

# Miscarriage of justice

Rick Stoppel spent so many years of his life hating a man because he was convinced the man murdered his little sister; Thomas Sophonow, the man Rick Stoppel hated, spent many years of his life living in a prison cell for a crime he did not commit.

Now, a book written by a retired Winnipeg Police officer is telling the officer's story of all he says happened and all that went wrong after the murder of Barbara Stoppel.



Barbara Stoppel was strangled while at work Dec. 23, 1981.

"I spent so much time hating Tom and it was just such a waste of time and energy and rage, because in the end the guy was innocent," Rick Stoppel, the brother of Barbara Stoppel said.

For Rick, the moment that changed everything in his life and brought about that hatred and rage came when he was just 18-years-old in the winter of 1981, days before Christmas.

His sister, Barbara Stoppel, a 16-year-old Winnipeg high school student, was working at the Ideal Donut Shop at 49 Goulet St. on the evening of Dec. 23, 1981.

Barbara was working alone and was scheduled to finish her shift at 9 p.m. At 8:46 p.m. police were dispatched to the doughnut shop after receiving a call for what was described as a robbery and possible rape.

When police arrived at the scene, they found several people waiting for them and flagging them down.



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Rick Stoppel's life changed forever when his sister was murdered.

They found Barbara unconscious and lying on her back in the women's washroom of the shop.

What police would also discover was green and yellow nylon twine had been used to strangle her after being wrapped around her neck twice and then tied into knots.

Barbara was taken to the St. Boniface Hospital which was a few blocks from the doughnut shop.

Days later Barbara would succumb to her injuries and die in the hospital.

For Rick it was the start of more than 36 years of horror he still lives with today.

He said it was also the start of so many years of he and his family going in and out of trials, convictions, appeals and exonerations, all the while blaming the wrong person for Barbara's death.

"We went through the preliminary hearing, the first trial, the second trial, the third trial, the Supreme Court of Canada and then the inquiry," Rick said

"All of that is what I've had to live with through my life based on people that are in charge and seemed to make such a mess of this in our case."

There were numerous witnesses who came forward with different accounts of what and who they saw that evening.

Those witness accounts would ultimately lead to the arrest of 29-year-old Thomas Sophonow, a man who lived in Vancouver, but was visiting Winnipeg in the hopes of seeing his daughter who lived in the city with his ex-wife.

Witness statements from the evening include accounts of a man wearing a cowboy hat seen in the doughnut shop and leaving the washroom moments before Barbara was found.

The man with the cowboy hat was described by witnesses as being a white male between 21 and 30-years-old, with brown hair, a scruffy look, scraggly sideburns, and some noticeable acne.

One man also claimed to have followed the man and briefly confronted him on the Norwood Bridge.

He said the man threw items over the side of the bridge not long after the attack.

Twine was later found to have been thrown off the bridge and that twine was determined by investigators to be the same twine used to strangle Barbara.

Police said tests determined it was originally believed the twine came from a producer in either Portage La Prairie or British Columbia, and with that, police focused much of their investigation on a belief the killer was



JAMES HAGGARTY / WINNIPEG FREE PRESS FILES

Thomas Sophonow is led from the courthouse on March 17, 1983, after he was convicted of second-degree murder in the death of Barbara Stoppel.

*'The things you can't control are overwhelming. You get to the stage that I'm at now where you wonder how life would have been different with not going through all of those phases and not having so much anger. And you wonder how much better life would have been with my sister in it'—*

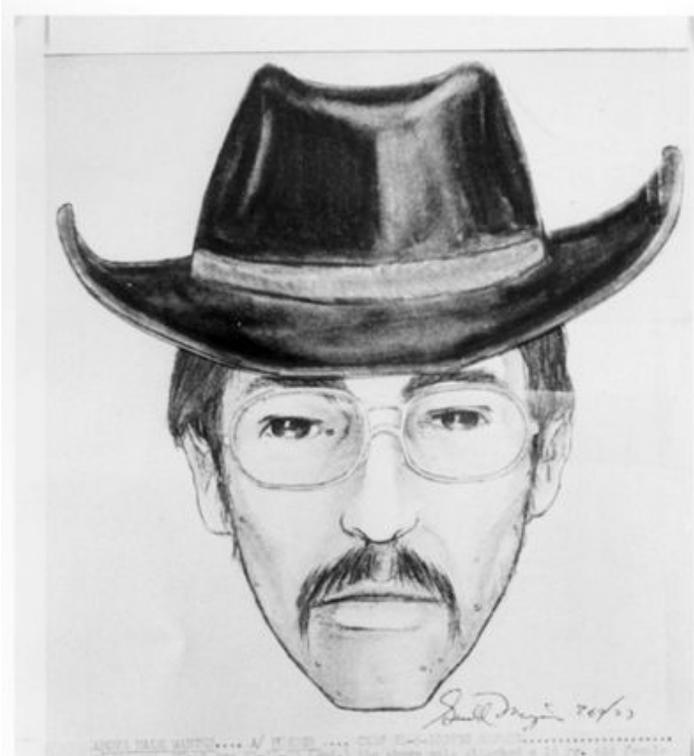
*Rick Stoppel*

possibly from the west coast.

Based on that belief and an appearance that matched witness descriptions, police identified Thomas Sophonow as a suspect

and he would be arrested for the murder of Barbara Stoppel.

While the horror of all that happened haunted the Stoppel family for so many decades, it would also lead to Sophonow living his own personal nightmare.



A police-artist's sketch of the suspect in the 1981 murder of Barbara Stoppel.

That nightmare would lead him through multiple trials, prison, solitary confinement and a general public that believed he was a cold-blooded killer.

The long and drawn out case against Thomas Sophonow started at his first trial. On Nov. 6, 1982 that trial ended with a jury not able to reach a verdict.

Sophonow went to trial a second time, and on March 17, 1983 he was convicted of second-degree murder and sentenced to life in prison with no chance of parole for 10 years.

He said he will never forget how it felt the very first time he heard the doors of a prison cell shut behind him.

"The worst feeling of it all is that moment when the cell slams behind you," he said. "Up until that point you still have hope."

The Manitoba Court of Appeal later overturned the verdict and that decision would be affirmed by the Supreme Court of Canada.

A third trial that started in February 1985 would end with another guilty conviction and Sophonow back in prison, again with life in prison with no chance of parole for 10 years.

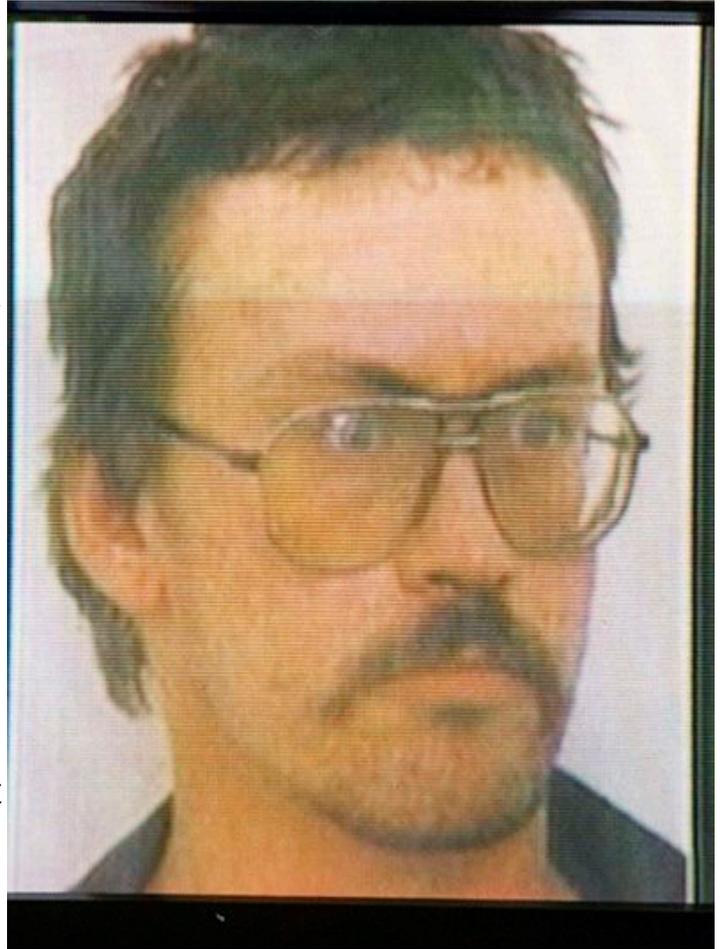
He said prison time he served also included solitary confinement, a horror he said is hard to even explain.

"After the third trial, I spent time in the hole," Sophonow said. "I sat there for about five months.

"It was 23 hours a day in a cell, and you get a half hour or so a day to get a shower and get cleaned up and go outside for some exercise and then you were back in your cell.

"That was the daily routine."

Once again The Manitoba Court of Appeal reversed the conviction, but also made a decision that would grant Sophonow his freedom, as they also ruled he could not be tried a fourth time.



Terry Arnold was a prime suspect in the killing.

Sophonow was formally acquitted on Dec. 12, 1985, and said he remembers the emotions that overtook him when he realized he was finally free.

"I walked out the back door and I collapsed, and I started crying," Sophonow said. "I was totally overwhelmed, I just sat on the stairs and cried for a while and then continued down."

He may have been free, but Sophonow said he now lived with the immense stigma of having a name synonymous with a high-profile murder.

He said at one point he tried to rejoin the workforce but that didn't last long after he was humiliated at the only job he tried to hold down after prison, a job that saw him working as a machinist.

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Details



SUBMITTED

Thomas Sophonow (left) visits with retired Winnipeg police officer Andrew Mikolajewski and his wife.

The humiliation came when a co-worker secretly clipped a tag onto his overalls that had "murderer" written on it.

Sophonow still has no idea who did it or how long he walked around work with that tag attached to him.

"When I found it, it was just dangling there," he said. "I don't know how many people saw it, but I know people saw it because I noticed it when I went to the washroom after lunch.

"How do you not say something after you see that?"

He said not long after he quit that job and hasn't worked since.

On June 8, 2000, Jack Ewatski, Winnipeg's then Chief of Police exonerated Sophonow of any wrongdoing after an internal analysis of the case determined he was not responsible.

A Public Inquiry was also called to determine why the justice system imprisoned an innocent man.

The inquiry led to Sophonow receiving compensation of \$2.6 million.

The many details of the case have now been brought to light by retired Winnipeg Police Officer Det. Andrew Mikolajewski, who was assigned to take

another look at the Barbara Stoppel homicide case in 1999.

According to Mikolajewski, once he was assigned to the case it did not take him and his partner long to come to their own conclusions about who they believed did and did not murder Barbara Stoppel.

"You have numerous tragedies going on here," Mikolajewski said. "You have the Stoppel family who thinks Thomas got away with murder, and you have Thomas who went to jail and now can't even work because so many people think he got away with murder.

"And all we had to do was open the file and we knew right away he didn't do it."

Mikolajewski is now giving his side of the story in the free online book Stoppel that can be downloaded from the website [barbstoppel.com](http://barbstoppel.com).

The book says there was a host of factors, errors and nefarious actions, that led to Sophonow's conviction. It claims although the investigation started with the "best of intentions," it eventually evolved into a case where many were only looking at one person as the possible killer and working with the sole intention of getting that man convicted.



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Thomas Sophonow enjoys a light moment with family members.



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Thomas Sophonow is seen with his son in the picture he said was taken approximately four years ago.

The book also talks about how Mikolajewski identified Terry Arnold, a man who at first was also considered a possible suspect, as a new prime suspect in the case.

Mikolajewski claims for reasons laid out in the book he was held back by his superiors from doing a "hard interview" with Arnold when he first hoped to question him.

Arnold would never be arrested or go to trial as he was found dead of an apparent suicide in Victoria, B.C. in 2005.

He left a suicide note in which he denied killing Barbara.

Mikolajewski said above all else he wants the book to be a tribute to Barb Stoppel and her short life.

For Sophonow after all that has gone on, his greatest regret is when he lied because he was told that a lie meant a better chance he could receive financial compensation for all that he had been through.

"One of the things my lawyer told me was to say that I am not bitter and that I don't hold any animosity towards anyone for being in prison," Sophonow said. "That's a lie.

"That's what the lawyers wanted me to say because the public doesn't want to give money to anyone that they think hates them.

"I did say it, I lied, and I feel terrible about that because from that moment on I could not move forward. I could not move past what I had said because what I wanted to say was very different."

Sophonow now lives with his wife and their two children and works restoring an old home he bought in New Westminister, B.C.

"People said I needed something to channel my energy because all of your life you'd been fighting to be proved innocent, and now you've proved it and you have to get on with your life," he said.

"I like working on the home, it gives me some peace."

Rick Stoppel works in Winnipeg as a real estate agent, and said he often thinks about how life would have turned out if Barbara were still alive.

"The things you can't control are overwhelming," Stoppel said. "You get to the

stage that I'm at now where you wonder how life would have been different with not going through all of those phases and not having so much anger.

"And you wonder how much better life would have been with my sister in it."

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