



Saskatchewan Coroners Service

Jury Findings

THIS IS AN EXTRACT OF THE *JURY REPORT* FILED AT THE INQUEST RESPECTING THE DEATHS OF JAMES SMITH CREE NATION AND WELDON WHICH WAS CONDUCTED JANUARY 15- 31, 2024, IN MELFORT, SASKATCHEWAN.

The six-person jury inquired into the death of the below named and their findings are as follows:

Name of Deceased: Earl BURNS Sr.

Date of Death: September 4, 2022 between 06:14 – 06:24 hours

Place of Death: North Road, James Smith Cree Nation, SK

Cause of Death: Multiple stab wounds

Manner of Death: Homicide

In the interest of avoiding similar deaths in the future we recommend the following:

To: Correctional Services Canada:

1. Where feasible and subject to security concerns, that offenders are assigned a consistent individual who can provide continuity as they progress through their time spent in a specific facility or specific community on conditional release as the offender reintegrates back into society. We recommend that this consistent individual is either an elder, cultural support, social worker or community parole officer.
2. That more Elders are hired in all federal correctional centres.
3. That program availability as well as the number of ongoing programs increases while reducing the case load on facilitators and elders involved.
4. That an increased focus by the assigned parole officer be designated to locating offenders through contacts within the first month of them being deemed unlawfully at large.
5. That the community parole officer follows-up with the offender's access to medical care to ensure the offender is receiving support in accessing appropriate medical care.

To: Federal Ministry of Public Safety

1. That a national alerting system is established in consultation with law enforcement on a platform where the public can sign up to receive broadcast immediate alerts.

2. That a dangerous person alert category is created within the alerting system.

To: Royal Canadian Mounted Police

1. That any photo of an individual on a police database or police access tool must display the date of the photo in a prominent way.
2. That it is mandatory to provide more resources to specialized RCMP teams, such as the drug enforcement team, to dedicate more services to apprehending individuals involved in the trafficking of drugs.
3. We encourage collaboration and attendance at community events such as ceremonies and celebrations that will foster positive relations and trust between the two parties.

To: James Smith Cree Nation

1. That current community programming be evaluated and consider programming related to: addictions and substance abuse, victim services, adverse childhood experiences, domestic or intimate partner violence, traditional parenting, as well as programming for children. In addition, we recommend that a community resource package or brochure be made and distributed to all community members and offenders being released back to James Smith Cree Nation, as well as that all available programs are openly advertised to all.
2. That it be mandated that all houses are to have house numbers posted on the front of the buildings in an easily visible location as well as that street signs be installed for all roadways. We recommend that mapping be updated and distributed to all emergency service as well.
3. We encourage collaboration and attendance at community events such as ceremonies and celebrations that will foster positive relations and trust between the two parties.
4. That the community continue to provide further funding and training to the James Smith Cree Nation security force to ensure the safety and security of all within the community.
5. We encourage leadership to continue to follow through on the process started of establishing the James Smith Cree Nation Police Force in a prompt and timely fashion.



Saskatchewan Coroners Service

Inquest Coroner Recommendations

THIS IS AN EXTRACT OF THE INQUEST CORONER REPORT FILED AT THE INQUEST RESPECTING THE DEATHS AT JAMES SMITH CREE NATION AND WELDON WHICH WAS CONDUCTED JANUARY 15 – 31, 2024, IN MELFORT, SASKATCHEWAN.

The Inquest Coroner has made the following recommendations in the interest of avoiding similar deaths in the future:

1. **Royal Canadian Mounted Police (RCMP), Melfort Detachment Commander and James Smith Cree Nation (JSCN) Leadership:** meet on a regular basis, and no less than quarterly per year, to establish and implement a public safety strategy for James Smith Cree Nation.

The current Melfort Detachment Commander testified that JSCN accounted for 20% of the calls for service received. It was obvious from the questions asked by community members, and the evidence elicited from the witnesses, that there are serious drug and violence issues in JSCN that need targeted attention from both the RCMP and the community leadership.

2. **RCMP:** immediately adopt and implement best practices and technologies that will make available to patrol officers the most current photo, including but not limited to the SGI photo, of a queried person.

The RCMP constables that searched for Damien Sanderson testified that they viewed a photo shortly before interacting with him but were unable to recognize him. They later discovered that the photograph was from 2014, and that the image did not represent Damien Sanderson's current appearance.

3. **RCMP, F Division Commanding Officer:** take all reasonable measures to ensure that the Warrant Enforcement & Suppression Team (WEST) is fully staffed and consider expansion beyond the current establishment of positions.

WEST is currently staffed with 16 members to cover the entirety of the province of Saskatchewan. At present they apprehend approximately one individual per week, and at any given time there are more than 5,000 individuals on warrant status. They often do not have resources to pursue a target that is outside of the top 10 in their priority. An offender like Myles Sanderson would have been approximately #60 when ranked in January of 2024 and current resources are limited in their capacity.

4. **RCMP, F Division Commanding Officer:** take all reasonable measures to ensure that the Crime Reduction Team (CRT) is fully staffed and consider expansion beyond the current establishment of position.

CRT was described as a unit that could provide task force-oriented attention to criminality that is beyond the capacity of local detachments. There was evidence about street gangs and the negative impact they have on communities like JSCN, and that current policing resources are limited in their capacity.

5. **RCMP, F Division Commanding Officer:** take all reasonable measures to ensure that the Saskatchewan Trafficking Response Team (STRT) is fully staffed and consider expansion beyond the current establishment of positions.

Myles Sanderson was engaged in drug trafficking, and it was opined by multiple witnesses that his criminality was tied to his use of substances. It was further opined that many of his victims were targeted in relation to drug debts and the drug lifestyle or were affiliated to those in the drug lifestyle. Increased resourcing of STRT will allow for earlier detection and interdiction of the drug trade.

6. **RCMP, WEST Commander:** provide a list and details of their Most Wanted (60 highest priority targets as established by WEST) to all Saskatchewan RCMP detachment commanders on a regular basis and no less than quarterly per year.

Despite the fact that WEST uses various analysis tools and methods to determine their highest priority targets, their resources are limited. By identifying and providing their highest priority targets to all RCMP detachments this will increase the number of officers available to pursue the targets and will increase the likelihood that an individual is located and apprehended.

7. **RCMP, WEST Commander:** adjust the WEST matrix to prioritize apprehension targets so that individuals who are repeat domestic offenders are ranked higher.

WEST uses a matrix that assigns points based on each target's individual characteristics based on their current charges. Given the testimony that many who commit serious violent offences often have a history of domestic violence, this should be weighted to increase the ranking of offenders with that characteristic.

8. **RCMP, Detachment Commanders:** where a Most Wanted target is affiliated with or is a member of a First Nation within their detachment area, and subject to situations that might compromise an underway investigation or apprehension, the detachment commander shall liaise with the First Nation's Leadership or Justice Designate to advise them of the wanted status of that individual.

The evidence established that despite Myles Sanderson being on warrant status since May of 2022, the RCMP did not engage the leadership of JSCN to advise of his warrant status or ascertain his whereabouts. This provided no opportunity for the leadership of JSCN to assist with the provision of information that could have led to his apprehension.

9. **JSCN Leadership or Justice Designate:** where a police service informs the First Nation of a wanted individual in accordance with above, JSCN shall canvas community members for

information on their whereabouts and provide a timely response to the police service in regards to any information that may assist in the apprehension of the individual.

A common theme raised in the evidence was a lack of communication between the JSCN and the RCMP about wanted individuals. Because of the autonomy of many First Nations such as JSCN, any response to criminality has to be community based and must be reciprocal between the First Nation and the police service in question.

10. **JSCN Leadership:** promote to their citizens that the timely and accurate reporting of crime to police services is critical to community safety. Further, encourage citizens who may be uncomfortable, and/or intimidated from reporting such activity, to utilize anonymous reporting channels such as Crime Stoppers.

The evidence suggested that community members were aware of the criminal behaviour of Myles Sanderson but were intimidated and/or concerned about the consequences of reporting, including possible retaliation.

11. **Correctional Service of Canada (CSC):** offenders with a history of domestic violence, either on their current offence or in their offending history, should, to the extent practical, be required to complete programming specific to breaking the cycle of domestic violence prior to release.

Domestic violence has long lasting negative effects on the perpetrator, the victim, and witnesses who are often children. The evidence from the criminal profilers is that domestic violence offences are often precursor offences to serious violent offences. While there was evidence that counselling and programming is most effective when the offender chooses to participate, given the importance of such programming, mandating domestic violence programming or linking its connection to entitlements like day or full parole may be of value.

12. **CSC:** when a warrant of apprehension is issued for an offender on conditional release, and that offender has self-identified an affiliation to a First Nation, provide notification to the police service or RCMP detachment that has jurisdiction over that First Nation.

Evidence was provided that while many Indigenous offenders do not initially seek release to their home communities, many will ultimately return in time, based upon family and community bonds. It is reasonably likely that this urge to return is often exacerbated by periods of personal crisis or when attempting to avoid apprehension.

13. **CSC:** make proactive efforts to engage with First Nation communities to recruit and fill elder vacancies and expand that program to ensure ratios of elders to offenders according with best practices for successful programming and rehabilitation outcomes.

Both Elders who provided evidence indicated that there is a shortage of Elders working with CSC which can, at times, limit program participation. Elders are fundamentally important to reconnecting Indigenous offenders with their culture.

14. **CSC:** make proactive efforts to recruit personnel and fill vacancies to fully staff and offer the complete complement of health programming, including mental health programming such as

psychology and psychiatric services.

There was evidence that CSC's health services department has vacancies of up to 20%, and that this limits availability and increases wait times for mental health services that many offenders need.

15. **CSC:** develop and make available programming that will enable support persons to provide a healthy and successful environment for the offender to be released into, and actively encourage offenders and (subject to security concerns) their support persons to participate in such programming. This programming should be offered to immediate family and/or community members that are providing support to the offender.

Various witnesses testified to the importance of having a healthy environment to be released into to provide offenders with the greatest chance of compliance with the release plan, thus furthering rehabilitative goals.