

Chapter Seven

SHOTS FIRED

I worked a one-man patrol car from seven in the morning till five in the afternoon on October 22, 1984. According to entries I made in my police notebook at the time, I handled several routine calls and wrote a couple of short reports during the shift. I had no way of knowing that I was about to become involved in an incident that would make the CTV national newscast that night, but of course unpredictability is one of the most intriguing aspects of the job. You never know what your next call might involve.

As the shift drew to a close, I drove down the 200 block of East Cordova Street toward the police station to park my patrol car in our underground parkade. At the last second, however, I decided to take one more drive by the food line a block further down Cordova. Down-and-outers lined up on the sidewalk there every day for free sandwiches and coffee. I usually made a point of checking the food line at least once when I worked days.

I was looking for a man accused of murdering a young girl in Toronto a few years earlier. The child had apparently been sexually assaulted before she was killed. Police later recovered her body inside a refrigerator, shortly after the suspect disappeared from his apartment. He has not been heard from since.

This particularly sordid crime was widely publicized at the time. Because of the extensive press coverage, we occasionally received reports that someone matching his description had been spotted in the Vancouver area. The suspect description was so distinctive and the circumstances of the offense so repugnant that I carried a copy of his picture inside my hat for several years as a reminder. I wanted very much to be the one who captured him if he was in fact living here, so much so that I had phoned the Toronto homicide squad once to see if they had any information that might tie him to the Vancouver area. As I write this more than ten years later, the suspect is still at large despite an intensive manhunt across North America.

As I made my decision to go around the block one more time, a native male in his twenties waited peacefully near the front of the food line. He held his two-year old daughter in his arms. Without warning, a stranger standing in front of him suddenly turned and shoved him, causing him to reel backward. As far as we were able to determine, the attack was apparently unprovoked.

The young native was too surprised to react. His assailant moved closer and then struck him twice in the stomach. At first the victim thought he'd only been punched. After he noticed his attacker was holding a knife, he decided to back away from the altercation in order to protect his child.

The knife-wielding suspect kept his place in line. By all accounts, he then acted as if nothing out of the ordinary had happened. He obtained a sandwich from the kitchen shortly after the initial confrontation. A female

staff member noticed that the suspect was still holding the knife as he reached for his sandwich with his free hand. She said nothing and did not bother to notify the police.

As the native youth picked up his own sandwich and coffee, he finally noticed blood stains on his T-shirt and realized that he had been stabbed in the stomach. He handed the child to his wife and angrily approached his assailant from behind, determined to seek revenge. Hearing footsteps, the suspect turned suddenly and tried to stab him again. I drove by just as the victim threw his coat at the man attacking him in an attempt to deflect a knife thrust.

The two separated as I stopped my marked police car beside them. The victim looked at me, pointed to the blood on his T-shirt and screamed: "Help! I've been stabbed!"

The suspect, a shabbily-dressed man in his mid-thirties with long, reddish-brown hair, walked away from us. He headed westbound on the north side of the street. I ran after him as I used my portable radio to notify the dispatcher that I was investigating a stabbing at the food line. The time was 1614 hours.

The suspect did not seem to notice that I was in pursuit. The churchyard he walked past was bordered by a sturdy fence. Knowing that he probably still had the knife, I decided to move in quickly from behind and push him off the sidewalk, up against the fence. With the element of surprise in my favor, I hoped the violent impact would knock the knife out of his hand if he was still carrying it. If not, the maneuver would at least leave me in a position where I could restrain him against the fence and eventually force him to surrender the knife.

During my previous ten years of police service I arrested hundreds of violent suspects without serious incident. The thought that this arrest would be any different from the others never occurred to me. Although I was working a one-man car, I didn't dare wait for reinforcements. There were dozens of pedestrians in the area. If I hesitated, there was a distinct possibility he would stab a bystander while I watched helplessly from the sidelines. I also wanted to avoid a foot chase because there was always the possibility he might escape. I hate foot chases.

It was at this point that an off-duty constable in plainclothes, on his way home after working day shift, saw what was happening from inside his parked car. He shouted a warning to me that the suspect was still holding a knife. I was so intent on the imminent prospect of subduing the suspect that I never even noticed the policeman.

As is so frequently the case with even the best-laid plans, this one did not work the way it was supposed to. The suspect went down onto his knees for a second when I shoved him, but then popped back on his feet as if he was spring-loaded and began flailing at me with his knife. I stood my ground as best I could and attempted to fend off the blows with my steel flashlight.

He attacked me frantically as if he had gone totally berserk. There was nothing I could do except hang on for the ride. I couldn't drop the flashlight and draw my service revolver without leaving myself open for a potentially

lethal knife thrust. Eventually one of his blows struck home just under my left armpit; in the excitement I didn't feel the pain until later.

After what seemed like an eternity, but must have been only a matter of seconds, his frenzied attack stopped as suddenly as it had started. I was able to step back a couple of paces as the suspect stood there screaming.

At this point, the off-duty policeman joined me on the sidewalk. He and I both drew our service revolvers and pointed them at the suspect, who was still holding the knife in one hand and a bag of sandwiches in the other. He stood with his back to the church fence. With the massive walls of the church as a backstop, we maneuvered to a position on the sidewalk that offered us a clear field of fire in the event we had to shoot. I informed the other officer then that I had just been stabbed.

We did our best to reason with the suspect, but he responded belligerently. We ordered him repeatedly to drop his knife, but he continued to act as if he were deranged. His replies were abusive and nonsensical for the most part, until he suddenly demanded in a clear voice that we surrender our weapons. "You drop your guns and I'll drop the knife."

Of course, there was no way we could comply with his request, but we did lower our service revolvers to our sides momentarily. We then asked him once again to drop the knife. He didn't reply, but instead began stalking me, probably because I was the one wearing a uniform. With each step he took in my direction he tried to stab me again. The plainclothes policeman moved to one side and I began backing up while yelling at the suspect, over and over again, to drop the knife or I'd shoot. At one point I stumbled into an open car door and almost tripped backward over the curb. He continued trying to stab me with a maniacal expression on his face.

I was on the street side of a row of parked cars, still backing up, until I finally ran up against a mirror protruding from the side of a parked van. Suddenly I found myself trapped with no way of evading the knife thrusts anymore. The suspect lunged at me one more time. I emptied my revolver into his chest at point-blank range, face to face. He didn't react at all.

When he continued trying to stab me, I dropped down to a sitting position in a desperate attempt to protect myself from his knife thrusts. I remember bracing myself with my hands and then kicking him in the crotch with all my strength as he stood in front of me. Then I watched as he fell backward, away from me. The ordeal ended just as suddenly and unexpectedly as it had started.

I discovered later that the off-duty officer had been covering me from the sidewalk while simultaneously trying to stay out of my line of fire. When he realized that I was still in trouble, he fired one final round into the suspect, finishing him off. As I reconstructed the scenario later, I concluded that the shot he got off must have ended the attack and may have even saved my life.

I recall swearing and cursing at the top of my lungs as I tried to get my bearings. The situation seemed so unreal that it took me a few seconds to take in what I saw. The suspect had traveled several feet backward and landed on his back with the knife still at his feet. It had a white plastic handle and a three inch serrated blade. I remember having no doubt in my mind

that he was dead, simply because I was sure no one could have survived that kind of punishment.

Pictures taken at the scene by the Identification Squad that afternoon showed that the sandwiches he'd carried had ended up beside him on the pavement. One police photograph actually captured several pigeons scavenging the leftovers. The plainclothes officer knelt down and opened up the suspect's jacket to check for wounds, only to find that he was still breathing. Incredibly, he still had enough strength to defiantly push the policeman's hands away. He stopped struggling moments later as death finally caught up with him. Several policemen tried unsuccessfully to keep his heart going until an ambulance arrived.

I pulled the portable radio from my pocket to inform our radio operator of the situation. "Suspect down, officer down, shots fired!" I had to repeat the broadcast, as the first transmission was garbled. I also asked for paramedics to attend. The time was 1615 hours. One minute and twenty seconds had elapsed since my arrival on the scene.

I ignored the action around the suspect's body as my instincts reverted to self-preservation. I knew the most important thing I had to do at that moment was to keep track of the original victim until the detectives arrived. His testimony would help establish my justification for killing this person. I told him he had to stay and wait for an ambulance.

Other police officers from my shift actually watched part of the altercation from our office at headquarters. The images were reflected in the windows of the Remand Center across the street. By the time they left the office, the incident was over.

Another officer was parking his paddy wagon on the street when he noticed me confronting my man-with-a-knife. At the same time, he also saw an unidentified individual in civilian clothing pointing a handgun in our direction. Because his radio was tuned to another channel he was unaware of the nature of the call. Consequently, for several agonizing seconds he was faced with a very confusing, nightmarish situation as shots rang out and he had no way of knowing what was happening. It was not until he approached to help that he was finally able to identify the individual in civilian clothing as a plainclothes officer.

There were also dozens of civilian witnesses to the shooting. As usual, each had a unique interpretation of what he or she had seen during the altercation. A crowded city bus drove by as the incident occurred. Many of the passengers apparently assumed we were actors filming a movie. One lady from a retirement home across the street was concerned because she thought I was a bus driver being assaulted. I heard a rumor later that one citizen even complained because I was swearing at the suspect when I ordered him to drop the knife.

Soon there was a flood of policemen on the scene because shift change had just occurred at the station a block away. I grabbed one of the first officers to arrive and instructed him to stay with my witness and make sure he was taken to hospital.

It may be difficult for a civilian to understand that the most important thought running through my mind was to preserve the crime scene.

Eyewitnesses and physical evidence would help to show that I had been justified in my decision to take a man's life. The presumption that a person is innocent until proven guilty does not always work the way it should. Regardless of what the law, the constitution and the charter of rights might dictate, in reality, a policeman involved in a shooting must be prepared to prove his innocence.

While I stood beside a police car, holding my left side and watching the action, an officer from my shift opened up my shirt to have a look at the wound. I realized then that there was a fair amount of blood staining my uniform shirt. My blood. I sat in the passenger seat of the patrol car as someone stuffed a pressure bandage into my armpit to stop the bleeding. An ambulance attendant also took a quick look at my injury and cheerfully assured me that I would be fine. That was nice to hear, until I remembered that I'd said much the same thing to hundreds of similar victims, some of whom had subsequently died painful deaths anyway.

One of the policemen in the car wrote down my words as I tried to explain what had happened. His notes present the best account of what I said at the time, perhaps even better in some instances than my memory. The form and content are typical of hundreds of statements I've taken over the years from witnesses and suspects. Nevertheless, reading the verbatim account of everything I said immediately after the shooting always rekindles some of the extreme emotions I experienced that day.

"The guy had just stabbed someone and I grabbed him and put him up against the wall. He stabbed me! Me and the plainclothes guy pointed our guns at him. He said that if we dropped our guns that he would drop the knife. He kept coming at me. I stepped back and we lowered our guns and he kept coming at me. We kept yelling for him to drop the knife and he wouldn't stop coming. We kept warning him and he kept coming. We kept backing up and he said I'm gonna kill you or I'm gonna get you or something like that. He clenched his teeth and lunged forward and I shot him six times. The fucker kept coming. I fell down and he kept coming and coming. I was out of ammunition and he kept coming. I started to kick at him to keep him away. I hit the fucker six times and he kept coming. It's not supposed to happen this way. I don't believe it."

I handed my service revolver to another policeman. He later passed it to a supervisor, who tagged it as evidence. I knew the two ambulances already on the scene would each be transporting a patient to the hospital. I couldn't wait for a third ambulance. I wanted to leave before the press arrived, so I asked another policeman to drive me to St. Paul's Hospital. As we sped through traffic with the emergency equipment on, I began replaying the incident in my mind, trying to think of anything that might conceivably be missed by the investigators.

A television crew filmed the suspect as he was loaded into an ambulance just after we left. That station played the scene several times over the next two years whenever they needed stock footage of a police-involved shooting. Two firemen and a policeman accompanied him to the hospital. As they opened up his clothing to massage his heart, they discovered numerous wounds to his upper torso. I learned later that one of

the firemen in the ambulance made several sarcastic remarks about the fairness of shooting a man armed only with a knife.

The same doctor who treated me that day was also called upon to examine the suspect when the ambulance arrived at St. Paul's Hospital. He pronounced him dead at 1640 hours that afternoon. As they turned him over on the stretcher, they recovered a bullet from underneath the body. The policeman seized this slug, placed it in an envelope and handed it to the investigators later that evening.

The body was then transferred to a morgue at another hospital. The Identification Squad also attended the morgue to take photographs and fingerprints. They eventually confirmed his identity by comparing those prints with others already in their fingerprint files from previous criminal convictions.

Morgue personnel removed all his clothing, including two jackets and a shirt, and placed it in paper bags for examination by forensic experts later. The officer recovered a watch, a ring and a necklace. These items, along with a wallet containing a welfare card, his only identification document, were added to a list of effects and sent to the property office. The body was then placed inside a locker at 1814 hours. The accompanying police officer secured the locker with a padlock to maintain continuity until an autopsy could be performed.

An ambulance transported the native stabbing victim to another hospital where he was examined by emergency room physicians as well as surgeons. His two stab wounds were found to be relatively superficial, so he was released from hospital later that night. From his position on the sidewalk near the food line, he had witnessed the entire incident, including the shooting. The policemen at the hospital obtained a complete statement from him while the doctors treated his injuries.

Upon arrival at the emergency ward, I ended up on my back on a gurney as the emergency room physicians examined me to determine the seriousness of my wounds. Nurses shaved the back of my right hand and hooked me up to an intravenous bottle. I would not let them take off my pants or boots, but they removed my shirt with their scissors to check for additional wounds.

I was in the hallway, waiting for X-rays, when I suddenly realized that my parents would have to be told about the shooting before they had a chance to hear it on their local news channel. Both my parents have a history of heart problems; in fact, my mother was already in hospital that day for tests. There were several officers with me, friends of mine, so I ended up making a very emotional call to the east coast on a public phone in the hallway while they listened. It was the same phone I had used many times over the years while on routine calls to the emergency ward. I recall thinking how unnatural it was to be using it under these circumstances. My father and brother took the news as well as could be expected. They thought I should wait and tell my mother the next day.

Meanwhile, I gradually began to realize that I was going into shock. I wasn't conscious of it until I lost all feeling in my arms, almost as if they had gone to sleep. At one point, I saw different muscles twitching spasmodically

all across my chest. I remember thinking how bizarre it was that my body would react that way. Eventually these symptoms faded, but they were very disconcerting at the time.

While I waited for treatment I told my story to every policeman who would listen. I repeated it dozens of times as friends from the job drifted in and out of the emergency ward. I couldn't stop talking about it. At one point I got so animated that a nurse walked by and pointedly asked me to keep the noise down.

I also had to move onto my side while an Identification Squad officer took a picture of my wound. It was only after I knew for sure I wasn't going to require surgery that I felt confident enough to refer to it jokingly as "just a flesh wound." Although I had seen hundreds of similar injuries and could look at the most severe of them with nothing more than idle curiosity, this particular wound made a lasting impression on me. I still find myself unconsciously rubbing the area of the scar, even though I usually have to think for a moment just to remember which side it is on.

The Duty Officer and my Superintendent both dropped by to see how I was doing. A policeman told me he'd heard someone at the crime scene claiming that only a couple of shots had been fired. I recall stating emphatically to him that I had fired all six rounds into the suspect's chest. Although a short while later I could no longer remember anything about the actual shooting, I can still recall telling the policeman that I had definitely emptied my revolver into the suspect.

The first time I was alone, or at least out of the spotlight, was when I was X-rayed so the doctors could find out whether or not the blade had penetrated my chest cavity. It was quiet in the X-ray facility, and I started to calm down somewhat. I even managed to joke with the technicians.

It was around this time that a good friend of mine from my academy class arrived and accompanied me for the rest of my stay at the hospital. At one point we were in a treatment room discussing the shooting when two gorgeous candy strippers marched in and made a determined effort to cheer me up. Although at the time the contrast between their lightheartedness and the seriousness of the incident seemed almost surreal, I appreciated what they were trying to do, and they did wonders for my morale.

Before I could leave the hospital I had to undergo one final private examination by the emergency room physician in the minor surgery room. He injected some local anesthetic into the wound and used a blunt probe to explore its depth. It extended no more than one inch, and definitely had not penetrated into the chest cavity. After dressing the wound, he had a long talk with me about my emotional state. The doctor gave me some very thoughtful, valuable advice. He also gave me a pill that I could take that night in the event I had difficulty getting to sleep.

I borrowed a jacket to wear for the trip back to the station because what was left of my uniform shirt had been tossed into the garbage. Walking into the changing room wearing only half my uniform, minus my service revolver and spare ammunition, felt very unnatural and vaguely unpleasant. The weapon had been seized as evidence. I knew it would not be returned

until after an inquest, or for that matter, a trial, if I was to be charged with a criminal offense.

I walked upstairs to the Major Crime Squad office that night to see how the investigation was going. The first thing they did, after asking how I was feeling, was read me my constitutional rights from the familiar yellow card we had all been issued. These were the same words I had repeated hundreds of times to criminals. Now they took on new meaning, because there was always a possibility that I might be facing criminal charges myself. I told them I was still shaken up and that I'd give them a written statement the next day. They did their best to reassure me that everything was going well, but I could only think about the official warning they had just read me.

I knew they had no choice; that was the correct procedure under these circumstances. It enables a prosecutor to use anything I said subsequent to the warning as evidence against me in court if I was charged criminally. In my opinion, it is also the best thing the investigators can do for an officer under investigation because, if nothing else, it certainly drives home the seriousness of what he is facing in a way that leaves little room for misunderstanding. Nevertheless, it was a sobering experience to be on the receiving end of those words.

That may sound a little melodramatic, but although there was never any question in my mind that this was a "good" shooting, and nobody ever accused me of acting incorrectly, I know of police officers who have been charged criminally for offenses they did not commit. Sometimes it happens because of pressure from community activists and the media; occasionally it is the result of a politically-expedient decision from the prosecutor's office. In fact, it took months for the department to finally notify me in writing that I would not be charged, so the possibility of a criminal trial stayed in the back of my mind until after the inquest ended.

I watched the local news at my friend's apartment. He and his wife did a magnificent job of putting me at ease. I drove home just after midnight and spent two hours writing a two-page statement for the detectives. I had no difficulty getting to sleep by the time I finished. The next morning, I threw the sleeping pill away.

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