risky to storm the house. The police waited until the deceased and his passenger emerged from the house and entered his car, proceeded north on 156<sup>th</sup> Street, and then eastbound on 100<sup>th</sup> Avenue, where they attempted, and almost succeeded, in getting the vehicle to stop at approximately 152nd Street and 100<sup>th</sup> Avenue. It then sped up again and turned south on 149<sup>th</sup> Street. The police followed, but owing to the icy state of the roads proceeded with some caution. The pursued vehicle turned eastward into 89th Avenue, then northward on 148<sup>th</sup> Street.

For some reason, perhaps bad driving or slippery streets, the left turn was taken too widely and the suspect's car first went up on the east curb of 148<sup>th</sup> Street, then slid across the street, colliding with a parked Jeep facing south in front of 8912 - 148<sup>th</sup> Street. The police vehicle immediately following slid past the Honda before coming to a stop. Cst. Loxterkamp, the driver, and Cst. Nash exited the vehicle. Cst. Loxterkamp armed with a MP5 submachine gun walked towards the Honda yelling, "Show me your hands - Get your hands up". The passenger had exited the vehicle and was lying in the snow being dealt with by Cst. Nash 15 - 20 ft. from the passenger side of the vehicle.

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Meanwhile, the driver bent over, fishing or groping with his hands, while the yelling by Cst. Loxterkamp "Show me your hands", went on. Cst. Loxterkamp had his MP5 up, ready, and aimed at the driver's door looking in, window down and lights on. The suspect then straightened up holding a hand-gun. Cst. Loxterkamp retreated toward the front of the vehicle yelling, "Gun, Gun". He heard at least one loud shot, possibly two, and then in reply he fired several rounds through the windshield returning fire to the driver's side. The whole episode took perhaps 3 or 4 seconds.

Cst. Loxterkamp and Nash then moved back at Sgt. MacLeod's command. Then, using a bunker shield, the vehicle was approached. The driver was relieved by Cst. Nash of the Glock handgun and removed from the vehicle. Cst. Loxterkamp, a former EMT Technician, attempted C.P.R. The ambulance arrived and the driver was loaded into it and taken to the hospital where he subsequently died.

Cst. Jorritsma gave evidence that he was a member of the TAC Team assigned to take down the suspect and as Team Leader, partnered with TAC Sgt. MacLeod. Cst. Jorritsma decided on a high risk motor vehicle stop. He in his vehicle, attempted an unsuccessful vehicle stop on 100<sup>th</sup> Avenue eastbound of the suspect. On 148<sup>th</sup> Street his vehicle was approximately two car lengths to the rear of the suspect's vehicle. He saw Cst. Loxterkamp and Cst. Nash's vehicle skid by the suspect's vehicle and saw the passenger bail out of the passenger's side of the vehicle and be taken into custody by Cst. Nash.

After stopping with difficulty, he then got out of his vehicle and approached the suspect's vehicle from behind. He saw the driver reaching down as Cst. Loxterkamp approached the front passenger side at an angle. Cst. Jorritsma was carrying a 9 millimetre MP5 submachine gun set on automatic mode. He

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heard Cst. Loxterkamp yell, "Hands - show me hands", or words to that effect, directed at the driver who did not respond to the clearly audible commands. As Cst. Jorritsma approached, he heard Cst. Loxterkamp say, "Gun, I think he is going for a gun", or words to that effect. He heard "a couple of shots" and saw Cst. Loxterkamp move laterally as if he were trying to dodge something, and then Cst. Loxterkamp fired his submachine gun through the windshield on the driver's side. At the same time, Cst. Jorritsma sighted the driver's head and shoulder through the rear window and fired bursts of two rounds through the rear window of the vehicle. On questioning, Cst. Jorritsma reiterated that the first shot he heard came from within the vehicle, and were from a Glock pistol, which is consistent with the type of weapon recovered from the driver's hand. Sgt. MacLeod then yelled, "Cease fire". Aided by a bunker shield, Constables Loxterkamp and Nash approached and removed the handgun from the driver's hand. The driver was then removed from the vehicle and Cst. Loxterkamp administered C.P.R. aided by Cst. Allen until the E.M.T. and ambulance arrived. The interior of the car and trunk were checked for additional weapons subsequent to C.P.R. being started, and the ambulance's arrival.

In the second following police car, Cst. Blondel testified that he was carrying a Glock pistol of 40 calibre and as well a Colt AR15 semi-auto rifle 223 calibre weapon with a 30 round magazine. This weapon will penetrate body armour. His vehicle came to a stop, sliding because of the slippery street, somewhat behind and east of the suspect's vehicle and the vehicle driven by Cst. Loxterkamp (Tab. 42, Exhibit 1). He heard Cst. Loxterkamp approaching the vehicle, yelling at the driver, "Show your hands, get your hands up". Cst. Loxterkamp then yelled again the word "Gun", a round fired, then Cst. Blondel saw Cst. Loxterkamp firing his MP5 through the windshield aimed at the driver's side. Cst. Blondel heard an initial single shot prior to the fire fight which sounded as though it was coming from a Glock. Realizing a fire fight had developed, Cst. Blondel then fired 2 rounds through the right passenger rear window at

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the driver from a distance of approximately 8 feet. He aimed at the driver's head and lowered his gun as Sgt. Macleod yelled to stop shooting. The evidence given by the other officers Cst. Nash, Sgt. MacLeod, Cst. Straiton, Cst. Paniak, Cst. Allan, Cst. Foote and Cst. Dewar, none of whom participated directly in the fire-fight, confirmed the sequence of events. The passenger, Tran, confirmed that the deceased had a gun and fearful of being arrested.

Detective Straiton testified that he was part of the team that subsequently searched the premises at 9802 - 155 Street, Edmonton. Items of interest found were 2 crack pipes, with residual cocaine and a large sports bag, in which there was a 9 mm machine gun fully loaded.

The autopsy later confirmed that the deceased had ingested cocaine prior to his taking his last drive.

The circumstances were such that a tragedy was inevitable. The deceased's refusal to stop the chase, the extremely slippery streets, and the collision with the jeep, all contributed. When the suspect fired his Glock, it was inevitable that the police would respond with lethal force. It must be borne in mind that at that juncture, the police were unaware of what guns there were in the car.

As already stated previously, a later search of the house at 9802 155 Street would find a gym bag containing a machine gun. From the statement of Ken Tran it seems that the accused did not want to be arrested for outstanding warrants and was prepared to engage the police in an armed confrontation, whatever the cost.

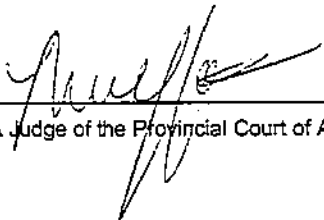
**Recommendations for the prevention of similar deaths:**

Based on the evidence which I have attempted to summarize herein, I can make no practical or actual suggestions for improvement or change in similar situations. I can find no evidence that the police followed anything other than proper procedure. The confrontation initiated by Mr. Long Duy Hoang was short and sharp. Given the circumstances, the police are to be commended for keeping loss of life to a minimum and for immediate C.P.R. efforts to revive Mr. Long Duy Hoang, who initiated the lethal force encounter.

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No. of additional pages attached     (5)    

DATED this 16<sup>th</sup> day  
of August , 2002

  
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A Judge of the Provincial Court of Alberta