



**FOR PUBLIC RELEASE: Coroner Judgement of Inquiry and Inquest
Inquisition and Recommendations**

Department of Justice, Legal Services
Yukon Coroners Service
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Yukon Coroners Service: Judgement of Inquiry into the death of: Kenneth Baker

Coroner Investigative File No.: 45202017022

Name: Baker, Kenneth Raymond Date of Birth: 1959/0/31 Date of Death: 2017/06/04
YYYY/MM/DD YYYY/MM/DD

Address: Carcross, Yukon Street Address Province/Territory Postal Code

Ethnic Origin: First Nation Location of Death: Alaska Highway, KM 1326

Cause of Death

(a) Blunt Force Trauma(b) Motor Vehicle Incident - Driver

Manner of Death

Accidental

Autopsy Findings

Examination of the body revealed massive blunt force trauma to the head.

Toxicological Findings

Toxicology testing detected alcohol at 0.16% in the vitreous sample. A finding of 0.16% vitreous does not equate to 0.16% blood alcohol content. Assuming the alcohol consumed has fully equilibrated throughout the body, vitreous levels will be around 1.2 times higher than the blood. Assuming equilibration in this case, the blood alcohol content (BAC) is estimated to be 0.13%.

Circumstances of Death

Mr. BAKER and his passenger were returning from his visit at Squanga Lake shortly after 1600 hrs on June 4, 2017, driving west along the Alaska Highway in a borrowed 1998 4-door Ford Escort. About 10 minutes from Squanga Lake, near km 1326 the Ford Escort was passed by a what was reported as a semi-truck with a step deck trailer traveling east. The highway at this point was under construction and had a gravel base which was dusty. A witness traveling behind Mr. BAKER's vehicle indicated that an item appeared to fly from the eastbound vehicle and broke through the windshield of the vehicle driven by Mr. BAKER. The Escort lost power and it was witnessed that the passenger reached over and grabbed the steering wheel taking control of the vehicle. After about a kilometer the passenger was able to steer the Ford Escort to the side of the highway and bring it to a stop. It appeared that the eastbound semi-truck and trailer was not aware of the incident and continued down the highway.

The item from the oncoming vehicle was found to be a 12.0 lb (5.44 kg) "porta anchor" (aka "portable winch boomer"). It struck Mr. BAKER on the head causing instantly fatal injuries.

Significant Factors/Conclusions

Mr. BAKER was traveling westbound on the Alaska Highway and was passed by an eastbound semi-truck and tractor on a rough section of roadway. An unsecured "porta anchor" appeared to have dislodged from the eastbound vehicle and flew through the windshield of the Ford Escort driven by Mr. BAKER. The "porta anchor" struck Mr. BAKER killing him instantly.

I therefore find that Kenneth "Kenny" Raymond BAKER came to his death on June 4, 2017 from unnatural causes, to wit: blunt force traumatic injuries as result of a motor vehicle incident - driver

I classify his death as accidental and make the recommendations which follow.

Recommendations

TO: CANADIAN COUNCIL OF MOTOR TRANSPORT ADMINISTRATION (CCMTA)

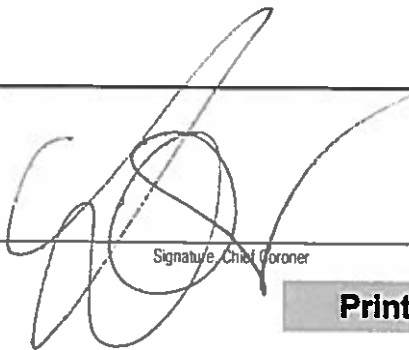
To expand the National Safety Code Standard 11B Section 8.5 (f) to specifically include, by name, the safe storage of portable anchors ("porta anchors") when not being used to secure a load. Further to remove the note from this same section which currently indicates that vehicles will not be pulled out of service (or "rejected") when cargo securing devices are seen to be "broken, cracked or insecure".

TO: YUKON GOVERNMENT, DEPARTMENT OF HIGHWAYS & PUBLIC WORKS

To adopt specific and measurable practice to include diligent inspection of portable anchor storage when not being used to secure a load as per the recommendation made to CCMTA regarding the National Safety Code Standard 11B Section 8.5 (f).

TO: YUKON GOVERNMENT, DEPARTMENT OF HIGHWAYS & PUBLIC WORKS

To initiate and deliver an Education and Safety campaign elaborating on cargo securement and cargo securement devices.



Signature: Chief Coroner

Whitehorse, Yukon

Province/Territory

May 29, 2018

Date

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