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National Parole Board
Pacific Regional Office
#200-1925 McCallum Road
Abbotsford, B.C. V2S 3N2

Commission nationale des
libérations conditionnelles
Région du Pacifique
1925 McCallum Road, bureau 200
Abbotsford, (C.-B.) V2S 3N2

Tel: 604-870-2468
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2009 October 1

Ms. Kim Bolan
The Vancouver Sun

Fax 604 605 2323

9 pages

Dear Ms. Bolan:

re: **SOOMEL, Rajinder**

You have asked the National Parole Board to send you copies of its decisions, and in turn I am sending you the one decision the Board has produced on this offender.

As is permitted by the *Corrections and Conditional Release Act*, I have removed some information from the registry copy of this decision. Information may be removed before releasing a decision, if releasing the information could reasonably be expected:

- to jeopardize the safety of any person
- to reveal the source of information obtained in confidence
- if released publicly, to adversely affect the reintegration of the offender into society

On 2009 August 13 the Board granted this offender a six-month Day Parole release. Standard release conditions applied, as well as four special conditions the Board specified would apply to the Day Parole release as well as to the offender's Statutory Release.

Special conditions:

- 1) Participate in one-to-one counselling with a mental health professional
- 2) Provide full financial disclosure to your parole supervisor upon request
- 3) No contact either directly or indirectly with the victim
- 4) Not to associate with any person you know or have reason to believe is involved in criminal activity and/or substance misuse.

Please note that the first page of the judge's reasons for sentence which are dated 2008 March 28 are marked "**Ban on Publication**" and the warrant of committal is marked "**Ban on Publication 517(1)**". I checked with the court registry today and it appears the ban ceased to be in effect once the trial ended, however, I am pointing this out to you in case you wish to consult your advisors.

If you have any questions about this decision document, please call our regional manager, Patrick Storey at 604 870 2488.

Sincerely



Debra Kihara
Regional Communications Officer
National Parole Board
(604) 870-2465 toll-free line for messages: 1-888-999-8828

enclosures: list of standard release conditions
copy of decision dated 2008 August 13 - with exemptions under 144.2

Canada

Conditions of Release

161. (1) For the purposes of subsection 133(2) of the Act, every offender who is released on parole or statutory release is subject to the following conditions, namely, that the offender

- (a)** on release, travel directly to the offender's place of residence, as set out in the release certificate respecting the offender, and report to the offender's parole supervisor immediately and thereafter as instructed by the parole supervisor;
- (b)** remain at all times in Canada within the territorial boundaries fixed by the parole supervisor;
- (c)** obey the law and keep the peace;
- (d)** inform the parole supervisor immediately on arrest or on being questioned by the police;
- (e)** at all times carry the release certificate and the identity card provided by the releasing authority and produce them on request for identification to any peace officer or parole supervisor;
- (f)** report to the police if and as instructed by the parole supervisor;
- (g)** advise the parole supervisor of the offender's address of residence on release and thereafter report immediately
 - (i)** any change in the offender's address of residence,
 - (ii)** any change in the offender's normal occupation, including employment, vocational or educational training and volunteer work,
 - (iii)** any change in the domestic or financial situation of the offender and, on request of the parole supervisor, any change that the offender has knowledge of in the family situation of the offender, and
 - (iv)** any change that may reasonably be expected to affect the offender's ability to comply with the conditions of parole or statutory release;
- (h)** not own, possess or have the control of any weapon, as defined in section 2 of the *Criminal Code*, except as authorized by the parole supervisor; and
- (i)** in respect of an offender released on day parole, on completion of the day parole, return to the penitentiary from which the offender was released on the date and at the time provided for in the release certificate.

Government of
Canada

National
Parole Board

PROTECTED WHEN COMPLETED
PERSONAL INFORMATION BANK
NEB-CIC PPU 005

NPB PRE-RELEASE DECISION SHEET

Name

FPS

File No

SOOMEL , RAJINDER
Institution:

TYPE OF REVIEW
PANEL

TYPE OF RELEASE(S)
DAY PAROLE - PRE RELEASE
STATUTORY RELEASE - PRE REL.

OFFENDER'S SECURITY CLASSIFICATION
MINIMUM

SIR score 13 (if applicable)

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

Does not apply - Reason:

OBSERVER(S)

NO Observer(s) present (except during Board Member deliberations)

Excluded from part of hearing:
Reason:

ASSISTANT

YES Assistant present

NEW INFORMATION OR GIST OF CONFIDENTIAL INFORMATION SHARED WITH OFFENDER

Not Applicable

FINAL DECISION(S)**DAY PAROLE - PRE RELEASE****GRANTED**

Dated

2009/08/13

Day parole granted for six months to a CCC/CRF with special conditions imposed.

STATUTORY RELEASE - PRE REL.**CHANGE CONDITION****2009/08/13**

SPECIAL CONDITION(S) IMPOSED AND PERIOD OF TIME FOR WHICH THEY ARE VALID (Apply until the end of the release unless a fixed period of time is specified)

DAY PAROLE - PRE RELEASE**FOLLOW PSYCHOLOGICAL COUNSEL.**

Participate in one-to-one counselling with a mental health professional.
Status **IMPOSED**

DAY PAROLE - PRE RELEASE**OTHER**

Provide full financial disclosure to your parole supervisor upon request.
Status **IMPOSED**

EVS:

NAME: **SOOMEL , RAJINDER**

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DAY PAROLE - PRE RELEASE**MUST AVOID CERTAIN PERSONS**

No contact either directly or indirectly with the victim.

Status **IMPOSED**

DAY PAROLE - PRE RELEASE**MUST AVOID CERTAIN PERSONS**

Not to associate with any person you know or have reason to believe is involved in criminal activity and/or substance misuse.

Status **IMPOSED**

STATUTORY RELEASE - PRE REL.**FOLLOW PSYCHOLOGICAL COUNSEL.**

Participate in one-to-one counselling with a mental health professional.

Status **IMPOSED**

STATUTORY RELEASE - PRE REL.**OTHER**

Provide full financial disclosure to your parole supervisor upon request.

Status **IMPOSED**

STATUTORY RELEASE - PRE REL.**MUST AVOID CERTAIN PERSONS**

No contact either directly or indirectly with the victim.

Status **IMPOSED**

STATUTORY RELEASE - PRE REL.**MUST AVOID CERTAIN PERSONS**

Not to associate with any person you know or have reason to believe is involved in criminal activity and/or substance misuse.

Status **IMPOSED**

DAY PAROLE/COMMUNITY-BASED RESIDENTIAL FACILITY LEAVE PRIVILEGES
(If applicable: Return to facility nightly or specify exceptions and provide reasons)

Leave privileges as per National Parole Board policy and the rules and regulations of the CCC/CRF.

REASONS FOR DECISION(S)

You are a thirty-four year old first time federal offender serving a three year sentence commencing on March 28, 2008 for Attempt Murder. You are also subject to a mandatory ten year weapons prohibition and a DNA order. You became involved in what you thought was a sophisticated criminal organization that committed economic crimes, primarily relating to tax evasion. You believed the criminal organization was legitimate when, in fact, it was part of an undercover police operation. You counselled one of the undercover police officers to kill a person who you thought was an accomplice in an incident in 2000 where you were shot. You also believed that your intended victim provided evidence against your brother that resulted in his conviction for First Degree Murder. (The victim of the murder committed by your brother is believed to have been the person who actually shot you in 2000.) You agreed to pay \$20,000 for the contract killing. You paid a \$1,000 deposit and provided the victim's address along with photos of the intended victim and

File information indicates that you had wanted the victim to be taken care of in a "particularly ugly way" to send a message, although you claim that you did not want him tortured. The sentencing Judge stated: "... Mr. Soomel intended to have a man killed. He planned it. It was a cold, deliberate, calculated decision to have somebody killed...nothing can be more aggravating than deliberately hiring someone to kill another. Motive is secondary. It is also an aggravating circumstance that he wanted someone killed because he was a witness in a trial against his brother."

You do not have a criminal record although you admit to trafficking in marijuana for approximately two years. You state that you sold

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marijuana to earn extra money and that you worked alone. You state that your drug trafficking had nothing to do with your brother

You have no conditional release history. You were denied bail until your guilty plea and sentencing on the index offence.

You remain a person of interest regarding unsolved murders. Your file indicates that, during your remand period, you were viewed as a protective custody offender at the pre-trial detention centre because of criminal associations

There are no psychological assessments in your file. Your score on the General Statistical Information on Recidivism (GSIR) places you in the category where four out of five offenders will not commit an indictable offence after release. Your motivation and reintegration potential are both rated as high. Your level of intervention for both dynamic and static factors is rated as medium. Overall, you are considered a moderate risk to re-offend for both general and violent offences.

Contributing factors to your criminal behaviour include:

1. Marital/Family - A close family member has a criminal history
2. Associates/Social Interaction - You readily became involved in a group of people that you thought were organized criminals.
3. Personal/Emotional Orientation - The index offence demonstrates your willingness to use extreme violence to obtain your goals. You are viewed as having a lack of regard for other people's safety in order to protect your own interests.
4. Attitude - You are viewed as having minimal regard for others if you are given enough justification or motive. There is information in your file that indicates that you have been involved with

You completed the Moderate Intensity - Violence Prevention Program (VPP) on November 07, 2008. The program report indicates that you participated well and made gains in several areas, including: anger and emotion control; problem solving; thinking which supports violence; self-regulation skills; communication and conflict resolution; and self management. You were able to identify high risk situations including involving yourself in the problems of others, impulsivity and becoming involved in distractions that deviate from your long-term goals and lead you to become involved in crime.

You are waitlisted for the Violent Offender Maintenance Program (VOMP).

Following the completion of the VPP you were reclassified and transferred to a minimum security institution in March 2009. You began working in the Corcan textile shop when you went to the minimum security institution.

You are seeking a day parole to a Community Residential Facility (CRF). Your release plan includes working full-time as a truck driver. You state that _____ is willing to re-hire you and there is a letter confirming this in your file. You will have some financial support from _____. You would like to pursue an apprenticeship in a trade and return to university to _____

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obtain your degree, which is almost completed. On full parole, you plan to live with _____ and work full-time as a truck driver while pursuing your educational upgrading on a part-time basis. Your plans for statutory release are the same as for full parole.

There are positive community assessments on file for _____

The Board has read and acknowledges several letters of support that are in your file.

Your case was screened for acceptance into a CRF and one CRF has accepted you depending on bed space availability.

Your Case Management Team (CMT) believes that, while you are considered a low risk to re-offend during a conditional release, your presence in the community compromises the safety of others, especially anyone who is residing at the same place where you are residing. The risk does not originate from you directly; rather it relates to the possibility of violent retribution directed towards you by other people. Your CMT recommends that day and full parole be denied. Should you be released on parole, and for your upcoming statutory release, your CMT recommends the following special conditions: 1) Must avoid certain persons - No direct or indirect contact with persons you know or suspect are involved in substance abuse, crime, or having affiliations with _____

2) Other - Provide full financial disclosure to your parole supervisor upon request.

There is a dissenting opinion in your file regarding the recommendation for full parole. Your Institutional CMT supports your full parole release, but not day parole. They believe you are manageable in the community but the potential that you will be a target from _____ places CRF staff and residents at risk.

At your hearing, the Board advised you that it would be assessing your level of risk to the community should you be granted day or full parole. The Board advised you that in order to undertake this assessment it would be discussing the index offences, your social and criminal history, programs that you have taken, your behaviour while in the institution and your release plan.

Your Institutional Parole Officer (IPO) told the Board that you had recently had a urinalysis test which returned negative and that you were also recently approved for Escorted Temporary Absences (ETA) to go to _____. Your IPO discussed the concern identified in your file that you might be a target of retribution if you were to be released, but noted that a police intelligence unit _____ had not provided any information even though they had been asked to do so. Your IPO stated that there were no concerns with your institutional behaviour. Your IPO stated that an arguable case for release on day parole could be made, although he continued to recommend that both day and full parole be denied.

You explained to the Board how you got involved with the undercover police operation. You said that you were initially asked to make some deliveries of alcohol and tobacco for cash and then later started to transport stolen goods for this group. You started to work almost full time for this group and you were being paid a lot of money. You were in financial difficulties at the time. You ended up in Winnipeg with some of the people who you thought were part of this group. They took you to a warehouse where you saw some blood, teeth and what you thought was a human hand sticking out of a box in the corner. You were told that you had to clean up the area. This caused you concern but you decided to help. You were then told by a member of this group that your brother was going to be charged with another murder and that your intended victim was going to testify against him. The members of this group told you that if you wanted

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to work for them that this person would have to be dealt with. You state a member of this group offered to get rid of the intended victim and you said that you agreed. The Board asked several questions regarding your offence and your answers were at times conflicting, but in essence you told the Board that you agreed to have the intended victim killed because of a combination of anger at him for shooting you and testifying against your brother, and your fear of this apparent organized crime group. You claimed that you were sorry for this and that it was a huge mistake. You said that, at the time, you had a "very relaxed" attitude towards crime and that this was a "slippery slope" to your index offence. You admitted, after some additional questioning by the Board, that it was a cold and unjustifiable act; although the Board notes that you showed no emotion when you made these comments, although you said that you were an emotional person. The Board notes that you did cry when spoke on your behalf, but you showed no emotion when describing your index offence.

You explained your marijuana trafficking as street based drug trafficking which you committed in the late 1990s for a few years to supplement your income. You said that you were not involved in any of your brother's activities. You said that many of the young men in your neighbourhood became involved in gangs or drug trafficking, but claim that you did not. You said that your brother was a "private person" and you did not know specifically that he was involved in crime; although you did know that he did not work but had a lot of money.

You told the Board about the insight that you gained from the VPP, although your answers were quite global. You did state that you gained both insight and skills to deal with your risk factors. You told the Board that you were prepared to take any programs or counselling in the community that is required of you. You described your release plan to the Board and said that you were confident that you could become employed again as a truck driver and contribute to the financial well being of your family. You said that your financial situation, while not great, was manageable.

spoke on your behalf. They all said that you were a good person who had made a terrible mistake but that it was out of character for you. They referred to and said that they wanted you to come home. They were clearly supportive of you and emotional. You did demonstrate emotion while spoke on your behalf.

Based on a thorough review of your correctional file and after considering the information presented at your hearing, the Board finds you appear to lack genuine remorse. You showed no emotions when speaking of the index offence, although you said that you were sorry. The Board is concerned with this and, as well, with what the Board regards as an attitude that seems to normalize criminal activity. However, the Board also notes that you have very strong community support and that you have taken the VPP. There is a positive report from the VPP. You have a realistic release plan. While the Board is concerned about information in your file that refers to the potential that you might be the target of revenge, the Board notes that told the Board that the intended victim has indicated that he does not want revenge.

The Board also notes that the Correctional Service of Canada (CSC) recently approved ETAs for you, and that in making this decision they were informed by a police officer familiar with your case that you are not believed to be a target for retribution. The Board concludes that there is no reliable and persuasive information that the public would be put at risk by your release. Based on these factors, the Board concludes that you do not pose an undue risk to society at this time if released on day parole. Day parole is granted with the following special conditions: not to associate with

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any person you know or have reason to believe is involved in criminal activity and/or substance misuse, provide full financial disclosure to your parole supervisor upon request, participate in one to one counselling with a mental health professional and no contact either directly or indirectly with the victim.

Full parole is denied as the Board views it as premature at this time.

As your statutory release date will occur within the next nine months, the Board is imposing the following special conditions on your statutory release: not to associate with any person you know or have reason to believe is involved in criminal activity and/or substance misuse; provide full financial disclosure to your parole supervisor upon request, participate in one to one counselling with a mental health professional and no contact either directly or indirectly with the victim.

REASONS FOR SPECIAL CONDITION(S)

You have been involved with, or associated to,
Your index crime involved your willingness to become involved with an apparent organized crime group. You have trafficked in marijuana in the past. Avoiding people who are involved in criminal activities or the drug trade is an important risk management strategy for you.

Your index offence was in part motivated by financial difficulties. Your parole supervisor needs to be able to monitor your financial situation in order to manage your risk to re-offend.

Your criminal behaviour was directly linked to your anger, also you normalize criminal behaviour. Participating in counselling will assist in this area.

Your victim has the right to live without unwanted contact from you.

These special conditions are reasonable and necessary to protect society and will assist in your reintegration to the community.

VOTE (S)

		Dated
DAY PAROLE - PRE RELEASE BOARD MEMBER	GRANTED MACKENZIE , IAN F	2009/08/13
DAY PAROLE - PRE RELEASE BOARD MEMBER	GRANTED CATTERMOLE , VICTORIA J	2009/08/13
STATUTORY RELEASE - PRE REL. BOARD MEMBER	CHANGE CONDITION MACKENZIE , IAN F	2009/08/13
STATUTORY RELEASE - PRE REL. BOARD MEMBER	CHANGE CONDITION CATTERMOLE , VICTORIA J	2009/08/13

SIGNATURE (S)

MACKENZIE , IAN F

2009/08/14
Date

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CATTERMOLE , VICTORIA J

August 17, 2009

Date

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