





undue risk to society before the expiration of your sentence according to law. The Board must also consider whether your release will contribute to the protection of society by facilitating your reintegration into society as a law-abiding citizen.

Applying these criteria to the factors in your case, the Board grants full parole. The Board describes its reasons below.

### **Current Sentence**

You are a 46-year-old, first time, federal offender serving a Life (17) sentence for Second Degree Murder and Indignity to Dead Body. In July 2005, you killed the victim (your wife), who was pregnant at the time. You disposed of the victim's body, covered same with branches and vegetation in a ditch, and "cleaned up" evidence from your crime. You staged a crime scene and organized searches for the victim's safe return. During the police investigation, you were observed stopping along the road, retrieving two garbage bags from some tall grass, and placing the bags outside your house for pickup the next day. The bags were subsequently seized by police, and found to contain blood-stained clothing, rubber gloves and paper towels. You located the victim's body approximately five days after her disappearance. You appealed your conviction and sentence but the appeal was denied in March 2009. However, you continue to maintain your innocence and have an application in with Innocence Canada.

In addition to the custodial sentence, the judge ordered a DNA sample and imposed a weapons prohibition for life.

The judge described your offence as the most reprehensible and extreme form of domestic violence, and noted the following aggravating factors: a young and vulnerable child was deprived of her mother, the crime was brutal and callous with evident signs of struggle, the victim's body was left without dignity, and your attempt to cover up the crime. Mitigating factors included that you were a contributing member of society, had familial support, and were a relatively youthful offender, your lack of prior related criminal record and prospects of rehabilitation. The criteria for serious harm as set out in the CCRA are met in your case.

A Victim Impact Statement and submissions on file describe a significant loss to the victim's family. Described are ongoing long-term effects of grief and loss as well as a fear for their own safety.

### **Criminal and Conditional Release History**

Your criminal history includes one prior conviction for Careless Storage of Firearm. Reportedly, you were discharged from the military due to theft of some tools. You stated that you took the tools to work on your personal vehicle, which you claimed was a common occurrence among military personnel.

### **Social History**

You described a positive and supportive upbringing that was free of abuse. You completed high school but did not attend post-secondary education. You are trained as a heavy-duty mechanic. You claimed you were a social drinker and that you never used drugs.

### **Psychological/Psychiatric Information/Actuarial Measures of Risk to Reoffend**

The most recent psychological risk assessment completed in November 2019 concurred with past assessments. Based on actuarial measures, you were assessed in the low range of risk for



general and violent recidivism. File information indicated that you were assessed as high risk for domestic violence and required high intensity intervention.

Your Statistical Information on Recidivism (SIR) score of 17 suggests four out of five like offenders will not commit an indictable offence within three years of release.

### **Progress Toward Correctional Plan Objectives**

At intake, the areas of personal/emotional orientation and marital/family were assessed as considerable difficulty. The area of substance abuse was rated no current difficulty, and the areas of employment, associates/social interaction, community functioning and attitude were each deemed factor seen as an asset.

According to the March 2023 Correctional Plan Update, the area of marital/family was assessed as moderate need for improvement and the area of personal/emotional orientation was rated low need. The area of attitude was re-assessed as no immediate need, and all other domains remain unchanged (now considered asset to community adjustment).

Your level of intervention based on static factors is low and based on dynamic factors is low (reduced from medium at intake). The Correctional Service of Canada (CSC) assessed your motivation level and reintegration potential as high (increased from medium at intake), while accountability remained medium.

### **Responsivity to Programming/Interventions**

While incarcerated, you completed the National Moderate Intensity Family Violence Prevention Program and the Integrated Correctional Program Model (ICPM) Institutional Maintenance Program – Multi-Target. In August 2021, you successfully completed the Community Maintenance Program Multi-Target.

Gains have been made towards your risk factors.

### **The Board's Decision Leading to Current Release**

The Board granted day parole to a community residential facility (CRF) in February 2021, based on your good institutional behaviour, limited criminal history, completion of programming, minimum -security rating, engagement in your Correctional Plan, and viable release plan. Day parole was continued on four occasions, most recently in February 2023 with the following Board imposed special conditions: report relationships and no contact with victim(s). Extended leave privileges were authorized, allowing you five days in the community and two days at the CRF.

### **Community Behaviour on Current Release**

Since your release, there were no incidents at the CRF, no evidence of subculture activity and no noted breaches. You participate in therapy with a community service provider as needed. You appear to be internally motivated and require little to no guidance. You cooperate with members of your case management team (CMT), are receptive to feedback, and reach out for support when required.

Since your last review, you have been taking extended weekend passes at the condo with your fiancée, with no concerns noted. You started a new job in January 2023, with better pay, and which enables you to work on a larger variety of heavy equipment. Your CMT believed it was a



good move. Although you maintain your innocence, your CMT feel you demonstrate a “good deal of accountability and victim empathy”, as best you can.

### **Reintegration Plan**

Your full parole release plan is to reside with your fiancée in her condominium, where you have been taking weekend passes. Your fiancée is considered a positive collateral contact and aware of your offending and release conditions. You maintain support in the community from some friends and family, including your daughter and extended family members. There are support letters on file, received prior to your last review. You plan to get married and would like to travel. You intend to remain engaged and be forthcoming and transparent with your CMT.

Victim concerns were considered when developing the current release plan/supervision strategy. Initially, you would be required to meet with your parole supervisor weekly while you transition to a more expanded form of release. You will be expected to access supports as needed, maintain contact with your CMT and disclose any struggles as they arise.

### **The Correctional Service of Canada's Recommendation**

CSC recommended that full parole be granted as your risk is considered manageable with the proposed release plan and supervision strategy. You completed required CSC programming and access community supports as needed. You comply with release conditions, were not involved in any incidents and there were no noted breaches. You secured employment, established a support network and demonstrated your internal motivation. You were granted extended leave privileges and completed passes without concern. Members of your CMT suggest you no longer require the added structure and monitoring offered by the CRF.

Should full parole be granted, CSC recommended the following special conditions be imposed: no contact with victims and report relationships.

The Board has also considered your submissions, and letters from family and friends including the Victim's family.

### **Analysis and Decision**

In making its decision, the Board measured a number of factors that would mitigate, or reduce your risk, and weighed them against those factors, which would aggravate, or increase your risk, ultimately assessing if your risk to society is manageable in the community on a full parole release and will that release assist in a positive reintegration.

### **Aggravating**

As to aspects that are aggravating the Board cannot ignore that your criminal offending resulted in the taking of a life. Your stance of innocence has prevented you from possible insight.

### **Mitigating**

In reviewing factors that are mitigating as stated, you have availed yourself to programming and express sadness for the loss of your daughter's mother. Through programming, you have reflected on what you may have contributed in your relationships looking to improve insight on better



communication and problem solving in a healthy relationship.

During this period of day parole, you have been described as a self starter and motivated. You have remained gainfully employed and recently changed jobs that better suits your time management and future plans. You remain compliant with the conditions of your release and there is no indication that you have engaged in negative associations or behaviours. You maintain family support who are aware of your offending and are considered protective factors in the community, a mitigating factor in your case.

Further, your daily activities are pro-social in nature, involving legitimate employment, healthy leisure time and pro-social relationships. You have not come to the attention of SIO or police.

You were denied assistance from the Community Mental Health Team however you sought out community service providers and continue to be engaged in therapy on an as-needed basis which is seen as positive steps for reintegration stresses.

Overall, the Board considers your risk scores as mitigating. Your overall risk score is low, and while your Marital/Family is moderate need, you have garnered insight into a healthy relationship and motivated to implement that knowledge. You are characterized by your CMT as approaching all programs and interventions as an opportunity for self-improvement, accepting that everyone can benefit from self-reflection, interpersonal and relationship skills.

Your release plan is to reside with your fiancé who is aware of your criminal offending remaining supportive and described as prosocial and a protective factor in your case. Your leave privileges have been to her residence and there have been no concerns or incidents to date.

In consideration of all of the foregoing, the Board finds that you have presented a viable and measurable release plan with appropriate pro-social collateral contacts in the community. You have benefited from the structure and monitoring of a CRF and no longer require this level of supervision.

Given your assessed low risk, employment stability and your demonstrated abilities to live a law-abiding lifestyle the Board does not find that your risk would be undue on an expanded form of conditional release. Therefore, Full Parole is granted. Continued transparency with your CMT and compliance to the standard and special conditions of release is anticipated and expected until requested to be removed by the Board.

**REASONS FOR SPECIAL CONDITIONS:**

In addition to the standard conditions of release the Board is imposing special conditions that will remain in unless modified or removed in a further decision. These are deemed to be reasonable and necessary to ensure the protection of society and to manage your risk while you continue with reintegration efforts.

You understand the loss and concern felt by the Victim's family. They do not want contact. In order to avoid further trauma to the victim's family, the Board is imposing a condition that you not have any direct or indirect contact with the family unless an individual requests communication. As you have the support of your daughter and an uncle-in-law this will allow the monitoring with prior written approval of allowed contact as recommended by your CMT.

At this time you are in a committed relationship however should this change it is imperative that



you advise your Parole Supervisor of all changes and new female relationships. The Board imposes the condition that you report relationships as this will allow your parole supervisor to monitor any relationships with females and determine if you or they are at risk.

**DECISION(S) AND VOTES :**

<b>FULL PAROLE - PRE RELEASE</b>	<b>GRANTED</b>	<b>2023-05-25</b>
Board Member	Vote	Vote Date
CARTER, L. .	GRANTED	2023-05-24
PAYETTE, N. .	GRANTED	2023-05-25

**SIGNATURES :**

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CARTER, L. .

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Board Member Signature Date

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PAYETTE, N. .

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Board Member Signature Date