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Chief medical examiner tells inquest he'll avoid 'controversial' cause of death



By: [Erik Pindera](#)

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Months after defending excited delirium as an acceptable cause of death, Manitoba's chief medical examiner has appeared to distance himself from the term and vowed not to use it in autopsies again.

Dr. John Younes recently made the comments during a provincial inquest examining the death of Viengxay Chommany, a 42-year-old man who



died following an altercation with Winnipeg police in August 2019. The inquest, in front of provincial court Judge Lindy Choy, resumes sitting in June.

During questioning in April by the Chommany family's lawyer, Kris Saxberg, about the autopsy and cause of death, Younes said the term "excited delirium" would no longer be used in Manitoba autopsies and that his office will not use it as a cause or contributing factor of death in the future.



Viengxay Chommany died following an altercation with Winnipeg police in 2019. (Supplied)

"The word has become controversial enough that it's best just avoided," Younes said April 22, when asked whether the use of the term in autopsies is "dead."

The syndrome known as excited delirium is said to cause a wide array of symptoms: from an inability to feel pain, to superhuman strength and excessive

sweating, to an aversion to shiny objects and talking in gibberish.

Younes said someone exhibiting those symptoms — while there's no universally accepted term — would now be referred to as being in a state of agitation or psychosis.

Police were called to an Elmwood home on Aug. 2, 2019, after Chommany's wife called police and said he was off his medications and acting strangely. Chommany lived with bipolar disorder and schizophrenia.

After officers confronted Chommany at the home, he ran off, shoeless, with officers in pursuit. He was Tasered once, then pulled to the ground where, according to an Independent Investigation Unit report, the 5-4, 180-pound man was struggling, kicking and grabbing at them.

One officer said he punched or kneed Chommany, a second officer said he punched Chommany in the face roughly five times, then Tasered him before applying handcuffs. A third officer shackled Chommany's legs.

A Manitoba pathologist later determined Chommany died from complications of anoxic brain injury due to probable arrhythmia due to "excited delirium."



An anoxic brain injury is caused by a lack of oxygen to the brain, while an arrhythmia is an abnormality of the heartbeat.

In response to questioning from inquest counsel, Winnipeg lawyer Danny Gunn, Younes said in April that if he were to do Chommany's autopsy now, he would list the cause of death as complications from anoxic brain injury due to consequence of cardiac arrest, from or as a consequence of psychosis-induced cardiac arrhythmia.

Cardiac arrest happens when the heart stops pumping suddenly, ceasing the flow of blood to the brain and elsewhere in the body.

Younes said Chommany struggling while under the restraint of police was a "significant contributing" factor, on top of his agitated state, to the heart issues that caused his death.

Younes said in his testimony the use of the Taser was ruled out as a cause of death, because if a shock from the device were to stop the heart, it would do so almost immediately, whereas Chommany apparently struggled while restrained by police afterward.

A *Free Press* investigation in December [examined the role excited delirium played in the death of Chommany](#)



and two other men — Aaron Ross and Patrick Gagnon — and how the pseudo-scientific term had been widely debunked.

A separate inquest is examining the circumstances of the deaths of Ross, Gagnon and three other men. All died in incidents involving the Winnipeg Police Service during a span of 18 months.

Excited delirium has typically only been referenced in police-involved deaths or other in-custody deaths and its use is linked to the company that manufactures Tasers. The *Free Press* previously found it's also been identified as being a proxy for a different, more accurate cause of death: asphyxia from prone restraint.

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The Warm-Up

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Since 2020, at least five major medical associations in the United States have publicly opposed the use of the term as a diagnosis or a cause of death. Dr. Michael Howlett, president of the Canadian Association of Emergency Physicians, said the body has no official position, but added the term probably shouldn't be used — whether in medicine or beyond. In December, he described excited delirium as a “vague, sort of catch-all type of a term” that does not speak to cause of death or underlying pathology.

Younes indicated to the *Free Press* in December that his office will avoid using the terms excited or agitated delirium going forward. When asked whether he will review the term's application in prior cases, Younes defended its use and confirmed he had no plans to do so.

“In the three cases you mentioned, I stand by the causes of death provided, as the underlying cause of the excited delirium is made clear, or least discussed, in the autopsy reports,” Younes wrote in an email statement at the time.

Younes said in April one of the reasons excited delirium won't appear in autopsies going forward is because it discourages examining other factors that led to a death.

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Reporter

Erik Pindera is a reporter for the *Free Press*, mostly focusing on crime and justice. The born-and-bred Winnipegger attended Red River College Polytechnic, wrote for the community newspaper in Kenora, Ont. and reported on television and radio in Winnipeg before joining the *Free Press* in 2020.

[Read more about Erik.](#)

Every piece of reporting Erik produces is reviewed by an editing team before it is posted online or published in print — part of the *Free Press's* tradition, since 1872, of producing reliable independent journalism.

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