

Preparing a Victim Statement for the Parole Board of Canada

Prepared by the Canadian Resource Centre for Victims of Crime

February 2014

** Disclaimer: The information provided in this information paper is intended for educational purposes only. Please talk to your local victim services, police service or Crown Attorney's Office before implementing any intervention.*

Introduction

The *Corrections and Conditional Release Act* (CCRA) defines a victim as a person to whom harm was done or who has suffered physical or emotional damage as the result of an offence. Victims include persons harmed by the offender regardless of whether the offender has been prosecuted or not, as long as a complaint has been made to the police or to the Crown. Where this person is deceased or unable to act for himself/herself (i.e., the victim is a child, ill or otherwise incapacitated) the victim's spouse, relative, common-law partner or dependant of the victim, or anyone who is responsible for the care or support of that person, by law or custody, may receive information or present a victim impact statement. In the case where the person named is deceased or otherwise unable to act for himself/herself, anyone responsible for the care or support of the victim's dependant(s) shares the same entitlements.

The CCRA recognizes that victims of crime have an important role to play in the criminal justice system. This Act gives victims an opportunity to participate in the federal corrections and conditional release process. It also entitles individuals who meet the definition of victim in the CCRA and who request to receive information (i.e., registered victims) to receive certain information about the offender who has harmed them and to be informed about all PBC conditional release decisions as well as some CSC decisions.

Victims are encouraged to provide information regarding the physical, emotional or financial impact that the offence has had on them, their families and/or the community. They may also request that special conditions be imposed on offenders on conditional release. This information may also be provided to CSC or PBC in the form of a Victim Statement at any time, which may be also be presented during an offender's Parole Board hearing.

Parole Hearings

In Parole Board of Canada (PBC) hearings, statements submitted for consideration by the Board are referred to as "Victim Statements". Victim statements give parole board members insight into the continuing impact of the crime. Victims can also inform the board about any concerns they have for their safety or the safety of the community. Victims may also include for Board member consideration any special conditions on the release. Some victims request that the offender have no contact with them or their family. In some cases, a victim can provide the Board with facts about the offender that may not be contained in any of the other file documentation because it is known only to the victim.

Parole board members carefully examine Victim Statements before releasing an offender into the community. Victim statements can be updated at each step of the offender's release into the community, i.e., unescorted temporary absences, day parole and full parole, etc. If the board does grant parole, a victim's information allows the board to place restrictions on the offender, i.e., to have no contact with the victim, not to enter a specified geographical area, etc.

Since July 1, 2001, victims of crime can present their statement orally, by reading it aloud during a PBC hearing, if they wish. Or, victims may choose to make an audio or video of their written statement. The audio or video must be limited to a reading by the victim of their written statement. The written statement must accompany the audio or video and the PBC is unable to return audio or video submissions. Victims who may be unable to attend the hearing, or for whatever reason choose not to attend, have this option available to them. It is also available to victims who are attending the hearing but may not be comfortable in reading their statement.

To present a statement a victim must submit a written request to the office of the Parole Board of Canada in the region where the hearing will take place. There is a form that victims must complete in order to present a statement. This form is available by contacting one of the PBC regional offices (see below).

The victim statement may be presented either at the beginning of the hearing, immediately following the formal opening, or at the end of the hearing following the Board member's interview with the offender or, if the offender has an assistant, following the concluding remarks by the assistant.

The statement must be prepared in advance, in writing. It must be submitted to the Board in sufficient time to allow a copy of the statement to be provided to the offender, in the official language designated by the offender, at least 15 days before the day set for the hearing. Normally, a victim must be age eighteen or over to present a statement in person at a hearing. This is due to the nature of the subject matter commonly discussed at hearings. Exceptions will be considered on a case by case basis. Read more about Victim Statements on the [Parole Board of Canada website](#).

Is financial assistance available to attend Parole Board hearings?

Victims and their support person may be eligible for some assistance from the [Department of Justice Victims Fund](#) to help pay to attend a parole hearing. For more information, call 1-866-544-1007.

For questions relating to victim information, call the Victims Info line at 1-866-789-INFO (4636).

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1925 McCallum Road, 2nd Floor
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Prairies Region
101 - 22nd Street East, 6th floor
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Edmonton Office (Alberta, North West Territories)
Scotia Place, Scotia 2, Suite 401
4th Floor, 10060 Jasper Avenue NW
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Telephone: 780-495-3404
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Victims – Statement Checklist

The following Checklist, prepared by the Parole Board of Canada, will help you prepare your VS.

If you are a registered victim, you may submit a statement to the Parole Board of Canada (PBC). If you choose to, you may present it at a parole hearing. Board members consider your statement in making decisions about the release of the offender. These guidelines

apply to your written statement, and, if you have chosen to record your statement, to the video or audio recording of that statement. It's not easy to write about painful experiences, so this checklist may help you get started.

DO:

- Talk about physical harm ó ongoing medical needs, disability
- Talk about ongoing emotional harm
- Talk about financial harm ó ongoing costs
- Talk about family harm ó ongoing effects on family or personal relationships
- Talk about personal safety ó what risk does the offender pose to you if released?
- Talk about family and community safety ó what risk does the offender pose to others?
- Describe the effect of the crime on your daily life
- Provide facts and concrete examples
- Address the Board members directly
- Keep the statement brief ó a few pages, or about 10 minutes when read aloud
- Keep any recording of the statement simple ó read the written statement into the camera or microphone
- Make sure any recorded statement exactly matches the written version
- Write in English or in French: it's your choice
- Visit the PBC website or the toll-free victims' line at 1-866-789-INFO (4636) for more information
- Contact a Regional Communications Officer responsible for the file before writing the statement if you need more guidance
- Send the statement on time: **30 calendar days** before the hearing day (**45 days**, if the statement needs to be translated into English or French)
- Keep a copy of the statement

DO NOT:

- Include personal information that could compromise your safety, the safety of your family or other people, such as current names (if changed), addresses or photographs
- Include information you don't want the offender to see ó by law, the offender will get a copy of the statement
- Address the offender directly, but instead address the Board members who make the decision
- Use profanities or disrespectful language
- Threaten anyone, including the offender
- Include music, images, graphics, other people, or other elements in any video or audio recording of a statement
- Forget to submit the written statement with the video or audio recording
- Change the statement after it has been sent to the PBC

Example of a Victim Statement

Parole Victim Statement

February 2014

**The names of the victim and offender have been changed to ensure the privacy of the parties.*

Peter was on day parole when he murdered my son David in September of 1993.

The RCMP investigating David's murder told me that evidence at the crime scene (foot prints in the blood on the floor and other evidence) indicated that Peter hung out with David's body for a few hours before fleeing the scene. The RCMP characterized him to me as a pathological liar.

I learned from the Whitehorse RCMP that Peter approached them while he was in jail in Whitehorse telling them that another inmate had asked him to do a contract killing when he got out. I had asked the District Director why another inmate would ask Peter to do a contract killing and he told me, "Because he knew Peter was capable of it." I learned that this was probably a fabrication. This information about Peter was part of the documentary on CBC which was aired before the inquest. After the documentary aired the investigative reporter who did the documentary was contacted by a gentleman from Whitehorse who believed he may have been the target. He told the reporter that he was in jail at the same time as Peter and it was actually Peter who had approached him asking him if he wanted to buy some guns. He said that when he did post bail he was contacted via telephone by a man identifying himself as "Woody" who said he was willing to finish the job for Peter. He said that he contacted the coroner who was holding the inquest and requested witness status because he wanted the truth to be told about what really happened. He was denied. I checked with the Coroner if he got such a request and he affirmed that he did. He said he was going to attend the inquest any how, but the RCMP arrived at his place of business, cited him for having an expired business license and gave him a summons to appear in court in the middle of the week when the inquest was going to take place.

At the inquest into the murder of my son, the Parole Board member who testified stated that the RCMP approached him to ask that Peter be released on Day Parole because they wanted him in the community. It was also revealed at the inquest that the Parole Officer employed by Correctional Services of Canada played a part in encouraging Peter's release on day parole with the full knowledge that he was willing to provide information.

The Board member stated that he saw Peter's willingness to provide information as a "good thing," so they granted day parole. He was granted Day Parole to Prince George with a 7 day stay in Whitehorse for "administrative" reasons. The RCMP told me that the 7 days in Whitehorse was because the RCMP expected Peter's target to get bail and be released and Peter was to follow up on the (supposed) request to do a contract killing. The target was not granted bail and Peter was flown to Prince George in an RCMP jet where he was met by his RCMP handler. Shortly afterward he killed David.

While awaiting trial for the murder of David, Peter was charged with 2 attempted murders. The investigative reporter who did a documentary for CBC of David's murder told me that he was told that when Peter was asked why he attempted murder in jail he replied that he got a thrill out of killing David and wanted to do it again. At the last hearing when Peter was asked by the Parole Board if he said the reason he attempted murder in the Prince George institution was because he got a thrill out of it, he emphatically said, "absolutely not." I later checked with the person who told me that in the first place and he stands by his statement that he was told that Peter said that when he killed David he 'felt alive, it gave him a thrill, and he wanted to do it again'.

Peter spent a number of years in protective custody in Kent Institution in Abbotsford, BC. He was subsequently transferred to Springhill. The day after a riot at Springhill Institution he was given an escorted medical pass. A couple of days later he was transferred to Fenbrook. When I received notice of his transfer to Fenbrook, I mentioned to the person who phoned with the notification that I knew about Peter's history as an RCMP agent and that he was willing to give information. The person who gave me notification replied, "You know all that." I said, "Yes, it was made public at an inquest." To which he said, "Nothing has changed." "In my personal opinion, he will never be rehabilitated; he just knows how to work the system."

I noted that at the last hearing it was mentioned that during his stay at Activator's Half Way House in Prince George he got into a fight with another inmate over a stolen motor. And yet, at the inquest I learned that he told his RCMP handler and his Parole Officer that the fight was because the other inmate found out he was acting as an informant for the RCMP. It was that fabrication that was the catalyst to the RCMP and his Parole Officer giving him special privilege and telling him he could go stay at my son's home, in spite of the fact that the only body with the authority to grant such a stay away from the half way house is the Parole Board.

He had met my son and his roommate at a coffee shop and he told them he was a mechanic, lived with his girlfriend, and gave them a false name. He had their address and when he got into the fight, he told his Parole Officer he was afraid to go back to the half way house and she asked him if there was anywhere else he could go stay. He gave her my son's address and she told him to go stay there. There was no Community background check or follow up, to my knowledge. He did not show up at my son's home until one week later. He told them he had a fight with his girlfriend and needed a place to stay for the night. The next day he stabbed David to death, stole his truck and I.D. and eventually fled. It is unknown to me where he was during the week between the time he left the half way house and showed up at David's house. I have a suspicion that his Parole Officer and his RCMP handler did know where he was because at the inquest the Parole Officer testified that she did see him during that week, one time hitch-hiking on the highway. When asked if she reported the sighting to the RCMP she said, "no." She testified that she was taken in by his charm and good looks.

At Peter's last parole hearing new information was disclosed in that he stated he was sexually abused by a boarder at his parents' home. The Board noted that it was new

information and that he had not received any programming to help him deal with that experience. I received an update on the programming he has done thus far and note that he still has not done any programs to deal with the issues of sexual abuse. Did he recant his allegations that he was abused? It was also noted by the Parole Board that the programs he had taken were not suitable for offenders who were diagnosed as psychopaths. As one Board Member said they were programs that teach psychopaths how to be better psychopaths. I did not see any programs in the update I received that indicated he has taken those programs that are deemed helpful for offenders who have been given a psychopathic designation.

Separating what is fact from what is fiction has been very challenging, especially when those in authority just repeat the things he says as facts, when they are actually things he has made up. And also have a history of withholding information to protect him.

I truly hope that the Board at this hearing does not believe the same thing as the previous Board ó that special privilege should be considered when an inmate is willing to act as an informant, even when the information being provided is false information. And if any unescorted passes or early release of any kind is considered that it is because it is truly earned and not just because willingness to provide information (even false information) is seen as a positive thing. I hope that favours are not being granted by Correctional Services Canada, the RCMP and/or the Parole Board in exchange for information, or for any other reason, like the last time he was granted day parole.

I would also like to ask that should there ever be any type of unescorted passes or parole that he not be allowed to have contact with the family of the murder victim or come to my province. Because of the amount of information I was able to make public, I fear retribution.

In conclusion, it is my belief that Peter should not be released into the community for the following reasons: He has been diagnosed as a psychopath (a personality disorder that is not amenable to change over time and highly related to risk for violent recidivism), there is evidence that he enjoyed killing my son and continued to seek opportunities to engage in this pleasure, he has a history of offending under supervision, he is skilled at impression management, he has been and is able to manipulate even highly skilled correctional and policing professionals, the efficacy of treatment in this man&s case must forever be in doubt given the nature of his personality, his inconsistent telling of key elements in his criminal story, and his inability to express and provide insight (even after 20 years) into the murder other than David was there and was no match for him.

Thank you for considering my statement in your decision.