



PAROLE BOARD OF CANADA DECISION

OFFENDER INFORMATION :

Name : **WHITE, MICHAEL JAMES**

FPS : [REDACTED]

Institution : [REDACTED]

FILE NO : [REDACTED]

TYPE OF REVIEW :

- U.T.A. PRE RELEASE - ADMINISTRATIVE REASONS (PANEL)
- U.T.A. PRE RELEASE - FAMILY CONTACTS (PANEL)

PANEL INFORMATION :

OBSERVER (S) PRESENT (except during deliberations) : **YES**

ASSISTANT PRESENT : **YES**

EXCLUDED FROM PART OF HEARING : **NO**

ELDER /ADVISOR : **NO**

REASON :

FINAL DECISIONS :

U.T.A. PRE RELEASE	AUTHORIZED	2020-02-12
ADMINISTRATIVE REASONS		

THREE 72-HOUR, PLUS TRAVEL TIME, UTAS TO A CRF FOR ADMINISTRATIVE REASONS. TRANSPORTATION WILL BE BY BUS OR APPROVED FAMILY MEMBER OR FRIEND. TWO UTAS TO BE TAKEN INITIALLY AND THIRD TO BE TAKEN AFTER SUCCESSFUL COMPLETION OF TWO ADMINISTRATIVE UTAS AND FAMILY CONTACT UTA.

U.T.A. PRE RELEASE	AUTHORIZED	2020-02-12
FAMILY CONTACTS		

ONE 72-HOUR, PLUS TRAVEL TIME, UTA TO YOUR PARENTS' RESIDENCE FOR FAMILY CONTACT. TRANSPORTATION WILL BE BY BUS OR APPROVED FAMILY MEMBER OR FRIEND. TO BE TAKEN AFTER SUCCESSFUL COMPLETION OF TWO ADMINISTRATIVE UTAS.

LEAVE PRIVILEGES : NOT APPLICABLE

SPECIAL CONDITIONS :



U.T.A. PRE RELEASE - ADMINISTRATIVE REASONS

Condition	Status
<ul style="list-style-type: none"> · AVOID PERSONS - VICTIM(S) No direct or indirect contact with any member of the victim's family, except as individually requested and with the prior written permission from your parole supervisor. 	IMPOSED
<ul style="list-style-type: none"> · REPORT RELATIONSHIPS Immediately report all intimate sexual and non sexual relationships and friendships with females to your parole supervisor. 	IMPOSED

U.T.A. PRE RELEASE - FAMILY CONTACTS

Condition	Status
<ul style="list-style-type: none"> · AVOID PERSONS - VICTIM(S) No direct or indirect contact with any member of the victim's family, except as individually requested and with the prior written permission from your parole supervisor. 	IMPOSED
<ul style="list-style-type: none"> · REPORT RELATIONSHIPS Immediately report all intimate sexual and non sexual relationships and friendships with females to your parole supervisor. 	IMPOSED

PREVIOUSLY IMPOSED SPECIAL CONDITION(S) STILL IN EFFECT : NOT APPLICABLE

NEW INFORMATION SHARED WITH THE OFFENDER : NOT APPLICABLE

REASONS FOR DECISION(S) :

The Parole Board of Canada (the Board) reviewed your case by way of a hearing to make a decision about your application for unescorted temporary absences (UTA) for administrative reasons and family contact.

To make its decision regarding UTAs, the Board must determine whether you will not, by reoffending, present an undue risk to society during your absence; whether it is desirable for you to be absent from the penitentiary; whether your behaviour while under sentence precludes authorizing the absence; and whether a structured plan for your absence has been prepared.

The Board considered the support letters received December 19, 2019, January 8, 2020, January 22, 2020, and January 28, 2020, as well as submissions on file for your previous review.

After considering the following information, the Board has decided to authorize the unescorted temporary absences for administrative reasons and family contact.

You are a 43-year-old, first time federal offender serving a life sentence for Second Degree Murder and Indignity to Dead Body. On July 12, 2005, police located your wife's abandoned vehicle. On July 14, 2005, you joined a search party, returned home briefly and then went to pick up your daughter from a friend's residence. On the way, you stopped, got out of your vehicle and retrieved two garbage bags concealed in an empty lot. You placed the garbage bags outside your house for pickup the next morning. Police seized the garbage bags and found bloodstained clothing, rubber gloves, paper towels and a broken lamp. Police also found a lampshade that matched another in your residence on a fencepost near where you retrieved the garbage bags



and police believed you used this to mark their location. On July 17, 2005, police executed a search warrant of your residence, determined a clean-up attempt was made in the master bedroom, and found traces of the victim's blood. That evening, you and family members found the victim's body in a ditch in a state of decomposition. The victim had suffered two stab wounds, one to her neck, as well as defensive wounds on her hands. Police arrested you for murder; you claimed your innocence and maintain that stance to this day.

In addition to the custodial sentence, the Judge set parole eligibility at 17 years, ordered a DNA sample and imposed a lifetime weapons prohibition. An appeal of your conviction was dismissed in 2009. You were initially released on bail but this was later revoked following a successful appeal by the Crown. You remained in custody until sentencing.

At today's hearing with the Board, you continued to maintain that you are not responsible for the death of your wife. However, you did accept responsibility for your actions during the police investigation that contributed to their belief in your guilt. You stated that you were not thinking clearly and behaved in ways that made you a suspect. Regarding the garbage bags, you removed them from the dumpsite, as you were afraid that searchers might find the automotive parts that you had previously dumped there despite being paid by neighbours for proper disposal. You felt this would cause you embarrassment and potentially affect their willingness to assist in the search for your wife. You informed the Board that your wife actually disposed of the blood stained clothing weeks earlier following a nosebleed. You assumed she did this as the clothes were old and not worth saving. You were not aware that the blood stained clothing and towels were in the garbage. The Board expressed some difficulty with your explanations and in particular, given your reported emotional state at the time, that you would be concerned about the garbage or embarrassment.

As an alternative explanation, you briefly discussed your own theory of who may have killed your wife. In this regard, the Board directed you to seek legal assistance.

Victim Impact Statements on file identify the psychological harm and the extreme sense of loss with which the victim's family continues to struggle.

According to your CPIC, your criminal history includes a dated conviction for Careless Storage of Firearm.

The results of the Spousal Assault Risk Assessment, a domestic violence instrument, estimated your risk for partner abuse in the high range. This was based solely on the current conviction, as there were no historical incidents of partner violence. Your Statistical Information on Recidivism score of +17 suggests that four out of five similar offenders will not commit an indictable offence within three years of release. According to the Level of Service Inventory – Revised (LSI-R), which is an actuarial risk/need measure, your results place you in the lowest risk category specified on this measure. These risk estimates indicate that your risk for general and violent recidivism is in the low range.

At intake, you were assessed to have considerable difficulty in the areas of personal/emotional, marital/family, and no difficulty in the area of substance abuse. The areas of education/employment, associates, attitude and community functioning were assets to community adjustment. According to the most recent Correctional Plan Update, you have made progress in several areas. The area of marital/family now requires a moderate need for improvement, the area of personal/emotional requires a low need for improvement, the areas of substance abuse and attitude do not require any need for improvement. It is noted that the areas of education/employment, associates and community functioning are an asset to community adjustment. As you have not taken accountability for the murder of your wife, Correctional Service



of Canada (CSC) rated your accountability as low and your motivation and reintegration potential as medium.

Despite your reported innocence, you participated in programs and interventions recommended by the CSC. You successfully completed the National Moderate Intensity Family Violence Prevention Program (March 2012) and the Integrated Correctional Program Model (ICPM) Institutional Maintenance Program – Multi-Target (September 2017). The final ICPM program report notes your ability and commitment to utilize the skills required to manage risk factors. The report also notes you made progress in all target areas and demonstrated engagement in making positive changes in your thinking and attitude.

Today the Board discussed your progress in the family violence program. You stated that with you always believed that your marriage was free of problems. However, following the program you realized that at times your behaviour was abusive. For example, you reported when stressed, frustrated or angry, you might throw your boots or become uncommunicative. From your perspective, the program was helpful. From the Board's perspective, it was to your credit that you engaged the programs, acknowledged historical problems and reportedly made gains. In the Board's experience, few individuals that deny culpability are willing to engage in such programming.

According to the most recent Psychological/Psychiatric Assessment Report conducted in November 2019, you are in the low range of risk for both general and violent recidivism. Your behaviour remains stable, there are no issues related to your mental stability and, you have sustained a positive attitude and demeanour to both correctional staff and other inmates. There has not been deterioration in any risk-relevant domains to suggest you require further intervention to mitigate risk. The psychologist concludes, the results of the current assessment do not contraindicate UTAs and notes that, despite your denial of the index offence, you have made progress in programming and have managed your emotional states and behaviour. It was further noted that denial is not linked to recidivism for offenders with a history of intimate partner violence. Rather, it is a responsivity impediment to programming.

Despite your denial stance, you responded well to programs, and your institutional behaviour and adjustment indicates that you benefitted from the skills and strategies learned in programming. You display conduct that demonstrates respect for other persons and property. You communicate well with your case management team (CMT), including keeping them informed about your new romantic relationship. You incurred two institutional charges, but these are historical and minor in nature. You self reported another incident after you assisted a visitor to the institution by boosting their vehicle battery. You apologized for this lapse in judgement and a minor sanction was imposed. More recently, correctional staff counselled you for being too intimate during visits with your girlfriend. You maintained institutional employment for a number of years with the works department and you received very positive reviews from your supervisor. You expressed interest into getting your RED Seal as a Heavy Equipment Mechanic but the institutional instructors were unable to facilitate the testing.

The Board acknowledged your generally positive institutional behaviour over the years. You stated that since your return to Ontario, your custodial experience has been quite positive. However, the Board challenged your poor judgement regarding the inappropriate incident involving your girlfriend. Because of the incident, you were counselled and you were not approved for Private Family Visits (PFVs) with her. To your credit, you accepted responsibility and the resulting consequences. According to your assistant, the contact was consensual; however, in the Board's view the incident demonstrated a disregard for the rules and compromised the privileges you earned.



In June 2018, the Board approved one year of community service escorted temporary absences (ETAs). You successfully completed these ETAs with the Community Service Volunteer Group (CSVG) and your supervisors noted you were a valuable member of the crew. In the CSC's view, your institutional behaviour does not preclude your participation in these UTAs.

You applied for three 72-hour, plus actual travel time, administrative UTAs to a community residential facility (CRF). You will travel by bus or with an approved family member or friend to and from the CRF. Participation in these UTAs would allow you the opportunity to meet with CRF staff and familiarize yourself with CRF rules and routines, meet with a Parole Officer (PO) and Caseworker, obtain your G1 and M1 driver's licences, investigate prospective employment and open a bank account.

Additionally, you also applied for one 72-hour, plus actual travel time, family contact UTA to your parents' residence where your daughter also resides. The purpose of the UTA would be to spend time with family, particularly your daughter, and sort through personal items and financial papers at your parents' residence. It is expected these combined UTAs would be completed over a nine-month period.

Given the nature of your offending, and your relatively recent relationship with your girlfriend, there is a need for on-going monitoring of this relationship. Therefore, the Board directs that she is not to be included or present for any of these three UTAs. Further, that there be a progression in your UTAs so that you complete two administrative UTAs, followed by the family contact UTA, and then the third administrative UTA. This will ensure you are provided with suitable support for the duration of your absences.

CSC recommends the Board authorize the proposed UTAs. CSC opines the proposed UTA plan is structured and desirable, given your lengthy period of incarceration. CSC recognizes your exemplary institutional behaviour and believes this does not preclude you from participating in the UTAs. CSC recommends the following special conditions be imposed: avoid the victim's family (except as individually requested) and report relationships.

To summarize the above information, you are actuarially assessed as a low risk for general and violent recidivism. However, based on the nature of your conviction, you are considered a high risk for future domestic violence. To your credit, you engaged relevant programming and made positive progress. Accordingly, the Board considers that your risk would not be undue during the proposed absences. Your institutional conduct has been quite positive and there have no incidents of institutional aggression or violence. You completed escorted absences and demonstrated your ability to comply with the rules and regulations. Thus in the Board's view, your institutional conduct does not preclude such absences. Further, such absences are desirable, as these will allow you to develop and demonstrate the skills you will need to reintegrate in a community setting and advance your correctional plan. Finally, you have presented the Board with a sufficiently structured plan as approved by the CSC.

The Board authorizes unescorted temporary absences for administrative reasons and family contact as proposed by the CSC to be completed over a nine-month period. It is the Board's opinion that you will not, by reoffending, present an undue risk to society during your absence. In the Board's opinion, it is desirable for you to be absent from the penitentiary to advance your correctional plan and reintegration efforts. Further, your behaviour while under sentence does not preclude authorizing the absence and a structured plan for the absence has been prepared.

REASONS FOR SPECIAL CONDITIONS:



In addition to the standard conditions that apply, the Board is imposing the following special conditions because they are reasonable and necessary in order to protect society and to facilitate your successful reintegration into society. These conditions will remain in place for the duration of your UTAs.

You caused serious harm and trauma to the victims and any contact from you could serve to cause further trauma to them. Therefore, you are to have no direct or indirect contact with any member of the victim's family, except as individually requested and approved.

You have been violent in the context of a domestic relationship. Therefore, you are to immediately report all intimate sexual and non-sexual relationships and friendships with females to your parole supervisor.

DECISION(S) AND VOTES :

U.T.A. PRE RELEASE - ADMINISTRATIVE REASONS AUTHORIZED 2020-02-12

Board Member	Vote	Vote Date
MALCOLM, P. B.	AUTHORIZED	2020-02-12
GAUCI, M. V.	AUTHORIZED	2020-02-12

U.T.A. PRE RELEASE - FAMILY CONTACTS AUTHORIZED 2020-02-12

Board Member	Vote	Vote Date
MALCOLM, P. B.	AUTHORIZED	2020-02-12
GAUCI, M. V.	AUTHORIZED	2020-02-12

SIGNATURES :

MALCOLM, P. B.

Board Member Signature Date

GAUCI, M. V.

Board Member Signature Date