

Introduction



Barbara Stoppel was born on August 9, 1965. She would have turned 52 this year. So it seems fitting to honour that day by bringing this story to life and releasing Chapter 1 of a book that will finally put to rest the lingering questions about her murder — and who did it.

The purpose of this book is not to lay blame on others, although the shortcomings of the investigation will be revealed. There is no malice in my intentions — merely a desire to share the truth.

Policing is a human process and as such is subject to all the frailties of the human mind. We are human and we make mistakes. What we do with these mistakes sets us apart from each other in the attribute of integrity. Are we “seekers” of the truth or “keepers” of it?

This book could not have been written without the support of both the Stoppel and Sophonow families. It has been an honour to know them. Their cooperation has helped in the recreation of the events that resulted in the wrongful conviction of one innocent for the taking of another. So has court documents, transcripts, police reports, interviews and other public information that reveal the ingredients for gross injustice, the consequences of inaction, and the challenge to be accountable.

I was also privileged to work along side Detective Sergeant Bob Legge who shared my frustrations. Moreover, I had the opportunity to collaborate with Suzanne Wilton, a former journalist with the Calgary Herald. Together we focussed on the common path of exposing the evil that was allowed to flourish for far too long.

I will confide in you everything that I know about this case. Judge me not until the end and forgive me if I could have done more. In writing this I decided to not go gently into that good night.

Too often we forget that every murdered person has a family and a future that is taken from them. They also have a story, this is Barb's.

“There is only one thing
That is close to my heart,
The love between friends
Hoping never to part

Someone caring and close
And to my heart is dear
Because of a friend I've lost
On my page drops a tear.

When the two of us met
I could tell from the start,
You'd become a good friend
And close to my heart.

But between us came a boy
And we forgot we were friends
I cry when I remember
For our friendship now ends.

I thought that maybe
We could try again,
But it seems that you don't want to
How I feel such stinging pain!

I still hope that we can become
Close friends once more,
Because without you my heart bleeds
And from it tears pour.

— Barb Stoppel, 16, Grade 9

STOPPEL

This book is dedicated to the memory of Barbara Gayle Stoppel and all the victims that followed.

Chapter 1

Innocence lost - Barbara Gayle Stoppel

Incident Number 81-5-192838

It was Wednesday, December 23 and 16-year-old Barb Stoppel couldn't have been more excited for Christmas to arrive. Everything was falling into place. She'd wrapped a collection of gifts for her friends — salt and pepper shakers, candles, spices and a host of Rubik's cubes — and had dropped them with her friend Jody the day before. She kept a long written list of other gifts she'd purchased for the family:

Grams-stockings and dog calendar
Mom-hydroculture
Dad-Jams
Rick & Bess-cat calendar & London Iowa teas
Roxy & Dave-bird

For Daryl, a new boyfriend she'd met recently at a party, she's bought a football jersey. Two days earlier, on Dec. 21, Barb had marked her calendar with a special note: "1 month me & Daryl". She was in love and looking forward to Daryl joining her family for supper on Christmas Eve at the family's 2-1/2-story house on Ferndale Ave in Winnipeg's Norwood Flats.

Born in Winnipeg on August 9, 1965, Barb was the third child of loving parents Muriel and Fred Stoppel. Although the youngest of three, she was the only child still living at home. Older brother Rick (23) and sister Roxanne (19) were both married and off living their own lives in Winnipeg.

She was a typical teenager focused on school, sports and boys. A grade 10 student at Nelson McIntyre Collegiate, she possessed both beauty and brains. Barb excelled in academics and was outgoing. She was also kind, friendly and thoughtful — a softhearted girl who saw the good in everyone.

Like many Winnipeg girls her age, her free time was spent roller-skating at Saints Roller Rink and playing basketball. She was also a member of the Nelson McIntyre Girls Volleyball Team. The caption under her 1980 School year book photo read: "If her ankle isn't broken roller skating...its basketball."

Her friends consistently painted the same picture of a kind, friendly, energetic person who was thoughtful of others. She was also described as having a soft heart wanting to see good in everyone. Being more mature than those her age she sought out an older group of friends and was very popular. Many confided to me that they believed she would have known her killer, they were right.

She had big dreams and wanted to become a famous actress. She studied acting at the Manitoba Theatre Workshop and after tryouts on December 9 had been given the lead role in her school's annual play.



(A scene from the school play "And Then There Were None")

For the past few weeks Barb had worked part-time as a waitress at the Ideal Donut Shop located at 49 Goulet Street, only minutes from her home on Ferndale Avenue. Daryl recalled that she was the type of person who would talk to customers for hours without having even met them before. She had an air of confidence about her with a caring disposition that may be interpreted as flirtatious by some although it was not intended.

In 1981 Winnipeg still had a sense of innocence about it. The Winnipeg Jets had a strong team with the likes of Dale Hawerchuk, Morris Lukowich, Dave Babych and had just traded a sixth-round draft pick to the Montreal Canadians for defensemen Serge Savard. Gas prices had just exceeded 60 cents a litre and loan rates were a stiff 16.5%. Kim Carnes "Bette Davis eyes" was topping the music charts while Indiana Jones and the Raiders of the Lost Ark was the number one box office hit. The mood in the city was positive and geared towards another Holiday Season.

At the Winnipeg Police Department, however, things were not so rosy. The department had suffered a major blow to its reputation earlier in the year and public trust was shaken by the case of Paul Clear, whose canvas-wrapped body, was discovered in a shallow grave outside the city by a man and his son hunting for hazelnuts in a wooded area. Winnipeg Police Constables Jerry Stolar and Barry Neilson were later convicted of his murder. They were also implicated in a series of break-ins while they were on duty and shared much of their spoils with unknowing co-workers at parties they hosted. It was an era of mistrust that to some extent was much deserved.

Barb was originally scheduled to work December 23 but had agreed to switch days with a co-worker and work the 22 instead. At the last minute, her co-worker changed their mind and switched it back. Also a friend was supposed to meet her at the shop and go out after work but as it happened, the friend cancelled. A synchronized domino effect of tragedy was unfolding.

Barb had been grounded for not doing her chores but she was allowed to work her shift at the donut shop, which was from 4 to 9 in the evening. She was scheduled to work alone.

As she got ready for work that day, she rushed around the house deciding on clothes to wear making sure that her hair and makeup were perfect. She chose a pair of white pants and a white coloured knit sweater and said goodbye to her mother and left out the back door. It was 3:30 p.m. as she slammed the door behind her, fresh snow from the awning above the door fell on her head, messing up the hair that had taken so long to perfect. It was the last time Muriel Stoppel would see her daughter alive.

At minus 13 C and overcast, it was a moderately cool day by Winnipeg standards. About a half hour after Barb arrived at work, the sun set and despite being the holiday season, traffic slowed at the Dominion Shopping Centre. The peaceful serenity of a Winnipeg winter was about to be forever changed.



At 8:46 p.m., just 14 minutes before Barb's shift was supposed to end, the police dispatcher voiced the high priority call to the Ideal Donut Shop in response to a robbery and possible rape. A downtown cruiser car requested to be assigned — they were seconds away just over the Norwood Bridge.

As chance would have it they were denied, per policy, and district 5 units were assigned instead — and so continued a series of haunting "what if's".

When police arrived there were a half dozen or so people standing outside trying to get their attention.

"She's in there. I think she's dead!" shouted one woman.

Constable Gary Schmidt, a rookie officer, rushed in and found Barb unconscious on her back in the women's bathroom in the Southeast corner of the shop.

Her body was fully outstretched, her left arm pinned under her body in what Gary described as an "unusual position." As he felt for a pulse he discovered a green and

yellow nylon twine wrapped twice around her neck and tied in two knots. It was embedded so tightly that it hadn't been seen by those who initially found her. Barb had continued to silently choke as she laid on the floor waiting for emergency responders to arrive. Gary hastily removed the twine and placed it on the bathroom sink. Ambulance attendants soon arrived and rushed Barb to the St. Boniface Hospital only seconds away. Her family kept a bedside vigil for the three days she spent on life support at hospital, while police desperately looked for the suspect.

It was later determined that \$33.00 was stolen from the cash register while her purse still contained \$24.75. Was this a robbery gone terribly wrong?

Black and white police cars, their single red revolving roof lights turning the night sky red, descended on the parking lot of the Dominion Shopping Centre. In 1981, the police radio quality was far from today's standards and at times you could yell at a fellow officer across the street with better clarity than using the radio. There were no modern-day luxuries like police helicopters and Winnipeg's best K-9 service dog "Judge" was still years away from being born. And without the benefit of video cameras in the Ideal Donut Shop, police would have to rely solely on eyewitnesses to help them in their search of Barb's attacker.

Under ideal circumstances even trained observers can have difficulties in accurately recollecting descriptions and events. Several years ago I shot a man in the chest with my taser after he had car jacked several vehicles using a replica gun, and murdered another man days earlier. He was taken to hospital in shock believing that I had actually used my gun and thought he was dying. Hours later, when I was writing my notes, another officer who was present during the incident commented on the accused's repeated pleas for me to shoot him. I had totally forgotten due to the severity of the situation. He had charged towards me yelling: "Shoot me! Shoot me!" I saw that he had no gun in his hands so I re-holstered my firearm and complied with his request using my taser and lit him up.

The point is that under tense situations, people have difficulties accurately detailing times and events. Even with instant sports replays, there are debates whether a person is safe or out watching the same replay over and over. In fact today, directly involved members in a police shooting are not required to provide statements immediately after the incident. This is done to foster reliability in their recollection. Due to the dynamic necessity of apprehending the attacker police needed to have that information as soon as possible.

The night Barb was found, a man was seen leaving the Ideal Donut Shop carrying a cardboard box and walking southeast behind the McDonald's restaurant. Police searched the area but could not find him and now focused on detailing the events of the evening with the witnesses available. They had to reconstruct what occurred moments earlier. The donut shop interior was well lit and the outside darkness made visibility nothing short of excellent.



(View from the interior looking out to the parking lot)



(View inside the shop - the woman's washroom is to the left of the far door)

None of the witnesses had any idea when they started their day that they would inherit the burden of piecing this tragedy together.

Lorraine Janower was working at the "Boots" Drug Store at the Dominion Shopping Centre only seconds away. Just after 8 p.m. that night she walked to the Ideal Donut Shop to buy a coffee to get her through the rest of her shift. As she crossed the parking lot she saw a man inside the shop locking the front door. She felt this was odd and walked closer to the building, which had large glass windows fully exposing the interior.

She recalled that the man was white, in his early 20s with a poor complexion and noticeable acne on his face. His hair was brown and unkempt and he had a long

scraggly moustache and sideburns. He wore dark rimmed prescription glasses and a dark cowboy hat. That cowboy hat seemed to stick out much like the brown cowboy boots with well-worn soles. His jeans were tight fitting and faded. He seemed to have several layers of clothing on including a plaid shirt and hip length dark jacket with possibly yellow stripes on the left side.

The unknown man turned around and walked to the rear of the store and into the women's washroom. Upset that perhaps it was the waitress's friend closing early she returned to work and called the owner to complain but there was no answer. Still not satisfied she called the donut shop itself and even more alarming — there was no answer. She had just seen a man in the store and wondered, why wasn't anyone picking up the phone?

Several minutes later her husband Norman arrived to pick her up. She was still angry at what she had seen earlier and encouraged him to have a look for himself. He walked over to the front of the shop where he saw the same strange man with the cowboy hat walk to the front window and flips the sign to "closed". The man then exited the store, brushing past him while carrying a cardboard box approximately 12" X 12" in size.

"Don't bother, it's closed," the unknown man said and continued on his way past the McDonald's. He had a glib smile about him.

This was just too odd. Norman went inside the empty store and slowly walked towards the women's washroom. All the tables seemed to have been cleaned and appearances were that the store must have been closing early for the night — and why not, it was Christmas. But why was the front door left unlocked and who was the guy with the hat?

Norman reached the rear of the store and found that the door to the women's washroom was shut. He took a breath and opened it and gasped as he stared looking at a young girl unconscious on the floor.

Her head was slightly tilted and pushed up against the wall and her legs fully stretched towards the toilet. Her left arm was pinned under body and there was a purplish tinge to her face and hands. There were slight blood stains on the South wall about four inches from the ground. There was also some slight appearance of blood about her mouth and teeth.

He needed to take control — that stranger with the cowboy hat must have attacked her. He shouted for his wife to call police and saw the cowboy running across the parking lot towards the McDonald's. He noticed a young man standing by the doorway wearing a snowmobile suit and quickly told him to go after the man.

The Janowers weren't the only people in the area at this crucial time. Paul McDougald had been sitting in his truck in front of G&T Television Store waiting for his wife to finish shopping. The Television store faced the donut shop and he had arrived just after 8 p.m. He had an excellent view.

Between 8:15 – 8:20 p.m. he saw the strange man in the donut shop talking with a waitress who was alone. He walked behind the counter by the cash register with her and then went to the back of the store and enters the kitchen area out of sight. He then saw the two both walk to the serving area by the round table and they appeared to be talking. The man then stopped at the cash register and appeared to do something — but he couldn't make out what. He then went to the front door and locked it and walked to the women's washroom.

About 10 minutes went by and then he saw the same man leave the washroom, crouching down and crawling behind the round counter. His eyes were glued to what he was watching and he couldn't blink if he tried. The guy then stood up and casually walked to the front door. He slowly turned the sign to "closed" with his left hand and unlocked it with his right calmly walking out towards the McDonald's carrying a cardboard box.

Perhaps the most important key witness was located an hour after police initially arrived. Twenty-three-year-old old John Doerksen was selling Christmas trees in the parking lot of the shopping centre. He went to the Ideal Donut Shop for a coffee at 8:35 p.m. and found the door locked. There was no one visible inside. He waited outside for several minutes and then saw a man with a cowboy hat exit the women's washroom shut the door and then crouch down behind the counter. He then went towards the cash register stood up and took a cardboard box from a shelf and walked around the counter towards the front door. Like the other witnesses, Doerksen also observed the man to flip the sign to "closed," unlock the front door and leave.

John heard Norman Janower's shouts to go after the man with the cowboy hat and followed him running behind the McDonald's restaurant along the lane behind the shopping centre. He had no idea what the man had done but was determined to catch him. As he passed the Domo gas bar he armed himself with a baseball bat but later discarded it at the foot of the Norwood Bridge.

He caught up with the man on the bridge and tackled him. They both fell to the ground. As they struggled on the snow laden walkway Doerksen bellowed "WHAT THE HELL HAPPENED BACK THERE?"

John eased his grip on the man as he pleaded his innocence stating "THERES NOTHING GOING ON I WAS JUST LOCKING UP." Confused as to why he was chasing the man in the first place he let go and quickly stood up.

The man got off the ground and pulled a knife with a 6-7-inch blade gesturing at him and shouting "STAY AWAY OR I'LL THROW IT AT YOU." Doerksen slowly backed up in fear — moments ago he was selling Christmas trees — this was out of his league. He walked back to the Domo gas bar and kept looking back as the man with the cowboy hat continued to run north over the bridge stopping only once to throw something over the side.

Marcel Gloux was driving over the Norwood Bridge at the same time the two were struggling. He had no idea what the fight was about and decided to keep driving by — a decision that would haunt him for years.

Doerksen walked back to the mall parking lot and saw police interviewing people outside the donut shop. Instead of telling them where the man was heading he decided to track him down himself. He hailed a taxi and tried to find the man he wrestled with earlier. He instructed the driver to take him over the bridge in what would prove to be a futile search for the cowboy.

This night was too much for him. He was not thinking clearly — perhaps this was the most dramatic event of his life and it seemed to end in failure. The taxi dropped him off at home where he dwelled on the encounter and consumed five cold beers.

About an hour later he called the St. Boniface Hospital to check on Barb's condition. He knew her only briefly through the shop. Finally, he relayed what had occurred earlier and police investigators were immediately summoned. When they heard Doerksen's story they rushed to the area of the riverbank and began searching for whatever may have been discarded.

About two-thirds of the way down the riverbank police found the following:

- Two black/white coloured gloves lying on the snow covered ice approximately 10 feet apart.

No snow was covering them.

- Left glove was found with green twine 172 inches in length.

- Left glove also found with white facial tissue.

- 5 pieces of Green/Yellow braided nylon rope approx. 1/8 inch diameter

- Size of the pieces were 20, 43, 14, 10 1/2, and 89 inches.

- The pieces were noted to have been balled up as if removed from a pocket.

- 10" X 12" X 6" cardboard box

- 1 salmon coloured coffee stick inside the box

There were also possible suspect footprints in the snow which were noted and photographed by Bob Parker. He was an identification officer who had been summoned while he was shopping at Unicity in the West end of Winnipeg. It was

the holiday season and the police department was once again running with bare minimum complement.

News of the attack spread quickly as Barb's family and friends hastily attended to the St. Boniface Hospital to be with her. Their place was by her side as they prayed for her to recover.

For the police the race was now on to find who attacked her but the suspect had well over an hour head start. Soon detectives and uniform officers would gather what they could from witnesses, the crime scene and the discarded items on the riverbank.

And what about the motive? It was later determined that \$33.00 was stolen from the cash register while her purse still contained \$24.75. Was this a robbery gone horribly wrong?

The method I employ in reviewing/investigating criminal cases is by separating the "Abstract" from "Concrete" evidence.

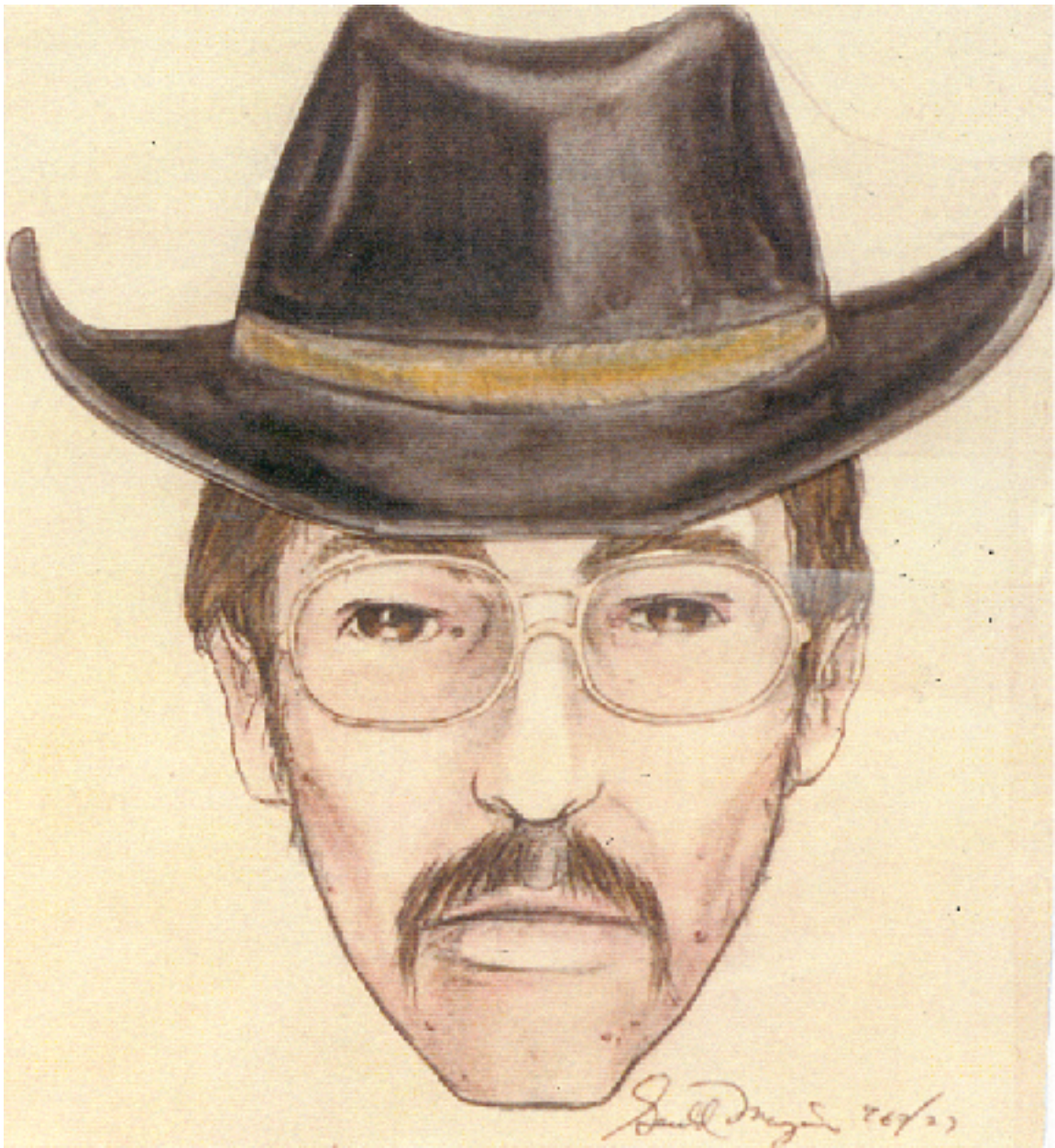
Abstract – Existing in thought or as an idea but not having a physical or concrete existence. (Examples include eyewitness statements, inferring motives, profiling, and assessing levels of plausibility , etc.)

Concrete – Existing in a material or physical form: real or solid: not abstract. (Examples include fingerprints, DNA, video recordings, murder weapon , etc.)

In essence the more concrete evidence you have the more certain you can build your case. Suspects can easily be eliminated or convicted on the level of concrete evidence presented. During the initial days of this investigation the following evidence was gathered by police.

Abstract Evidence

1. Several witnesses assisted in creating a composite drawing of the suspect. The composite itself is a tool for police in obtaining leads from the public which in this case numbered in the hundreds. It also served to narrow the search for the suspect obviously excluding many races, body types and ages.





2. The previously described chain of events provided a glimpse of the suspect's actions prior to the attack and his last direction of travel.

3. Police established a timeline on the events leading up to the assault and during. To accomplish this endeavour, investigators interviewed Barb's family, friends and numerous other potential witnesses. The results yielded not only a flurry of time shots around the time of the attack but also many sightings of the possibly suspect during the day at the mall itself. More information continued to come in.

The time frame of the suspect's possible activities may read dry but they are essential in understanding the sequence around her attack.

Myron Zuk – Employee of G. T. TV observed the killer in the donut shop between 8:30 p.m. – 8:45 p.m. and watched him leave with a box.

Andy Dufault – He was the last known customer at the donut shop. When he left at 8:15 p.m. and recalled that the waitress was alone and talking on the phone.

Barb's friend Darlene Church later reported that she was on the phone with her at 8 p.m. The conversation lasted 10 minutes and there was no indication that anything was wrong.

Several other witnesses claimed to have seen a male matching the description of the composite and wearing a cowboy hat. They were as follows:

Allan Shapiro — Manager of the McDonald's saw the man in his store at approx. 4 p.m. He described the male as white, 6-feet tall, 170 lbs, 25 years old with a dark moustache, round thin glasses, cowboy boots, dark brown cowboy hat, jeans and a short jacket.

Bernard Rioux — was an employee at the Dominion Store and saw the "Cowboy" enter his store at 6:00 p.m. The man was white, tall approx. 35 years old, with baby blue eyes, dirty blond moustache and hair, wearing black cowboy hat, jeans, checkered shirt, and tan leather jacket.

Kathleen Rowan — was an employee at the Norwood Hotel Coffee shop and saw the male in her shop at 3 p.m. He was wearing a black cowboy hat and work clothes.

Gerry Henault – employed at the Norwood Hotel Coffee Shop. He saw the male twice on this date at noon and at 5 p.m. He was drinking coffee and reading a paperback book. He was described as white, 25 years of age, 6' – 6'1", 150 pounds, slim and muscular, brown hair, wearing a brown cowboy hat, faint

moustache, brown parka with zipper front, fur trim, jean jacket underneath and cowboy boots.

Marina Labossiere — employee at Shoe Save observed a male in her store at approx. 4 p.m. She described him as white, at least 6' tall, 170 pounds, and 25 years old with a dark moustache, round dark glasses, cowboy boots, dark brown cowboy hat, jeans and a short jacket. He was in the store asking about cowboy boots and presented himself in a friendly manner.

Lynn Leroy — manager of Shoe Save who also saw the “cowboy” in her store at approx. 3 p.m. She last saw him walking in the direction of the McDonald's. She described him as being 6'2”, with dark brown hair, moustache down to the lower lip, wearing a brown cowboy hat. She noted that the top of the hat bumped the top of the door when he left. He was also carrying a navy blue tote bag with beige trim.

Esther Plett — employed at R. B. Ormiston Florists in the mall. She saw the male in her store between 7:00 - 8:00 p.m. and asked her what time the store was open. She described him as being 6-foot-two-inches, slim, wearing a dark cowboy hat, moustache, jeans, and a short black jacket.

Marion Mclean — employed at the Ideal Donut Shop and had the shift prior to Barb's on the date of the attack. Prior to 3:30 p.m., she saw a male dressed like a cowboy sitting in her store. He was eating pistachios and commenting on country music. She described him as being a white male, tall and thin, wearing a brown cowboy hat, jeans and a short jacket.

Paul Collette — employed in the McDonald's restaurant and saw the “cowboy” twice inside. Once at 7:30 p.m. where he was drinking a coffee by himself and reading a paperback book. He was also seen again at approx. 8:15 p.m. – 8:30 p.m. He described the male as being white, 25 years, 6' – 6'1” tall, 150 pounds with a slim yet muscular build, brown hair, slight moustache, wearing a brown cowboy hat, brown parka with zipper front, fur trim, jean jacket underneath and cowboy boots.

The initial belief by police was that the cowboy who was seen inside the donut shop was in fact the same that was seen several times at the mall. In fact Marina Labossiere who saw the man at 4:00 p.m. was used in creating the composite drawing.

The work done by the initial investigators was labour intensive but produced excellent abstract evidence.

Concrete Evidence

1. Hair samples were located on the top of the toilet tank in the women's washroom. These were found to be consistent with Barb's hair, suggesting that she struck her head on the toilet and may have been knocked out immediately. Apart from slight bruising to the inner portions of both arms and a bruise behind her right ear there were no signs of a struggle.
2. The twine found around her neck was the same as the five pieces located under the Norwood Bridge. In fact, the six pieces were originally likely part of the same single piece of twine.
3. The gloves Located under the Norwood Bridge were a matching pair. The left glove had 172-inches of twine consistent with the twine around her neck. Crime lab results also found an acrylic textile on the glove consistent with Barb's sweater thereby connecting the gloves to the attacker — he wore those gloves.
4. The right glove was found to contain small wood fragments and paint chips. The colours included light green, silver/grey, medium green/wood, dark yellow, dark brown, blue, red and white. The left glove also had paint chips including dark blue, red/wood, brown, grey, tan and green.
5. A soiled facial tissue found with the gloves had a dark coloured synthetic fibre not consistent with any of Barb's clothing. This suggests it was likely from the suspect.
6. Numerous animal hairs were found on her clothing likely from her cat and dog.
7. A saliva stain was located on the rear of her pants. This was found to be the same as the DNA in a piece of gum located on the bathroom floor and both belonged to Barb. However, mixed in with the saliva was a small quantity of male DNA. The sample was so minute that it could not be used to confirm the donor's identity. While this sample may have belonged to the attacker it may have also belonged to medical staff, police, etc. There were no other evidence of male DNA on any other exhibits.
8. A 40 1/4 inch piece of twine was found wrapped twice around her neck and tied in two common knots. Although the twine was not tested it was believed to have been manufactured by Powers Twine in Washington who

sold it to B.C. Hydro. Representatives from the company stated that the twine was similar in configuration.

9. Three unidentified palm prints were lifted from the middle of the door near the crash bar. These prints may have been made by emergency personal or customers during the day or may have been the suspects (although he was seen wearing gloves).
10. Another right index finger print was lifted on the donut shops door near the locking mechanism. Once again it may have been made by the suspect, a customer or emergency personal.

Police worked diligently looking for leads as Barb lay unconscious in the hospital. Her mother held vigil by her side day and night until December 29 at 9:30 am. That's when Barb was pronounced dead. The cause of death was strangulation. This was just the beginning of years of grief for such a good family.

Armed with limited evidence, police were under intense pressure to apprehend the killer, both from the media and the public who demanded: "Make sure you get him". Mayor Bill Norrie went as far as to write a letter to the Stoppel family assuring them that they would do everything they could. The police department soon authorized a reward for any information leading to the arrest and conviction of the person responsible.

There is no doubt that there was a genuine interest to catch her killer. And what they had to this point was all they had to go on.



\$8,500 REWARD

I am authorized to offer the above reward for information leading to the arrest and conviction of the person or persons responsible for the death of BARBARA GAYLE STOPPEL, 16 years, who was found strangled in her place of employment, Ideal Donuts, 49 Goulet Street, Winnipeg, on December 23rd, 1981.

This reward expires at midnight July 1st, 1982.

The Chief of Police of the Winnipeg Police Department shall be the sole arbiter as to whom this reward shall be paid and in what proportion if there is more than one claimant.

*KEN JOHNSTON,
Chief of Police,
Winnipeg, Manitoba*

THE CASE OF THOMAS SOPHONOW

“Grief demands an answer, but sometimes there isn’t one.”

— Tom Hammerschmidt, House of Cards, 2x02

As human beings we try to make order out of our world. For the most part we live in a taken-for-granted reality of everyday life. This “order” is most disturbed by the death of others and the subsequent anticipation of our own death. We have all experienced this shake from everyday life by experiencing the passing of someone we know.

A police Inspector that I used to work with died of a heart attack a few years ago. He was 2 years younger than me and I quickly found myself trying to make sense of his death. Was he a smoker, did he drink heavily, did he not exercise, was he overworked? In essence how can I lay blame on his death for his acts or omission and thereby comfort my own mortality.

This same mentality holds true in the case of a murder and the public trying to justify a tragedy. Police media officials constantly reassure the public in such cases by noting that the victim was “known to police,” “had gang ties,” “worked the sex trade,” etc. In many cases the public is not satisfied with such legitimations and seeks to lay blame on anything or anyone in an effort to get back to the comfort of everyday reality. In essence grief demands an answer.

The same was most assuredly true of Barb Stoppel’s murder. The public would ask “this was a 16 year old girl how could she has been murdered?” Media and public alike questioned whether she was a prostitute, was she into drugs, from a dysfunctional family, and why was she working alone. Unfortunately the laying of blame on the victim or those around her yields little insight or justification. The murder was made possible only by a series of events that required a sinister domino effect.

Niccolò di Bernardo dei Machiavelli was an Italian historian, politician, diplomat, philosopher, humanist, and writer based in Florence during the Renaissance. I studied him in University. He believed that much of what happens to us is determined by 2 concepts - Fortuna (fortune/good or bad luck) and Virtù (Virtue). Fortuna is the unpredictability of life while Virtù is ones own ability to adapt to whatever situation we find ourselves in.

As a policemen I have responded to many calls that have placed me in a position of threat thereby willingly entering incidents of dangerous fortune. I was able to succeed due to my virtue. In this sense virtue is my police training and experience, knowledge of self-defence, a strong sense of teamwork, communications skills and the ability to utilize numerous weapons at my

disposal. I also realize that with a slight alteration of simple variables such as arrival time or choice of doors to enter could have resulted in my death.

Barb did not place herself in a position of high threat. She was working in a well-lit donut shop with numerous shoppers outside. Her parents knew where she was and a friend was going to walk her home after work. Bad fortune had to be sequenced to perfection in order for the tragedy to occur. Similarly the case of Thomas Sophonow would prove to have parallel misfortunes one building on the next and each requiring the other.

More than 700 tips came in to police over the next few months yielding a labour intensive investigation and no arrests. I have personally reviewed the files of this case and there is little doubt that the effort exerted by front line officers was commendable. Like all cases of murder regardless of race, sex, or economic status of the victim investigators want to apprehend the offender. The actual organization of the file however was less than sufficient which provided the first ingredient for a wrongful conviction.

One of the only pieces of concrete evidence in this case was the twine. It was soon determined that it was most likely manufactured by Powers Twine from Everson Washington and sent to companies in the Vancouver area. These distributors subsequently sold it to B.C. Hydro for the purpose of being used as a shot line. As a result Winnipeg police investigators believed that the suspect had a British Columbia connection.

Thomas Sophonow's introduction to the investigation began innocently enough. At the time of Barb's murder he was 28 years old and described as a white male 6'4" tall, 180 pounds with brown curly hair, brown/hazel eyes, long sideburns, fu Manchu moustache, slim build and wore gold rimmed glasses. He was a resident of B.C. and was visiting Winnipeg on the day of the attack attempting to see his daughter Kimberly.

Relations with his ex-wife Nadine were strained and she refused to allow him to visit with his daughter. Frustrated by the turn of events Tom dropped off her presents at Nadine's sister and brother in law (Dianne and Alex Klein) and decided to drive to Mexico in his 1971 two door light blue Monte Carlo.

Tom left Winnipeg driving south but soon turned around due to pulling in the front end of the car. He subsequently went to the Canadian Tire on Pembina highway for servicing and learned that the calliper was seizing. As a result he decided to return to B.C. after first stopping for coffee at a Tim Hortons on Portage Avenue in Winnipeg.

Sometime during the initial hours of his drive he heard on the radio that a girl in a donut shop had been assaulted. Having just been in a coffee shop, he called his

sister in B.C. and asked if police were looking for him in the event it was the same Tim Hortons. She advised they had not.

He later stopped at Ryan's Restaurant in Hope B.C. and saw a poster of a missing girl Verna Bjerky. Tom believed he may have seen the girl in Winnipeg and subsequently called the RCMP who took a formal statement. In the statement Tom gave a Winnipeg address prompting RCMP to forward a request for follow up to Winnipeg investigators regarding Bjerky's disappearance.

The request landed on the desk of Sgt. Bill Vandergraaf of the Winnipeg Police Department. Vandergraaf was unable to locate Sophonow in Winnipeg and since he had come from B.C. he looked up his Winnipeg identification picture from 1977 and found that it was quite similar to the composite drawing of the suspect. Sgt. Vandergraaf subsequently initiated an investigation.

On February 16, 56 days after Barb's murder Sgt. Vandergraaf started interviewing several of Sophonow's contacts in Winnipeg. They included his ex-wife Nadine Sophonow, Diane and Alex Klein, former girlfriend Jaqueline Henke, and friend Cindy Coe. The information obtained in general form was as follows:

*Nadine Sophonow felt that Tom fit the description of the composite drawing and felt upon first police contact that it was about the "Stoppel murder". She felt he was capable of blowing up and was afraid of him although he had never assaulted her in the past. At the conclusion of their phone call December 23, 1981, in Winnipeg both were crying.

*The Klein's indicated that Sophonow went to their house at 3:30 p.m. to drop off Kimberley's Christmas gifts the day of the murder and left at 5:00 p.m. He was wearing a 3/4 length brown leather coat with another jacket underneath, brown dress pants, tinted glasses, cowboy boots and had a moustache. When asked if he was wearing a cowboy hat they advised that he was not. He told the Klein's that he was a self-employed landscaper and they noticed that he had two \$100 bills in his wallet.

*Former girlfriend Jaqueline Henke reported that the two lived together on Mayfair in Winnipeg just on the other side of the bridge from the Dominion Shopping Centre. She also recalled that he had a cowboy hat that he got in the summer of 1981 and wore it regularly. Also of note she recalled that he carried a Knife and attended to the Dominion Shopping Centre on occasion to eat at the McDonalds. More interesting to investigators she recalled that she had seen yellow rope in his car. Henke and her friend Cindy Coe both believed Sophonow matched the description of the composite drawing but neglected to call police because they thought he was in B.C. at that time.

Closely resembling the composite drawing, in Winnipeg on the day of the Murder, known to carry a knife and upset at not being allowed to see his daughter, provided investigators with grounds to consider Thomas Sophonow a "person of interest" in the case. More compelling he had a B.C. connection which may link him to the murder weapon.

Keep in mind all the confirmed times Sophonow was with people in Winnipeg on that day. You may want to compare them with the times the "cowboy" is spotted by numerous witnesses in the shopping centre.

The ball was now placed in the hands of Vancouver Detective Mike Barnard. On March 3, 1982, Barnard completed the initial interview of Thomas Sophonow and forwarded it to Winnipeg investigators. The exact typewritten statement and police report was documented exactly as follows;

"W/M, 6'4", 180, brn. curly hair (natural), gold rimmed glasses, brown/hazel eyes, long sideburns, Fu-Manchu moustache, slim build.

Arrived Winnipeg Dec.22/81 0100 - left Winnipeg Dec. 24/81 1600, back in Vancouver Dec. 25/81 1400.

I contacted Nadine's parents, and spoke to Nadine on their phone, she wouldn't tell me where she or the kids were. I left the presents with Diane and Alex Klein, 475 or 595 Inkster Boulevard. This was about 1600 Dec. 23/81. I think around 1700 I was talking to Nadine from a phone booth near the A&W at Sherbrook & Portage Avenue.

After that I just remember driving around the area of the Health Science Centre on Notre Dame & Sherbrook.

I remember going to a Country Kitchen on Main St. & Mayfair and having coffee. I also remember going to a donut shop, having a coffee, no donut. I don't remember exactly where, but I was going to visit a female friend in St. Boniface, she wasn't there. I was driving back I stopped for a coffee.

Q. What street?

A. I don't know.

Q. Could it have been Goulet?

A. Yes. I don't know St. Boniface at all.

The donut shop was like a Tim Horton Donut shop. I can't remember who was in the donut shop or if there was a male or female staff.

I only had coffee no donut.

Shown picture — admitted hat was the same.

Information read.

Admitted to having a blue tote bag.

Q. Did you carry the tote bag around anytime that evening?

*A. No my tote bag was left where I was staying at 555 - the next main street north of Portage Avenue, where the Bay is. **I didn't wear my cowboy hat it was in the car.***

I never carry knives and if my wife said I did she was lying.

***I could have been at the Ideal Donut Shop at 49 Goulet Avenue around that time.** I remember having a coffee at a shop, but don't remember the exact address or name.*

I finished driving at 2300 went home to bed.

When I went for a donut my car, a 71 Monte Carlo 2 dr. dark blue, was parked just before the shop.

I'm willing to take a polygraph test regarding any questions to do with this girl's death.

Thomas Sophonow

March 3/82 16:45"

On March 10, 1982, Sgt. Vandergraaf contacted Detective Barnard in Vancouver. Barnard described Sophonow as being rather strange but cooperative and had an air of calmness about him with no apparent emotion. Barnard also informed Vandergraaf that he told Sophonow that police had his prints in the donut shop and asked him where they would have found them. Tom believed his prints would be on a cup and spoon. Barnard further said that his prints were also located in the washroom to which Sophonow denied ever entering.

Tom allowed himself to be photographed and voluntarily allowed Detective Barnard to seize his cowboy hat and search his vehicle. With the exception of the hat he found nothing of interest. He believed that Sophonow should be considered a suspect.

On March 11 a Polaroid picture of Sophonow wearing his cowboy hat was combined with seven other Polaroid photos of suspects and shown to witnesses Norman and Lorraine Janower. Five of the individuals including him were wearing

cowboy hats and glasses. The remaining two were not. Lorraine Janower picked out Sophonow's photo and stated "If anything he'd be like this." Her husband also picked the same photo and stated "this guy I know him from somewhere, I don't know why."

Interview of Thomas Sophonow

On March 12, 1982 almost 3 months after the murder, Winnipeg Police Investigators Sgt.'s Wade Wawryk and Ed Paulishyn arrived at the doorstep of Thomas Sophonow's house accompanied by Detective Barnard. He was asked to attend to the Vancouver Police Station for a formal interview to which he complied willingly. The interrogation/interview was not videotaped or recorded but written in investigators notebooks.

The typed conversation (including spelling and grammar) was documented in the police file as follows;

"You realize we are investigating a Murder in Winnipeg and your name has come up as a suspect. You're not bound to say anything or answer any questions."

A: Sophonow smiles, " oh yeah"

Q: Tom where do you live?

A: 4960 Boundary Rd.

Q:How long?

A: Off and on one year

Q: With who?

A: Sister and brother-in-law, last two months with girlfriend .

Q: Who is she?

A: Beth Peterson

Q: You lived in Winnipeg before?

A: Yeah.

Q: Where?

A: 1781 Pembina Hwy.

Q: Who with?

A: Wife and child

Q: When?

A: Summer of 80.

Q: *Before that?*

A: *Flamingo Hotel*

Q: *When?*

A: *Feb - Sept '80.*

Q: *When seen wife and child last?*

A: *April 8/81 that's Kim's birthday.*

Q: *When separated?*

A: *Sept. '80.*

Q: *Where did you stay then?*

A: *Mayfair Street.*

Q: *Number?*

A: *142 – B with Jackie Favel.*

Q: *Who is she?*

A: *Old girlfriend before married.*

Q: *Before that?*

A: *Actually back to mom's in Vancouver, then to Mayfair for two months.*

Q: *From there?*

A: *Edmonton, I think it was on 13225 66th st. that's begin of '81.*

Q: *Jackie last seen?*

A: *Last summer 142 Mayfair.*

Q: *Do you know Cindy Cole?*

A: *Yeah.*

Q: *When did you see her last?*

A: *oh let's see that would be in October 81 in Vancouver.*

Q: *know her well?*

A: *Not too bad. Yeah that was October 81 I started at Lougheed in Sept. '81.*

Q: *Know her from where Vancouver or Winnipeg?*

A: *Vancouver BC.*

Q: *Okay where did you live in Winnipeg when you lived there?*

A: *Pembina highway and Mayfair.*

Q: Any other old addresses from past?

A: Well yeah Logan Avenue before that and Traverse and Marion about five years ago.

Q: Where?

A: Traverse and Marion. There's a bank A drugstore and old house, right there.

Q: Oh yeah, it's about 247 isn't it?

A: (Smiles)

Q: Front or rear?

A: Upstairs at back.

Q: With who?

A: Chris Dawson a friend of mine.

Q: How long?

A: 2 1/2 months.

Q: Okay when did you come to Winnipeg last?

A: December 81 to visit my daughter.

Q: By yourself?

A: No another guy Daryl.

Q: Daryl who?

A: I only know his first name.

Q: Where did he go?

A: I dropped him off in portage, he has a brother who lives by the Legion there.

Q: Did he come back with you?

A: No he was thinking 10 days and I never seen him since then.

Q: When did you arrive in Winnipeg?

A: 1-2 in the morning December 22

Q: Spend the night?

A: In the car.

Q: Where?

A: Downtown area.

Q: Money?

A: Yeah.

Q: *How much?*

A: *2 to 300.*

Q: *Luggage?*

A: *Blue tote bag, red suitcase.*

Q: *Clothing?*

A: *Jeans, boots, t-shirts, muscle shirts, Brown jacket leather Brown cords, pillow, blankets, this jacket and my hat.*

Q: *Mitts or gloves?*

A: *Yeah I had gloves.*

Q: *Kind?*

A: *Cheapies brown leather or vinyl you know, they have that market across the top.*

Q: *Braiding?*

A: *Yeah three sort of lines.*

Q: *Tools in car?*

A: *Yeah mechanical in case of breakdown and some carpenters tools.*

Q: *Any breakdowns?*

A: *Yeah when driving into medicine hat, drivers rear wheel nut came loose.*

Q: *Did you hitchhike?*

A: *No.*

Q: *Drive car all the time?*

A: *Yeah.*

Q: *Used car all the time in Winnipeg?*

A: *Yeah.*

Q: *Gas up?*

A: *No.*

Q: *No?*

A: *Well just by the husky but outside Winnipeg.*

Q: *Where did you go in Winnipeg?*

A: *Went to visit Alex and Diane Klein on Inkster.*

Q: *Relatives?*

A: *Yeah former sister-in-law.*

Q: *How long for?*

A: *Well went over there they had to go out to a party, so I left and called Diane back to get Nadine, gave her a number and she called me.*

Q: *Who's number?*

A: *Telephone booth by the A&W on portage.*

Q: *Talk to Nadine?*

A: *Yeah.*

Q: *Where staying?*

A: *Know where the Bay is well the street north of there, I think the number was 555.*

Q: *Is that Ellice Avenue?*

A: *I guess so yeah, 555 Ellice Ave. it's a half assed big house with suites*

Q: *How many suites?*

A: *11.*

Q: *Who with?*

A: *Well I went there to see a girl I used to stay with but she wasn't there.*

Q: *Who is she?*

A: *Cheyenne Stokes.*

Q: *Which night was that?*

A: *23 24th.*

Q: *Next night Where stayed?*

A: *That's Christmas Eve on way home.*

Q: *Left Winnipeg 24th December?*

A: *Yeah at four got back home at three Christmas Day.*

Q: *23 hours to Vancouver?*

A: *Yeah.*

Q: *No car problems?*

A: *Yeah a little one in Creston but that's it.*

Q: *Okay, so you went to visit the Klein's?*

A: *Yeah for three or four hours till four or five they were going out.*

Q: *Where presents?*

A: *With Alex and Diane.*

Q: *Okay from there where to?*

A: *To the country kitchen for a coffee and by 142 Mayfair.*

Q: *Which country kitchen?*

A: *The one by Maine and Marion or whatever it's called.*

Q: *Eat there?*

A: *No coffee only.*

Q: *From there where to?*

A: *St. Vital to see a girl.*

Q: *Who?*

A: *I don't know her name.*

Q: *How do you get there?*

A: *You go down Osborne number 42 off Pembina Highway, Keep going straight it sort of branches off, take a left, come to the flashing lights and it's right there a block.*

Q: *How big?*

A: *12 stories or so there is a Safeway and a hotel right there too.*

Q: *What suite number?*

A: *Fourth floor upstairs first door on left.*

Q: *Upstairs?*

A: *No elevator you know she's a friend of Jackie's but I don't know her name she wasn't home.*

Q: *Where to from there?*

A: ***I was driving around and I stopped for a coffee where that chick got killed there.***

Q: *What time was that?*

A: ***Between eight and nine.***

Q: *Anyone else in there?*

A: *Don't recall offhand.*

Q: *Have a coffee?*

A: *Yeah black with sugar.*

Q: *How are you dressed?*

A: *Bluejeans, coat, boots and glasses, this cold I think (points to coat sheepskin)*

Q: *Hat?*

A: *Nope in car.*

Q: *Gloves?*

A: *Nope.*

Q: *Tote-bag?*

A: *No in car.*

Q: *Which donut shop?*

A: *Tim Horton I think.*

Q: *Where is that donut shop?*

A: ***In that little mall by the Consumers and Safeway and Domo gas station, I think is a restaurant too, by the bridge on main street.***

Q: *Have you been to the shopping centre earlier in the day?*

A: *No.*

Q: *In the Dominion store?*

A: *No (Smiles)*

Q: *Shoe shop?*

A: *No.*

Q: *Drugstore?*

A: *No.*

Q: *McDonald's?*

A: *No.*

Q: *What did you eat that day?*

A: *Nothing. Well I ate before I went to Diane's at the A&W Inkster and Main.*

Q: *Are you a reader, newspapers etc?*

A: *No, it depresses me.*

Q: *Pocketbooks?*

A: *No.*

Q: *Stereo in car?*

A: *Yeah.*

Q: *Listen to radio?*

A: *Nope tapes only.*

Q: *What kind of music?*

A: *Depends on moods.*

Q: *High?*

A: *Kenny Rogers, very McGregor, carpenters.*

Q: *Low?*

A: *Gambler, j Cash anytime.*

Q: *Country to rock music?*

A: *More Rock than country.*

Q: *At the donut shop where is car?*

A: *Outside Close by on lot.*

Q: *Take anything when leaving?*

A: *No.*

Q: *Coffee to go?*

A: *No.*

Q: *Okay, Break for a coffee - Sophonow is asked if you want a coffee or drink or anything but he declines. He is left alone in the interview room while outside inquiries are conducted.*

Interview terminated 1427 hrs.

Interview commenced 1447 hrs.

Wawryk gives a formal charge and caution for murder understand - yeah. Overhead aerial photograph is shown to Sophonow.

Wade: *recognize this?*

Tom: *yes Winnipeg.*

Wade: *what do you recognize?*

Tom: *Bay, legislative building. (Shown area of Mayfair and Main)*

Wade: *that?*

Tom: *that's where I lived 142 B.*

Wade: *what's this?*

Tom: *Country kitchen.*

Wade: *Where donut shop?*

Tom: *here I guess (points to Dominion Shopping centre)*

Wade: *Where Stay?*

Tom: *let's see (points to Ellice)*

Wade: *555 is here*

Tom: *no stayed closer to hear (East)*

Wade: *Near Sals?*

Tom: *yes.*

Wade: *Sals is here.*

Tom: *no here.*

Wade: *where to when left city?*

Tom: *Emerson going to Mexico.*

Wade: *why?*

Tom: *(Shrugs)*

Q: *Where you go?*

A: *turned around at Emerson came back perimeter to highway and home to medicine hat number 3 to Vancouver, Creston.*

Q: *in Winnipeg did you work at versatile?*

A: *yes.*

Q: *Manitoba Hydro?*

A: *no*

Q: *BC Hydro?*

A: *no.*

Q: *construction sites?*

A: *yes sandman construction. Others here & Winnipeg.*

Q: *Carry Knife?*

A: *never.*

Q: *even a small one?*

A: *No.*

Q: *understand you will take polygraph re this?*

A: *no.*

Q: *said before you would?*

A: *Changed my mind.*

Q: *license on car?*

A: *Manitoba plates EKV-684 71 Monte Carlo BC JKL - 846 BC 81*

Q: *stopped by police? En route?*

A: *Creston BC drove by not checked.*

Q: *Christmas time hair the same?*

A: *yeah.*

Q: *moustache?*

A: *yes.*

Q: *beard?*

A: *No.*

Q: *sideburns?*

A: *yes.*

Q: *shaving regularly at that time?*

A: *no every few days.*

Q: *phone calls from Winnipeg?*

A: *no.*

Q: *been to Winnipeg since?*

A: *no.*

Q: *talk to Winnipeg?*

A: *yeah Jackie called me about 1 1/2 weeks ago, called her back.*

Q: *discuss this?*

A: *A little not in detail.*

Q: *where last summer?*

A: *142 B Mayfair.*

Q: *girlfriend now?*

A: *Beth Peterson, 23 4960 Boundary Rd. With her two months.*

At this point Sophonow is searched before being left alone in the room. Sophonow is supplied with the coffee, and left.

Interview completed 15:06 hours.

Interview commenced 16:04 hrs

Sophonow is reminded he is still undercharge and caution for murder, and indicates he understands.

Q: could you describe the tote bag you have when you went to Winnipeg?

A: yeah it's light blue like a diaper bag with straps or handle on top.

Q: what is inside of it?

A: camera, Clothes, underwear and socks left it in the car.

Q: where is it now?

A: On Boundary Rd.

Q: other luggage?

A: red suitcase is in the basement on Boundary Rd.

Q: gloves or mitts where are they now?

A: dark brown gloves brand-new three dollars medicine hat, with cloth on the Palm you know what I mean.

Q: where are they?

A: in basement in suitcase or should be there.

Q: any other gloves on trip?

A: yeah heavy duty work type Black with light leather on palm welding type. I use them for working.

Q: do you drink beer Tom?

A: yeah.

Q: what kind?

A: Black label.

Wawryk shows Sophonow the overall scene photos (black and white) 6 photos.

Q: Tom do you recognize anything in this photo (#3)

A: "could be there." (Points to where he parked car - Front of shop points to donut shop identifying Ideal Donut. Points out Domo Gas bar, Dominion, Consumers, Bank at McDonald's and states "Donut house is next to consumers"

Sophonow is shown colour photos #1,2,3, &4 do you recognize these photos? Sophonow points to #1 "thats the donut shop" turned to page 32 - photos #3 & #4

Q: where were you sitting in there?

A: *(points to booths indicating 3rd or 4th table from the door.)*

Q: *when where you there?*

A: *I said between eight and nine.*

Q: *for how long were you there?*

A: *15-20 minutes.*

Q: *what did you say to the girl?*

A: *I'll have a coffee.*

Q: *did she bring you a coffee?*

A: *no I walked up and bought it.*

Q: *what happened then?*

A: *I drank the coffee paid and left.*

Q: *did you see anybody when you left?*

A: *no.*

Q: **Tom, witnesses describe you wearing your brown cowboy hat the coat, Jeans and cowboy boots. You seen the composite drawing, is that you?**

A: *well it looks like me yeah.*

Q: **you admit being in there between 8-9 pm we have the owner in the store from 7:45 to 8:00 pm and a couple regular customers who are there till 8:15 pm you admit being there for 15 to 20 minutes as the only customer.**

A: *yeah but I didn't kill her.*

Q: **Tom we have several witnesses that describe you as leaving the building just before the girl is found.**

A: *there wasn't anybody there but me.*

Q: *Tom can you understand the facts we've just explained it so there can't be anybody else that's responsible you were seen leaving the building?*

A: *(Ponders momentarily) you better charge me.*

Q: *do you suffer from black outs?*

A: *No.*

Q: *sure?*

A: *Yep.*

Q: *any psychiatric disorders?*

A: *no.*

Q: *psychiatric treatment perhaps?*

A: *no.*

Q: *seeing a psychologist?*

A: *no.*

Q: *do you feel you need psychiatric or psychological help?*

A: *no.*

Q: *any requests?*

A: *no.*

Interview terminated 16:30 hrs.

Interview commenced 16:50 hrs.

Sgt Wawryk explains differences in first, second and manslaughter.

Q: *what do you know about the victim? From any source?*

A: *ask me.*

Q: *Age?*

A: *16 girl.*

Q: *name?*

A: *has three names, first, middle, and last.*

Q: *know any of them?*

A: *Barbara or Michelle.*

Q: *description?*

A: *short.*

Q: *how killed?*

A: *stabbed to death in men's washroom.*

Q: *sure?*

A: *she was robbed, beaten, and stabbed.*

Q: *How do you know all of this?*

A: *Mike told me.*

Interview terminated at 17:02 hours

Interview commenced 17:16 hrs

Sophonow reminded of the charge and caution - understand yeah.

Q: *newspaper read?*

A: *no.*

Q: *any media coverage?*

A: *no.*

Q: *nothing Till Mike spoke to you?*

A: *that's right.*

Q: *Mike didn't say she was stabbed?*

A: *yes he did.*

Q: *Mike didn't say she was robbed?*

A: *yes he did.*

Q: *Mike didn't say she was beaten?*

A: *yes he did.*

Q: *Tom when you left the donut shop where did you go.*

A: *my car.*

Q: *where was your car parked?*

A: *on the street, in front of the shop.*

Q: *but the shop is in a mall with the parking lot and you already said you parked about 15 to 20 feet from the donut shop.*

A: *well I was parked on the street.*

Q: *where did you go when you left the donut shop?*

A: *I drove around and remember that I passed the St. Boniface Hospital and then went and crashed.*

Q: *when?*

A: *A couple hours later around 11 or 12.*

Q: *Tom I think you're lying about this because we caught you lying about your car and where it was parked. We feel you are responsible for the murder.*

A: *Well charge me I don't want to saw anymore till I see my lawyer.*

Q: *Tom we must make further inquiries on this and you may be charged or we may have to detain you for investigation as a result of our investigation so far. You put yourself at the scene of the murder at the time, and you fit the description of the suspect seen leaving. We have no other alter ice Tom.*

(Sophonow hangs his head down and is mute)

Interview terminated 17:34 hrs

Sophonow is now moved to the Vancouver City Police cells. At approx. 9:48 Sgt's Wawryk, Paulishyn and Detective Barnard attend to his cell and the following questions and answers are recorded:

Q: Tom is this the jacket you took to Winnipeg with you?

A: Yeh.

Q: Were you wearing that day?

A: No.

Q: Is this the Tote bag you had in Winnipeg?

A: Yeh I remember my sister said I didn't have it but I did I remember taking it.

Q: Where was the bag?

A: In the car."

The line of questioning should leave you to believe that investigators clearly thought that the suspect was likely seen several times during the day in the Dominion Shopping Centre area. Numerous witnesses saw "the Cowboy" in the shoe store, drugstore, McDonalds and the donut shop itself. Questioning him about the tote bag, country music, paperbacks where all prompted by sightings outside the donut shop during the day.

The result of several hours of interviewing and interrogating was damning for Sophonow. During the course of questioning he had placed himself in the Ideal Donut Shop at the time of the murder. Two witnesses had already picked his photo from a pack prepared by police. Although nothing seized from Sophonow would prove to link him to the murder one further damning conversation would.

The next day Constable Trevor Black, an undercover police officer, was placed in the adjoining cell to Sophonow. He was requested to steer the conversation towards the subjects of:

- 1) Where the car was parked.
- 2) About the lock.
- 3) If a sign was moved.

Black spent the next 4 hours conversing with Sophonow who maintained that he was arrested for "stabbing a girl in a donut shop in Winnipeg" but denied killing anyone. The conversation continued:

*Tom : “I was driving around Winnipeg. **I parked on the street and went in the donut shop and locked the door.** “*

Black: “You locked the door?”

Tom: “Yes”

Black: “Didn’t you need a key?”

Tom: “No just turn the “... (twisting motion with his finger)

Tom: “I talked with her took my cup up to the counter and left 75 cents for the coffee and a tip then I left in my car.”

Black: “Wasn’t anyone else in the shop?”

Tom: (making shrugging motion) “They say there were seven witnesses outside and a guy went in and found her on the floor in the men’s washroom, stabbed she died a week later.”

Black: “Did the witnesses see her get stabbed?”

*Tom: (Again shrugging motion) “**I don’t even know what donut shop I was in. I don’t know Winnipeg well. They say it was on Goulet in St. Boniface just outside of Winnipeg.**”*

Sophonow maintained that he had nothing to hide. He later told Black that he just got his alibi recalling two people who could vouch for him. Unfortunately his indication on how he locked the door would prove to be yet another circumstantial problem in his defence. Compounding the issue, he had just spent 14 hours with police and had yet to disclose an alibi. He was subsequently transported to Winnipeg in custody and became the focus of a media frenzy.

I still remember the relief the city felt with the arrest of “the killer.” It somehow brought back order — now he needed to be punished.

Identification

With no concrete tangible evidence linking Sophonow to the crime police continued to piece together evidence from eye witnesses. On March 13 a physical line up was conducted with John Doerksen viewing Sophonow and several other people. Doerksen had been fighting with the killer on the Norwood Bridge and potentially had the best look at him. Officers in attendance

documented “he was unable to make a positive identification at this point.” It should be noted that Sophonow consented to the lineup and was now represented by lawyer Rocky Pollock.

On March 15 the same lineup was presented for Norman Janower, Marcel Gloux, and Mildred King again with the consent of Sophonow and his lawyer.

Norman Janower stated “from what I can see I’d say #7” (Sophonow) “he’s about the right height and weight and walks just like the guy.” Janower then asked Winnipeg Police Sgt. Ken Biener if he had selected the right guy prompting Biener to reply that he had picked the person being investigated as the suspect.

Marcel Gloux then viewed the live lineup and was positive that the suspect he saw fighting with Doerksen on the bridge that night was NOT in the group of men.

Mildred King initially stated that the suspect was NOT in the lineup but as they left the room she stated “No I can’t swear, #7 was the closest from the side view, the right side view.”

The Identification of Thomas Sophonow to this point was weak but a curious event would soon take place.

John Doerksen had decided to go to the court house and see the person they had arrested. His plans were sidelined as he was spot-checked by police and found to have warrant of committal for his arrest. Police detained him in the Remand Centre although he indicated he had the money at home. While in custody he had a “chance meeting” with Sophonow and now was able to identify him and would testify to this in court. The case became that much stronger — or perhaps that much more suspect.

Police investigators continued to verify Sophonow’s recollection of events surrounding the day of the Murder. In all fairness he was being asked to be specific about a visit to Winnipeg that had occurred 3 months earlier. Try to remember what you ate for supper last Tuesday let alone months ago.

He had taken no notes but phone records proved to be invaluable in pin pointing where he was at specific times. This concrete evidence in 1981 was as follows:

December 23

3:30 p.m. Sophonow arrives at Diane and Alex Klein’s house.

3:38 p.m. Confirmed time Sophonow calls his sister in B.C.

- 5:25 p.m. Approximate time he leaves the Klein's.
- 5:30 p.m. Confirmed time he calls his ex-wife from phone booth Notre Dame/Portage.
- 7:52 p.m. Confirmed time he calls his mother in B.C. from the Canadian Tire store located at 2195 Pembina Hwy.**
- 7:56 p.m. Confirmed time the call ends.**

December 24

- 8:00 p.m. Confirmed time he calls from Rossland B.C.
- 8:20 p.m. Confirmed collect call from Rossland B.C. to his sisters.
- 9:57 p.m. Confirmed call from Grand Forks B.C.

December 25 Confirmed call from Princeton B.C. to his sister.

The noted times of phone calls made by Sophonow would prove problematic for the prosecution. If he was making the calls as documented and we are to presume his guilt then there must have been 2 "cowboys" with similar descriptions at the Dominion Centre on the day in question. Conversely if the sightings were one and the same one must conclude that Sophonow was innocent as he could not be at two places at the same time.

Even more problematic was the documented call from the Canadian Tire on Pembina Highway at 7:52 p.m. some 14 to 19 minutes away from the Ideal Donut Shop. Police confirmed the call was made and lasted 4 minutes ending at 7:56 p.m. a full 19 to 24 minutes from when "the cowboy" was first seen by witnesses in the store. It may have been the most important call he had ever made.

Crown's Case

The Crown postulated that Sophonow went to Winnipeg to see his daughter and became enraged when his ex-wife denied him. They would argue that he had more than enough time to leave the Canadian Tire store and murder her for whatever motive.

Although there was questionable identification initially John Doerksen's would testify that Sophonow was the man he wrestled with on that night. Mildred King who initially stated during the suspect line up "no he's not there" would later identify Sophonow in court. Lorraine and Norman Janower would also identify Sophonow in court.

The Crowns case was strengthened by the similarity to the composite and by Sophonow's own comments to police during interviews. He placed himself inside the Ideal Donut Shop at the time of her murder, had a B.C. connection, had a cowboy hat, wore cowboy boots, and even told an undercover officer in the next cell that he locked the door.

Several jail house informants also had their input during the trials and investigation. Each would seek one form of reward or another for comments implicating Sophonow.

The Crowns file contained a handwritten chart postulating the 360 degrees of his guilt,

1.	In Winnipeg	10
2.	His description	30
3.	Knowledge of area	20
4.	Flight	30
5.	eye-witness	40
6.	Twine	52 1/2
7.	Police statements	52 1/2
8.	Jail House confession	52 1/2
9.	Motive	10
10.	Cell man - Cst. Black	52 1/2
11.	his lies	10

360

There was no forensic evidence linking Tom to the crime scene. This point coupled with the lack of any logical motive forced the Crown to focus on his comments to police, comments to convicts and the twine (which had not been tested) coming from B.C.

The Defence

Lawyers for the defence would maintain that this was a case of mistaken identity. They would highlight the fact that Sophonow was at the Canadian Tire store 14 - 19 minutes away from the crime scene and could not have been the killer. This distance was travelled by many a lawyer and policeman over the years with similar times recorded.

Sophonow would testify that once he left the Canadian Tire he attended to the St. Boniface and Misericordia hospitals and delivered candy stockings for children. He then went to the Tim Hortons on Portage Avenue for a coffee and then dropped off more stockings at the Grace Hospital. Although none of the staff could identify him his story was somewhat supported by witnesses years after the fact in court. He then drove back to Vancouver.

Sophonow would admit that he did not disclose his alibi initially because he didn't think it was important. He also defended some of his remarks during police Interviews testifying that it was Sgt. Paulishyn that told him the murder occurred between 8 and 9. Further until he saw the phone log he did not know what time he was at the Canadian Tire as it had been months earlier.

Tom would tell me later during an interview that he regretted many of the things he said during his initial meeting with Winnipeg Police. The most regrettable were a few words he made me promise to apologize to the Stoppel family for making.

The Canadian justice system is based too frequently on the adversarial model. One tries to prove or disprove a case and not necessarily come to the truth. Represented by Greg Brodsky in one trial Sophonow became frustrated that he wanted to show "reasonable doubt" and not innocence.

To further complicate matters the Crown was not obligated to provide the defence with all evidence that could be relevant to the case. It only had to supply what it would call into evidence.

In 1991 a landmark decision by the Supreme Court of Canada R. V. Stinchcombe ruled that the Crown had a duty to provide the defence with all evidence. This case put to rest the long standing issue of whether the Crown could purposely deny the defence evidence that the Crown found would be harmful to their case. If this ruling existed in 1982 Thomas Sophonow may never have been convicted let alone been prosecuted 3 times.

The information presented to the jury and supplied to the defence is consistent with what I have just written. The case against Thomas Sophonow was complex and moderately circumstantial.

A preliminary hearing determined that he should stand trial for the murder of Barbara Stoppel. The first in 1982 resulted in a mistrial as a result of a hung jury.

In 1983 he went through a second trial this time with a very emotional result. Bob Christmas was a sheriff's officer at the time and stood beside him as the verdict was read out. He recalled Tom as being an awkwardly quiet person saying little if anything throughout. The tension in the air was palpable and he wondered if he would be able to walk out a free man or be going to prison for life.

The verdict was read out “Guilty” and you could hear a gasp in the room. Then Tom squeezed out “I didn’t do it”. No one else in the room heard the comment but it was one Bob would never forget.

This verdict was later overturned by the Court of Appeal and a third trial was ordered. Once again Tom, his family and the Stoppel's would have to endure many more months of anguish.

The third trial in 1985 resulted in yet another guilty decision but it was later overturned and a verdict of acquittal was entered. Of course the Crown appealed this decision.

On April 22, 1986, 5 years after Barb’s murder, the courts denied the prosecutions appeal and entered a decision that there would be no further prosecution of Thomas Sophonow. The general feeling of the courts, police and politicians was that he had successfully gotten away with murder.

This marked the beginning of Tom’s pleas for a review of the case. His “freedom” was not enough — he wanted the person responsible caught. Yet no one seemed interested in what they believed was a pointless endeavour.

Physically Tom was a free man but psychologically he would remain in prison for years to come. 1986 marked the beginning of an ordeal that would have him request a review of the case to find the real killer. His communications in written and verbal form to the police, the courts and politicians all landed on deaf ears. He was quoted *“I’m pleading with you, the media, to do anything you can to help me put an end to this matter and help me disclose the one thing I’ve been fighting for all this time, for the truth.”*

NDP Attorney General Roland Penner responded that there was a huge difference between being found not guilty because the Crown didn’t prove its case, and being found innocent. He was quoted *“There has been a formal request from Mr. Sophonow through counsel, not only for compensation but for the appointment of a Commission of Inquiry to examine the conduct of the police in the investigation and the production of evidence in the Sophonow case. **In my considered view Madam Speaker there is no need for such an Inquiry.**”*

Sophonow sent another letter to Mr. G. Garson the Director of the Manitoba Law Society dated July 10, 1986. *“I am sending you a copy of this letter, hoping that you as Chief Justice of Manitoba can somehow help me in my plight in obtaining some kind of Public inquiry or Royal Commission into my case and help me to discover why I had to spend 45 months of my life in prison for a crime I did not commit....Mr Penner openly stated to be compensated for my being falsely imprisoned I have to prove my innocence conclusively. I believe being acquitted by the Manitoba Court of Appeal and my Acquittal being held by the Supreme court of Canada is adequate proof of innocence for any Canadian.”*

Year after year went by and although he was pardoned on August 19,1993 no one would review the case. In 1998 armed with a new Lawyer Paul Bennett from Toronto who was working for Aidwyc (The Association in Defence of the Wrongly Convicted) he continued to seek Justice. Bennett wrote more letters to the Manitoba Government meeting with the same response. Sophonow wrote to the Prime Minister, all Federal M.P.'s, the heads of Manitoba Government, the Justice Critics.

One such letter was received by the new Premier of Manitoba Gary Filmon who responded "Mr. MacFarlane(Attorney Generals Department) will be reviewing your material and will be in direct communication with you."

CJOB radio journalist and talk show host Peter Warren contacted Sophonow and requested that he go on his show. He eagerly agreed and while on air he gave out Gary Filmon's private phone number demanding people call it if they felt he was guilty of murder and demand the case be reopened. He also requested that those who believed him innocent should also call and demand the case be reviewed.

The phone response was so large that it prompted the Premier to change his number and more pressure was put on police to review the case.

Thomas Sophonow's persistence and longing for Justice was the reason for the case to be reopened. Most people would have succumbed to the stress and insurmountable odds against them.

On September 21, 1999, Constable John Burchill of the Winnipeg Police Service prepared a 98 page report entitled "Analysis of Barbara Gayle Stoppel Death".

I didn't know John at the time but heard grumblings from other officers on how he always seemed to be able to get the good jobs within the service. His time in general patrol was seemingly limited and now he was working as a crime analyst. In very short time I found out why.

John's Investigative review later known as the "Burchill Report" provided an in depth analysis of the initial investigation, the arrest of Thomas Sophonow, his trials, and appeal decisions. He concluded that Sophonow was still a viable suspect in the murder. The review also dissected many shortcomings and several other persons who may be considered as suspects.

The report was subsequently sent to the office of the Chief of Police with John's recommendation to have investigators assigned to follow it up.