



PAROLE BOARD OF CANADA DECISION

OFFENDER INFORMATION :

Name : WIENS, KEITH GREGORY

FPS :

Institution :

FILE NO :

TYPE OF REVIEW :

- ESCORTED TEMPORARY ABSENCE - COMMUNITY SERVICES (PANEL)

PANEL INFORMATION :

OBSERVER (S) PRESENT (except during deliberations) : NO

ASSISTANT PRESENT : NO

EXCLUDED FROM PART OF HEARING : NOT APPLICABLE

ELDER /ADVISOR : NO

REASON : NOT APPLICABLE

FINAL DECISIONS :

ESCORTED TEMPORARY ABSENCE

APPROVED

2019-10-24

COMMUNITY SERVICES

A PACKAGE OF ESCORTED TEMPORARY ABSENCES FOR COMMUNITY SERVICE OVER A ONE YEAR PERIOD. THE ABSENCES WOULD BE FOR UP TO 8 HOURS IN DURATION, AND NOT TO EXCEED 40 HOURS PER MONTH.

LEAVE PRIVILEGES : NOT APPLICABLE

SPECIAL CONDITIONS :

- ESCORTED TEMPORARY ABSENCE - COMMUNITY SERVICES

Condition	Status
<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 escorted temporary absence for community service.

To make its decision, 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 approving the absence; and whether a structured plan for your absence has been prepared.

The Board considered your written representations dated July 25, 2019 which includes a letter

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discussing evidence presented at trial and court transcript. As you note, you have been found guilty of your offence.

After taking this and the following information into consideration, the Board has decided to approve the escorted temporary absence package for community service.

You are a 64 year old first time federal offender serving a Life (13) sentence for Second Degree Murder. The Judge imposed a DNA order and a lifetime weapons prohibition. You initially appealed your sentence and conviction, however you abandoned this appeal in late 2016 after the appeal of your conviction was dismissed.

According to official documentation, the female victim was your common-law spouse. On August 16, 2011, you called police to report that you had just shot your wife. When police arrived on scene they found the victim deceased with a bullet wound to her head. A CZ 75 loaded handgun was found close to the victim. You were arrested at the scene.

During the trial, you claimed that you acted in self-defence, although the jury rejected this evidence, noting that the two of you had gotten into an argument after you had gone to bed as you declined sexual intercourse which you said the victim wanted. You also suggested that you were afraid of her when she 'snapped' and that you had always slept with a handgun under your pillow given your history of employment in the police service. The Judge agreed with the finding of the jury based on a number of facts as presented during trial. In the Reasons for Sentence the Judge noted the aggravating factors that you shot and killed the unarmed female victim and then attempted to cover up what you had done after the fact.

You cited at your hearing what the judge said in that he was satisfied that your action in killing the victim was born of anger fuelled by alcohol.

Victim impact statements on file attest to long lasting emotional and psychological harm caused by the loss of the victim at your hands. They fear you. You told the Board that you hope to alleviate the family of any further trauma; you will not contact them in any way. You realize that they will have to endure reliving their trauma as you take steps toward gradual reintegration.

Your criminal history is limited to the index offence.

In terms of past domestic issues, you did admit to the Board that you argued with your second wife and it was a stressful relationship. On one occasion you grabbed her by the lower face in an argument as she was saying negative things about your son. You also had arguments with your son about his lack of motivation and he shoved you into a door. You were cut in the face and had stitches as a result.

In discussing your relationship with the victim, you told the Board that you two had a mostly positive relationship. However, you now realize that you had a growing underlying animosity toward her. She wanted to marry and you did not; but you bought her a diamond ring, and put your Arizona home jointly in her name as a show of 'good faith'. You agreed this may have been naive on your part as such actions give the appearance of commitment. On the night of your offence you realized you were feeling annoyed with the victim. You described yourself as having lacked emotion and keeping things bottled up; partly due to your policing background. There was no presentation by you at your hearing about your stance of self defence that has been previously noted. You told the Board you take full responsibility for your actions causing the victims' death.

There is a period of bail noted in file where you were released with your brother as your surety on



August 24, 2011, however when he had to return to Ontario in January of 2012 you were then remanded once again until being sentenced. There were no concerns noted while on bail, although there was a discussion at your hearing in relation to the technicalities that occurred on bail related to your surety.

Although your appeal has been abandoned, it is reported you continue to pursue other avenues to deal with your perception of injustice. You reported that the "Civilian Review and Complaints Commission for the RCMP" are reviewing your case and you have applied for a CCC Section 696.1 - Conviction Review by the Department of Justice. You report that the matter is "sitting on the desks of Ministers of Public Safety and Justice" at this time.

Regarding social history, you were raised by both parents along with two older siblings in a positive environment. You reportedly maintained good grades in school and were involved in sports. You were married three times, including to the victim, with your first wife passing away at a young age; your second marriage resulted in divorce several years later. At the time of the offence you were a retired police officer, following a 25 year career, and were working as a school bus operator. You had met the victim approximately seven years prior and reported a good relationship free of violence.

You continue to deny that the offence was intentional and despite your appeal not being successful you continue to pursue other avenues to deal with your perception of injustice.

In view of the decision before the Board, the Board has reviewed whether or not a structured plan for your absence has been prepared. The Board notes that your request is for a package of Escorted Temporary Absences (ETAs) to participate in community service activities at Warden approved sites for up to a one year period. The absences would be for up to 8 hours duration and not to exceed 40 hours per month. You will be escorted by a trained citizen volunteer or Correctional Service Canada (CSC) staff member and be under close supervision within sight and sound except for short washroom breaks. Given you are under minimum security and there are no institutional concerns, restraint equipment will not be used. You will travel via private motor vehicle with a citizen escort (a trained community volunteer) or in a government vehicle if you are escorted by a CSC staff member. CSC standard conditions for ETA's have been outlined in the corresponding A4D and you will be expected to abide by them. Given this information, the Board concludes that a structured plan for your absence has been prepared.

In examining whether or not your behaviour while under sentence precludes authorizing the absence the Board notes concerning reports predating 2019. You completed the Integrated Correctional Program Model (ICPM) Primer Program in December 2014 with the final report noting you were not able to identify or acknowledge any risk factors or personal targets for the more fulsome program. You participated in the ICPM Moderate Intensity program in November 2015 with a 'completed all sessions' designation. According to the final report, you were noted to have made no gains in addressing your personal targets related to your risk factors and despite added intervention to encourage you to meaningfully participate, you refused. You did not believe the risk factors applied to you and you were not able to demonstrate insight into the thinking and/or behaviour that led you to commit the index offence. The final report indicates that your current commitment to use the skills and abilities gained through programming has improved to 'needs some improvement'. This rating indicates that gains through the Maintenance Program completion are minimal in terms of developing a more in depth understanding of the risk factors related to your offending and developing realistic self-management plans. Maintenance programming was recommended in order for you to strengthen the skills you have learned to date. Poor emotion management, impulsivity, ineffective ability to recognize and/or address problems, and substance abuse have been identified as risk factors that contributed to your offence and that require intervention. It is reported you had not been able to demonstrate insight to thinking or behaviour



that led to the index offence. You refused to participate in the recommended motivational Module.

In discussing this, you told that Board that at first you had been advised by your lawyer not to share information as you were appealing your conviction. However, the Board notes that more recently, there has been positive movement in your case. You participated in the Multi-Target Maintenance program in 2019, and completed it. In this program you appeared to have gained a higher level of insight to the specific circumstances of your offence than in previous programs. It was reported you were unaware of the thinking that built to the point that you reached for your gun and shot the victim or the emotions you felt while you and the victim were arguing or when you were awakened. Throughout the program you indicated that you should have taken the time to listen to the victim, and display empathy towards her or leave the house. Your gains are still viewed a minimal in terms of developing a more in depth understanding of your risk factors, and developing realistic self-management plans.

At your hearing, the Board found that you were more forthcoming about your offending and your progress than has previously been reported. You were able to reveal an understanding of risk factors that include relationships, alcohol, impulsivity, anger/animosity, and personal emotional issues such as stresses and keeping your feelings and thoughts bottled up. This is an important step in your case, and for the development of a self management plan going forward.

A psychological risk assessment completed by Dr. T. Glover, dated September 12, 2018. Your assessed risk is in the low range for general and violent recidivism while your risk for intimate partner violence is in the high range. The clinician noted that although you still deny committing the offence, you do now admit to you could have done more to avoid the shooting. It is further noted that “any conditional release plan should be gradual, well structured and closely monitored. Any ETA package should be based on CMT and community Support as well as a lack of security concerns.” The psychologist reports that you would likely benefit from participating in Community Service ETAs and that the risk to the public is “likely low”.

Institutionally, your behaviour has been satisfactory as you have not incurred any institutional charges or come to the attention of the security intelligence office for subculture activities. File information notes that you have been assessed as being challenging to work with and passive aggressive during many interactions with staff. This is noted to have improved more recently although you continue to present as non-direct when answering questions. This was discussed at your hearing, and your IPO clarified that you have had challenging discussions, with one in particular when you were found to be aggressive when you were not supported previously for an ETA. However, you did apologize and you have been working more positively with staff, and they find you to be compliant with any direction. She maintains your behaviour does not preclude the ETA package being approved.

In addition to programming, you have also completed a number of voluntary programs including Alternatives to Violence, Victim Impact, John Howard Pre-Release Workshop, Bible Studies, WHMIS, and Work Safely with Power Tools, Basic Food Safety, Safety Orientation and Toastmasters. You are also presently employed as a tutor in the school. You have also participated in medical ETAs with no concerns noted. You told the Board that you gained insight into victim concerns through alternatives to violence and victim impact programming.

Based on the information as noted and improvements, the Board concludes that your behaviour while under sentence does not preclude authorizing the absence.

The Board has assessed whether it is desirable for you to be absent from the penitentiary and finds that the ETA's would allow you to volunteer in the community at non profit organizations, and enable you to give back to the community. The ETA's will provide you the opportunity to engage



with pro-social individuals. Further, the ETA's will be the first step in assisting in your rehabilitation by reinforcing pro-social behaviours and attitudes, particularly given your lengthy period of incarceration. You will be able to work to earn trust and demonstrate credibility. You told the Board that you have a history of volunteerism and have skills to contribute to the community. Given this information, the Board concludes it is desirable for you to be absent from the penitentiary

In determining if you present an undue risk to society during your absence the Board notes that your General Statistical Information of Recidivism (SIR) Score is +23, indicating 4 out of 5 offenders will not commit an indictable offence after release. This score is considered a Low risk for general recidivism. Your Spousal Assault risk assessment (SARA) indicates a high risk for partner violence.

A Psychological risk assessment from September 2018 indicates your assessed risk is in the low range for general and violent recidivism while your risk for intimate partner violence is in the high range. It was suggested you would likely benefit from participating in Community Service ETAs and the risk to the public is "likely low". It was also noted that your stance has softened a bit in that you now admit you could have done more to avoid the shooting, by leaving the house, not having a loaded gun accessible and perhaps not drinking. A 2015 psychological assessment found your risk to re-offend violently in the community is in the moderate range but your risk to offend with serious physical harm or imminence was low.

Of concern to the Board and discussed at your hearing is the potential to meet a female who might express interest in you given your high risk of violence in an intimate relationship. You were adamant that you do not want a relationship, and would immediately report such interest to your IPO. However, you also recognized that this may be a potential one day and will need to be carefully addressed due to your risk. You also stated you were adamant your will never drink again. You are prepared to follow all the conditions outlined on the ETA's and were not opposed to the Board imposing a report relationships condition.

The structured plan indicates that you will be escorted and under supervision on the ETA's. You have no history of community release aside from bail and there were no concerns while you were on bail aside from surety issues as noted.

The CSC is recommending that the proposed package of ETAs be approved for community service as they deem risk to be manageable within the confines of the absences and participation is seen as the next logical step in a very gradual reintegration. These absences are suggested to be desirable as they will allow you to give back to the community and engage with pro-social activities; your institutional behaviour does not preclude the absences, and a structured plan has been prepared for the absence.

In review, the Board notes that your ratings for education, associates, and community functioning is positive; "asset to community adjustment". However your risk for intimate partner violence is high and has not been adequately addressed. You do know what your risk factors are which indicates progress in your case. There is no change in your high needs for intervention in the marital/family domain. Your reintegration potential remains low and is unchanged. In assessing if your risk is undue for the ETA's the Board noted carefully your high risk of partner violence as compared to your risk for general violence which is now low. This was also considered in view of the structured plan and the location of the proposed ETA's which are void of domestic context. However, the opportunity to meet women, potentially vulnerable women, is determined by the Board to be present and given your inadequately addressed risk factors, such opportunity to engage with females will need to be carefully monitored.



Considering your assessed risk, developing insight and progress, the structured plan for ETA's, the Board concludes that your risk for the ETAs is manageable and concludes you will not present an undue risk to society during your escorted absences.

The Board notes that more recently you appear to have made some progress in terms of responsibility for your offence and how you could have handled things differently that night. However, you will need to address your risk factors more progressively, and demonstrate gains and develop a self-management plan to address your high risk (SARA) in view of future gradual reintegration planning. You also need to reduce your needs in the marital/family domain.

The Board approves a package of escorted temporary absences for community service. 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/your behaviour while under sentence does not preclude the absence. A structured plan for the absence has been prepared.

REASONS FOR SPECIAL CONDITIONS

In addition to the standard conditions of release, the Board is imposing special conditions that will remain in effect for the ETA's to the community unless otherwise modified or removed in a further decision by the Board.

CSC did not recommend any additional special conditions however, the Board concludes it is reasonable and necessary to ensure the protection of society and to manage the risk you pose in the community and to facilitate your successful reintegration into society.

Your risk for intimate partner violence is high and your risk in this area has not been adequately addressed. Any attempts on your part to initiate a friendship or intimate relationship with a female needs to be closely monitored to prevent any other female from being in a position of risk.

DECISION(S) AND VOTES :

ESCORTED TEMPORARY ABSENCE - APPROVED 2019-10-24
COMMUNITY SERVICES

Board Member	Vote	Vote Date
PRIDE, W. .	APPROVED	2019-10-24
GOWANLOCK, K. A.	APPROVED	2019-10-24



SIGNATURES :

PRIDE, W. .

Board Member Signature Date

GOWANLOCK, K. A.

Board Member Signature Date