

Government of
Canada

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PBC-CLCC PPU 005

Parole Board
of Canada

PBC PRE-RELEASE DECISION SHEET

Name
MUISE , DARREN RICHARD

TYPE OF REVIEW
PANEL

TYPE OF RELEASE(S)
FULL PAROLE - PRE RELEASE

OFFENDER'S SECURITY CLASSIFICATION
MINIMUM

SIR score 9 (if applicable)

4 OUT OF 5 OFFENDERS WILL NOT COMMIT AN
INDICTABLE OFFENCE AFTER RELEASE.

Does not apply - Reason:

OBSERVER(S)
YES Observer(s) present (except during Board Member deliberations)

Excluded from part of hearing: NO
Reason:

ASSISTANT
YES Assistant present

NEW INFORMATION OR GIST OF CONFIDENTIAL INFORMATION SHARED WITH OFFENDER

Not Applicable

FINAL DECISION(S)

FULL PAROLE - PRE RELEASE GRANTED

Dated
2012/11/22

Full parole granted.
Date effective: at the end of your day parole.
Duration: life.

SPECIAL CONDITION(S) IMPOSED AND PERIOD OF TIME FOR WHICH THEY
ARE VALID

FULL PAROLE - PRE RELEASE AVOID PERSONS - VICTIM(S)
Refrain from any contact with the surviving victim or the victims'
families.
Status IMPOSED

FULL PAROLE - PRE RELEASE OTHER SPECIAL CONDITION
Refrain from going to Sydney, Nova Scotia.
Status IMPOSED

FULL PAROLE - PRE RELEASE NOT TO CONSUME DRUGS
Not to consume, purchase, or possess drugs other than prescribed and/or
over-the-counter medication taken as recommended by the physician or the

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ACCES AU REGISTRE
ACCESS TO REGISTRY 199(4)
EXEMPTION(S) APPLIQUÉE(S)
EXEMPTION(S) APPLIED
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manufacturer.

Status IMPOSED

FULL PAROLE - PRE RELEASE

AVOID CERTAIN PERSONS

Any meeting and/or communication, except by chance, with any person that you know or have reasons to believe is involved in criminal activities or has a criminal record is forbidden (according to the interpretation given by the PBC on February 4, 1991).

Status IMPOSED

BOARD MEMBERS' ASSESSMENT OF RISK AND REASONS FOR DECISION(S) - including reasons for special condition(s).

The Parole Board of Canada (The Board) met with you today for the study of your full parole. The Board has reviewed your file and has taken into consideration your submissions at the hearing. The Board also reviewed and took into consideration several letters submitted by members of the victims' families, as well as others submitted in your support. The Board also took into consideration the declarations made by the victims at your hearing.

Aged 39, you are a first-time federal offender serving, since June 1993, a life sentence for second-degree murder and robbery, with eligibility for parole after 20 years.

You were 18 years of age when in May 1992, along with two accomplices, you decided to burglarize a McDonald's restaurant. You were armed with knives while one of your accomplices was carrying a loaded gun and the other one a shovel.

You were surprised by employees. All the victims were shot in the head. One victim, after being shot, was struggling for his life; you stabbed him in the throat and neck area several times, bending the blade of your knife. He finally received a bullet in the head.

After the crime, you hid the evidence in your possession and spent the night playing video games in a local convenience store.

Your crimes were characterized as involving a rare level of brutality and indifference towards the victims. It left three people dead and another one paraplegic. The criterions for serious harm are obviously met.

The event attracted extensive media attention.

Your criminal file opened with the current crimes. Nonetheless, you were suspected of break and enter into private residences and businesses and admitted to shoplifting.

According to your file, your father was an alcoholic. You experienced physical and emotional abuse and witnessed parental fighting. You became a loner and mistrusted people. You left high school before graduation.

At the time of the crimes, you were unemployed and had just broken up with your girlfriend. Your social network was composed of your accomplices. Your self-esteem was extremely low while your rage was building.

The main contributing factors related to your criminality are identified as lure for easy and rapid gain, antisocial values, association with deviant peers and emotional mismanagement.

The statistical information for your case shows that 4 out of every 5 offenders with similar characteristics will not re-offend. Your Case

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Management Team (CMT) agrees with this actuarial result. Your social reintegration potential is high.

During incarceration you were submitted to several psychological and psychiatric assessments. In general, the professionals identified an antisocial personality disorder. They also highlighted that narcissistic traits considerably softened over the years. Risk of recidivism has been assessed as low for many years.

In the most recent psychological assessment, produced in September 2012, the psychologist agrees with previous results. The various actuarial and other recognized risk prediction instruments relevant to your case, namely PCL-R, HCR-20 and VRAG, indicate a low risk of violent recidivism. According to the professional, the risk you present is manageable in the context of full parole. There is no specific recommendation in terms of intervention since your risk factors are under control and have little influence.

During incarceration, you maintained an active and sustained engagement towards your correctional plan, adopting a compliant behaviour and completing various correctional programs, such as Living Skills and Anger and Emotions Management. You also benefited from psychological counselling for several years and participated in restorative justice sessions.

In February 2007, you were granted escorted temporary absences (ETA) for personal development and community services. These escorted absences went well and were renewed. In August 2009, the Board authorized unescorted temporary absences (UTA) for personal development. These absences were also renewed and allowed you to pursue your gradual social reintegration.

In March 2011, the Board granted you a day parole projects for 6 months. You integrated the Correctional Residential Facility (CRF) _____ and started a training in cabinet making. During this period, you demonstrated good compliance with the special conditions and rules of the halfway house.

In September 2011, a regular day parole was agreed by the Board. You then integrated the CRF _____. Your day parole was continued in order to allow you to stabilize your employment and financial spheres and complete your schooling.

However, you suffered serious health problems in February 2012 and were unable to work and complete your apprenticeship at school. You experienced difficult times but your CMT notes that you were able to reflect on your situation with your caseworkers. You had to change your goals. You found a full-time job that fulfills your self-esteem and confidence. It also allows you to put money aside in order to reduce the financial burden on your girlfriend's shoulders. Finances are on the way to be stabilized. Your health condition appears to have been stabilized, even though it will continue to be monitored.

Since the beginning of your day parole, you maintain a compliant behaviour, except for one instance of breaking house rules during the first weeks of your stay at the halfway house. The incident was discussed with your CMT and there were no other incidents. You respect your special conditions and all urine tests are negative.

You are engaged in your correctional plan and remain transparent with your CMT. You are highly motivated and make the efforts to succeed in your social reintegration. Despite your recent reverse of fortune, you keep a positive attitude.

You take full responsibility for your crimes. Over the years, you increased your maturity and understanding of your criminal cycle through, among other things, correctional programs, psychological

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counselling and individual interviews with your Parole Officer. You made progress over the various contributing factors that were targeted. You also positively benefitted from your employment and your support in the community. These elements allowed you to further lower the risk of re-offending. Observable and measurable progress is noted concerning your risk factors.

You ask the Board to grant you full parole. You plan to reside with your girlfriend and to continue to work at your actual job. You would like to complete your apprenticeship in a near future. You will continue to work towards financial independence. You can count on support from your girlfriend and family.

The CSC is of the opinion that the proposed release plan is realistic and addresses your risk factors. Your caseworkers also acknowledge the fact that you continue to make progress and are motivated to pursue your life as a law-abiding citizen. The risk of recidivism is low and is not undue for the protection of society.

Although the recommendation for full parole is positive, there is a dissenting opinion. The Liaison Parole Officer and the interim Parole Officer evaluate that your social reintegration should be on a gradual basis in order to enforce a safe risk management. They acknowledge your significant progresses regarding your risk factors and your compliant behaviour, but employment and finances are partaking in the risk assessment, and they consider that these spheres still need improvement. Despite your good intentions, your employment is recent and you had accumulated minimal savings. You should benefit from a 4/3 type day parole at this stage of your sentence, in order to continue on your positive path and to consolidate your assets.

The hearing allowed the Board to go over the various elements that contributed to your violent acting out. Through your explanations, the Board concluded that you demonstrated that you were taking full responsibility for your actions. You clearly indicated that your brutal violence was gratuitous, excessive and an explosion of anger as you desperately need to exercise control over a life where you felt powerless.

Throughout your incarceration, you actively and continuously engaged towards the objectives of your correctional plan. You developed genuine insight, which you continue to work on, and the empathy that you were able to demonstrate at the hearing appeared felt and sincere. In that respect, the Board considers that you have met the objectives set out by the sentencing judge.

Your reintegration within society was initiated and has been very gradual since 2007. In the last 5 years, you have evolved through every step of a slow and progressive conditional release, abiding by all conditions imposed by Law and by the Board.

Upon completing its analysis, the Board considers that you have been able to consolidate progress on the various contributing factors of your criminality. You have worked on stabilizing the different spheres of your life. You have also demonstrated a capacity to establish and maintain a constructive relationship with your CMT based on openness and trust. The Board is of the opinion that as ongoing work will continue, you have met the various objectives of your day parole.

Your release plan is realistic and appropriate to your needs. You benefit from positive, stable and strong support in the community. To that effect, the Board takes into consideration that all the professional assessments and diagnostic tools confirm that you present a low risk of violent recidivism. An extended period on day

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parole, even if it was alleviated as suggested by some of your caseworkers, would not, in the opinion of the Board, further contribute to the protection of society but would rather contribute to limit your evolution towards safe reintegration.

The Board therefore concurs with the majority opinion of your CMT and grant you full parole as the risk that you present to society is not undue under such form of release.

Regardless of your parole eligibility, in light of the nature of your offence, the sentence imposed by the Court, remains one of life imprisonment. This implies that you will be accountable and under the authority of the Correctional Service of Canada for the rest of your entire life.

Special conditions are imposed considering the most significant factors pertaining to your risk of re-offending. These conditions are deemed reasonable and necessary to protect society and facilitate reintegration for the length of your supervision.

You will not associate with anyone having a criminal record or involved in criminal activities, as you committed your offences with associates. Given the circumstances of your criminality, if you were to associate with such individuals, your risk would greatly increase. Moreover, the success of your reintegration will rely on the support of a solid pro-social network. Consequently, any meeting and / or communication, except by chance, with any person that you know or have reasons to believe has a criminal record or is involved in criminal activities is forbidden (according to the interpretation given by the Board on February 4th, 1991).

You are prohibited from consuming, purchasing or possessing drugs other than prescribed medication taken as prescribed and over the counter drugs taken as recommended by the manufacturer. At the time of the offences, substance abuse, particularly with respect to drug use, was part of your delinquent lifestyle.

The Board reminds you that it is your responsibility to avoid any behaviour and to not ingest any substance that may alter or mask the results of a urinalysis.

You will refrain from having direct or indirect contact with the surviving victim or any members of the victims' families, considering the serious damages inflicted on them by your actions. The fact that so many members of your victims' families' remain engaged in your file speak eloquently to their continued suffering and they have the right to pursue a peaceful life and to continue their healing process without any interference.

In addition, taking into consideration the representations made by the victims and in order to limit unnecessary stress factors, you will refrain from going to Sydney, Nova-Scotia. This community is still struggling with the scars left by your actions and is fully entitled to heal peacefully.

The Board is imposing an additional special condition upon your release, which was not recommended by the Correctional Service of Canada. The nature and the rationale supporting this special condition were clearly explained to you at the hearing and you were provided with an opportunity to share your opinion and point of view. You indicated that you understood and had no question pertaining to this issue.

/DP

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VOTE (S)

		Dated
FULL PAROLE - PRE RELEASE BOARD MEMBER	GRANTED COUILLARD , DENIS	2012/11/22
FULL PAROLE - PRE RELEASE BOARD MEMBER	GRANTED CHAMBERLAND , CELINE	2012/11/22

SIGNATURE (S)

COUILLARD , DENIS	Date
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CHAMBERLAND , CELINE	Date
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