

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. Court documents, transcripts, police reports, interviews and other public information 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 off 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 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. Diane, a friend working at Domo news in the same mall, was supposed to meet her at the shop and go out after work. They had two parties lined up to attend.

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. Police policy required them to stay in their own assigned areas — 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.

She was fully outstretched, with her left arm pinned under her body in what Schmidt 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. Schmidt hastily removed the twine and placed it on the bathroom sink. Ambulance attendants soon arrived and rushed her to the St. Boniface Hospital only seconds away.

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. 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 for 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 Caucasian, 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 his 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 flip 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, 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 her 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, then went to the back of the store and entered the kitchen area out of sight. He 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, then crouch down behind the counter. He went towards the cash register stood up, 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.

Doerksen 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?"

Doerksen 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 Constable Bob Parker. He was an identification officer who had

been called while he was shopping at Unicity Shopping Mall, 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.

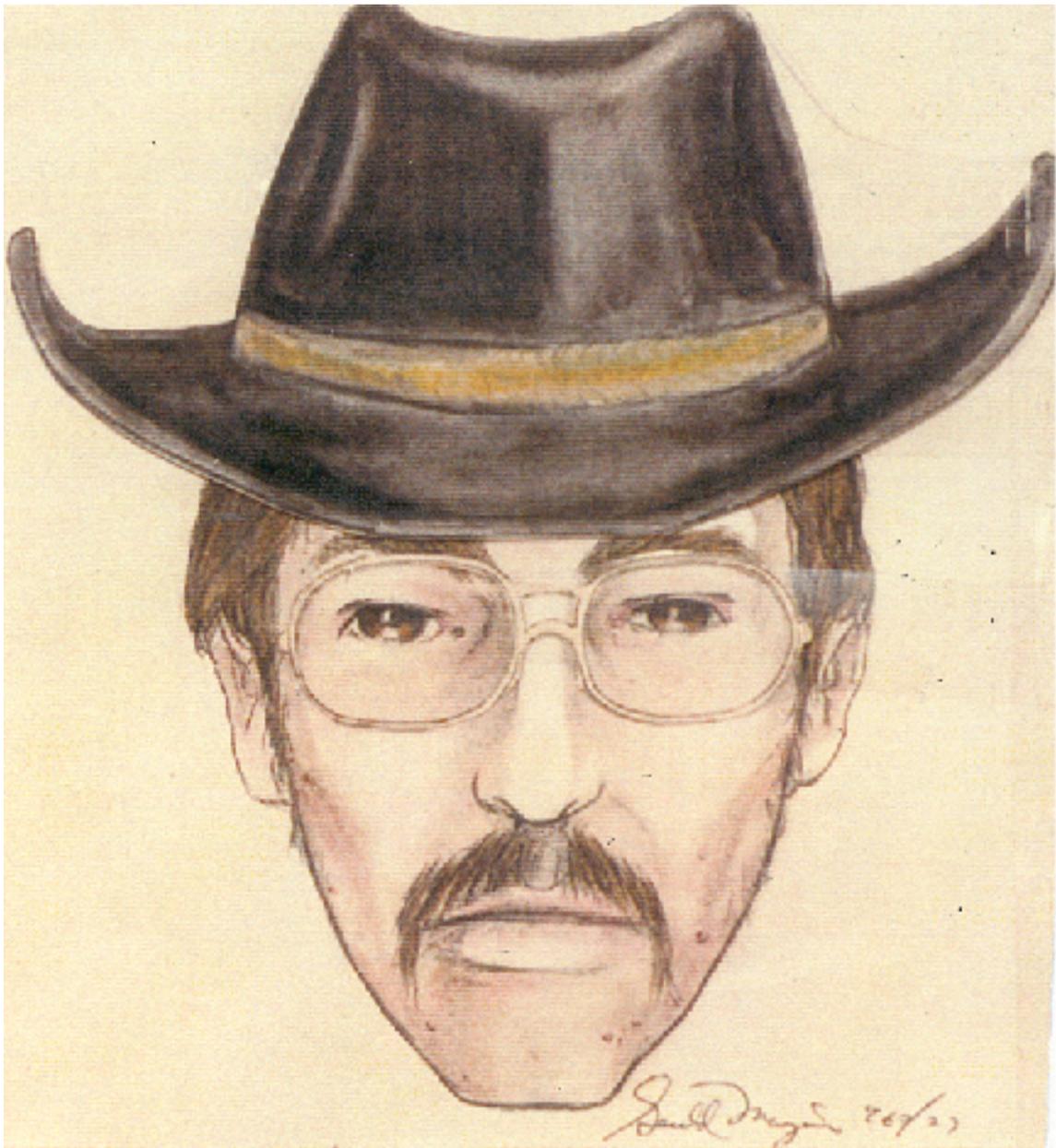
Abstract – Existing in thought or as an idea but not having a physical or concrete existence. (Examples include eyewitness statements, inferring motives, profiling, and assessing levels of plausibility , etc.)

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 by 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 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 the attack.

Myron Zuk – Employee of G. T. TV observed the man 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. he 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 drawing 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 Caucasian, 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 Caucasian, 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 Caucasian, 25 years of age, 6-feet tall, 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 Caucasian, at least 6-feet 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-feet 2-inches tall, 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 man in her store between 7:00 - 8:00 p.m. He asked her what time the store was open. She described him as being 6-foot-two-inches tall , 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 man dressed like a cowboy sitting in her store. He was eating pistachios and commenting on country music. She described him as being a Caucasian 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 at approx. 8:15 p.m. – 8:30 p.m. He described the man as being Caucasian , 25 years, 6-feet to 6 feet 2-inches 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, 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. when she 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*

Chapter 2

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 Virtu (Virtue).

Fortuna is the unpredictability of life, while Virtue is one's own ability to adapt to whatever situation we find ourselves in.

As a policeman 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 Caucasian male 6-feet four-inches 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, Sophonow 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.

Sophonow 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 Sophonow 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 Kimberly's Christmas gifts, on 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 he had a cowboy hat, which he bought 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 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 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 police had his prints in the donut shop and asked him where they would have found them. Sophonow 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.

Sophonow 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 possible 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 Sophonow 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 Sophonow's house accompanied by Barnard. He was asked to attend to the Vancouver Police Station for a formal interview and 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: Cheyanne 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 was then moved to the Vancouver City Police cells. At approx. 9:48 p.m. Sgt's Wawryk, Paulishyn and Detective Barnard went 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 would lead one 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:

"Sophonow : "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?"

Sophonow: "Yes"

Black: "Didn't you need a key?"

Sophonow: "No just turn the "....(twisting motion with his finger)

Sophonow: "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?"

Sophonow: (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?"

*Sophonow: (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 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 number 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, number 7 was the closest from the side view, the right side view.”

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

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. Now he was able to identify Sophonow 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, since he could not be at two places at the same time.

Even more problematic was the 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, Doerksen’s would testify that Sophonow was the man he wrestled with on that night. 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 Sophonow 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 Defense

Lawyers for the defense 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 drove 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, 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.

Sophonow 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 the entire file. 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 defense 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, Sophonow may never have been convicted let alone been prosecuted 3 times.

The information presented to the jury and supplied to the defense, is consistent with what I have just written. The case against 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 Sophonow 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 Sophonow squeezed out, "I didn't do it". No one else in the room heard the comment, but it was one Christmas would never forget.

This verdict was later overturned by the Court of Appeal and a third trial was ordered. Once again Sophonow, 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 Sophonow. The general feeling of the courts, police and politicians, was that he had successfully gotten away with murder.

This marked the beginning of Sophonow'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 he 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.

Sophonow's persistence and longing for Justice was the reason for the case to be reopened. In early 1999 he wrote yet another letter to the Chief of the Winnipeg Police asking for a review. That letter was forwarded to Constable John Burchill for follow up.

On September 21, 1999, Burchill prepared a 98 page report entitled "Analysis of Barbara Gayle Stoppel Death".

I didn't know Burchill 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.

Burchill's Investigative review later known as the "Burchill Report" provided an in depth analysis of the initial investigation, the arrest of 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 Burchill's recommendation to have investigators assigned to follow it up.

Chapter 3

MIKO

“Men occasionally stumble over the truth, but most of them pick themselves up and hurry off as if nothing ever happened.”

- Sir Winston Churchill

I was born in 1959 on the same day as Ludvig van Beethoven at the Misericordia Hospital in Winnipeg - oddly enough only blocks away from where I would first meet the most pure embodiment of evil. To this day I am surprised that my life and his would intersect on so many fronts when we were such polar opposites. For this reason you need to know a little about me.

My parents named me Andrew Marcin Mikolajewski but even before nursery school everyone called me Miko (pronounced Meeko). My mother was a nurse from Wales and my father, a psychiatrist who had survived the atrocities in Warsaw, Poland during the Second World War. As a young teenager he was in the Polish Underground feeding the weak and killing Nazis. For him, there were no medals or awards for bravery — only a future of nightmares from all he encountered. He taught me how dramatic events can bring out the best and the worst in people. The three words on his sword were “God, Honour, Country.”

I learned perseverance at a young age with living examples of people who never give up no matter what is taken from them. We lived in Denver, Colorado for a few years and my president was J.F. Kennedy, who for me personified integrity rightfully standing up for others.

Upon returning to Winnipeg I was enrolled at St. John's Ravenscourt School, where again righteous leaders surrounded me. I can still recall the captivating voice of our principal Mr. Kiddell reading from the Bible at daily group assembly, “TO GIVE AND NOT TO COUNT THE COST, TO FIGHT AND NOT TO HEED THE WOUNDS” instilling in me a moral code that went far beyond words. It became a way of life.

I was also drawn to movies depicting heroic characters such as “Spartacus” and “El Cid” that were unyielding in striving for honour.

I chose role models based on integrity not sex or race and not only embraced their words I believed them especially,

“The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy.”

- Martin Luther King, Jr.

My grades during my eight years at SJR were unremarkable. In fact as I rode the school bus home with my report card I often wished that it represented the percentage I had gotten wrong. Nonetheless, I was identified as being very intelligent and given more than my share of encouragement by my teachers, especially Mr. Beare who never seemed to give up on me.

Two events happened during this period that defined who I am. The first, surprisingly, was what occurred after a rather lopsided soccer loss our school had the day earlier when I was playing goal. Singled out the next day in assembly by the house leader in front of everyone and expecting a bit of ridicule for the loss. Instead I was praised by a teacher for playing with such tenacity demonstrating an ability to never give in.

In history class Mr. Bredin, a charismatic teacher who looked a bit like Rod Sterling from the Twilight Zone, described a scenario of a Spanish ship coming to America and them having no knowledge of the land. He then asked me what I would do if I was instructed by the captain to go ashore and scout the area to determine it was safe.

I answered I would do just that and report back to the captain. Mr. Bredin then told the class that I was wrong and the correct answer was the scout would go to the land and wait for a few hours then report back to the captain without exploring at all because he would have been afraid of the unknown. Historically, he may have been right but it does not alter what I would have done.

Ravenscourt was built on a British model of education. The school was divided into lower and upper school and the students separated into four houses, each denoted with a certain colour. I was in Young house and our colour was yellow. The other houses were Richardson, Hamber, and New.

There was a very distinct social structure and hierarchy within the student body. Status was for a great part determined by your grade, the lower the grade the less the status. The bullying of younger students was not condoned by the educators but it nonetheless thrived.

I was abused weekly by those who were one to two grades above me. It took the form of physical assaults, demeaning name calling and a constant reminder of inferiority. I was labelled a dumb Pollack and a Jew simply because “Jew” was in the middle of my last name. If I was fortunate enough to get a good seat on the school bus there was a pretty good chance I would be dragged out of it by a bully years older than me.

Perhaps I received more than my share of abuse because I would fight back. I was involved in numerous fist fights with students older than me simply because I stuck up for myself or others. I still recall making sure I cleaned the blood from my face before going home so I could keep the regular torment a secret from my parents.

Our school yearbook pictures were a living testament to what I was going through. I never seemed to smile.

I'd like to say I won my share of these fights but that would be far from the truth. One thing I did win, however, was the respect of one of my tormentors after the last fight I had with him in Grade 8. It happened in the privacy of the common locker room and ended with a similar loss. Prior to getting on the school bus and heading home he grabbed my arm from behind and said, "good fight".

As a result of my negative experiences during those years I decided to make a drastic change in my life. I focused on physical exercise, enrolled in Gung fu and trained in boxing. Soon I was more than capable of defending myself and I never lost a fight again.

Those around me would likely accuse me of being obsessed with martial arts and working out at this time. I would set up lit candles in the basement of my house on Cambridge Street (River Heights) Winnipeg. The object was to kick the flame out without touching the candle. I became proficient in using my homemade nunchakus and slowly developed a stomach made of rock that I would later challenge people to punch as hard as they could (something I imitated from the great magician Harry Houdini).

I watched every Bruce Lee movie often imitating every sequence with my friend Tim Wong.

My favourite hockey player was number 17 of the Boston Bruins - Stan Jonathan. He was about my size, five feet eight inches 175 pounds, a Mohawk from Ohsweken Ontario. He was by far one of the smallest players but stood well over 6 feet tall when you factored in his tenacity. His shooting accuracy was also one of the best in the league and he once scored three goals in a playoff game against Montreal.

This transition from a being a victim marked a turning point in my life. I was now capable of easily inflicting harm on others at my whim. After years of torment I could now become the bully and abuser, but I chose not to. I could never inflict the emotional pain onto another and become what I truly detested, a bully. You see, victims do have the power to break the cycle.

In Grade 9, I was enrolled in St. Paul's High School in Winnipeg, which had a strong Jesuit influence. I had always been told I had excellent potential but my ability to learn was impaired. It was here I learned how to learn. After the first

term the school had a general assembly and students were called up in sections depending on their marks. One of the brighter students later reminded me that my name was not called which meant that I was failing. This public humbling exposure of my grades made me accountable for the first time. I was determined not to be embarrassed again.

I spent a good deal of time developing a learning method that suited me and increased my ability to memorize and internalize information. Throughout the rest of the year I received improvement awards in almost every class. By the end of Grade 12, I was exempt from most subjects and didn't have to write final exams. Physics was my only downfall, and I barely passed with 51 per cent. It would have made my grandfather roll over in his grave — he was a physics scientist and his wife a Latin professor.

There can be no truer statement than, "success breeds success." I moved on to University of Manitoba at age 17 eventually obtaining my Master's Degree in Sociology. My primary focus was criminal deviance, which was greatly influenced by my father who was now a forensic psychiatrist. While other fathers showed their sons how to do an oil change I was taught how to get into a criminal's mind and determine the truth. I still don't know how to do an oil change but my exposure to forensic psychiatry would assist me for years to come. It's a shame that this ability hasn't helped me in poker.

My father was a Catholic but was embedded with the Protestant ethic. I received no financial assistance from anyone and paid my way through university by working in lumberyards, taping, painting, landscaping and eventually being a teaching assistant in sociology.

Coming from an all-boys school and being underage, I gradually became outgoing socially and learned to adapt in my new university environment. Not to be left out of the bar scene, I borrowed ID from a friend. Looking back, I could have made things easier for myself choosing someone's birth certificate that only had a few names to memorize. His name was Mario, Antonio, Demetrio, Benamio, Cisto, Alphonso, Ramati.

Throughout high school and university I had a strong desire to be a policeman and more importantly, a detective. Incongruously, I also had a calling to be a priest. Perhaps ideologically naive, I have always possessed a passion to help the weak and fight evil in every form. In this, Rev. Douglas Daly, a Jesuit Priest and the epitome of a man of God, and Rev. Bernie Pinet a dynamic oblate working at the Manitoba Youth Centre guided me.

Ethically, I was caught between contrasting philosophies: that espoused by Rev. Pinet, who had the religious ethos that we should trust everyone until they give us a reason not to trust them, and my father, who had seen the good and evil in

humans brought out by war. He believed that you should not trust anyone unless they give you reason to trust them.

He would also challenge me even before I became a teenager by asking if I could kill another human if I had to. He had taken many lives during the war and recalled the process of distancing yourself. He watched as a Nazi soldier picked up a young Polish child by the heels and threw him head first into a brick wall. His decision to kill was made that much easier. I would still have to toil with that moral dilemma.

While engaged in deciding on career paths, I worked with young offenders/ youths in need of care at Bosco home in Regina, Saskatchewan and Marymount in Winnipeg. During this time I was in my early 20s and exposed to children who were damaged by those around them many scarred for life.

I could write at great length describing all the tragedies these children lived through but there was one who touched me more than any other. Her name was Samantha and she was a beautiful young Indigenous girl on my ward. At first glance she appeared to be a confident young girl; intelligent with an outgoing personality. She was tall for her age, slim and had neatly kept black straight hair. Her eyes were brown and belied the years of abuse she suffered.

She had been sexually molested by her aunt and other family members from the age of seven, which led her to the streets of Winnipeg and prostitution before the age of 10. By the time I met her, she was well into her teens and in lock-up to keep her from the streets. We developed a good relationship and I continued to see her after leaving the facility to return to university.

We spent many hours going for coffee and playing Scrabble. She had such potential but there was too much damage done.

In spite of my efforts to help her, nothing could keep Sam from slipping back into alcohol and prostitution. At 18 she became pregnant and asked me to be her coach for delivery and I accepted. We went to pregnancy class together and when her water broke I went directly to the hospital. I held her hand as she lay on the hospital bed and a nurse told her baby was dead. Making matters worse, she was told she would have to continue with the delivery.

Hours went by as she screamed in pain and sorrow. People walking by saw a swearing and out-of-control tattooed Indigenous girl on drugs, I saw a young girl who had already suffered a lifetime of misery. I kept seeing Sam after this event but I could do nothing to save her from spiralling down and eventually taking her own life.

Thinking back on all the young girls that were partly under my care back then, it's frustrating that so many committed suicide - I wish I could have done more. Rev. Pinet told me that sometimes the most we can offer these youths is a strong

significant role model that doesn't force sex on them. That was too low an expectation for me to accept.

I eventually came to the conclusion that I could do more good by identifying and apprehending criminals rather than entering religious life. I studied serial killers and had my grandmother in Wales collect all the newspaper clippings on what was being referred to as "The Yorkshire Ripper." This offender fashioned himself after the infamous "Jack the Ripper" but had taken far more lives. His crimes went on for years and the body count climbed. I recall posting all the clippings in my office at university and completing a crude geographic profile. I maintained that the killer was likely a truck driver who worked in the radius of the killing. In 1981 Peter Sutcliffe a truck driver was arrested and confessed to the murders.

The police investigation into the "Yorkshire Ripper" was later found to be fraught with errors and oversights. I had no idea then that another case would later haunt me as a Winnipeg police detective and would hold so many parallels.

I completed my Master's degree and was hired by Corrections Canada as a Classification Officer in Rockwood Institution in 1985. During this time I developed a keen insight into human deviance and crime causation with a living library of offenders at my disposal.

I was seen by staff and inmates alike as being approachable and respectful. On Friday mornings I would meet for coffee with three "lifers" in the chapel house. They supplied the coffee and I supplied the donuts and we would discuss the world's problems like anyone else outside prison walls.

Although they had committed crimes they also had an interesting insight into life and when sober and drug-free the good in them was visible. One inmate left a poem on my desk, which perhaps showed steps towards accountability.

IT WASN'T MY FAULT

"I shot a man this weekend
 But it wasn't my fault:
 It was the gunsmiths fault,
 For he sold me the gun;

I killed a child this weekend,
 But it wasn't my fault;
 It was Chryslers fault,
 For making a car that goes so fast;

I killed my wife this weekend,
 But it wasn't my fault;

It was Johnny Walkers fault,
For making rye that goes down so smooth;

I died of cancer this weekend,
But it wasn't my fault;
It was Export's fault,
For producing smokes that made me look macho;

I arrived at the gates of heaven this weekend,
And God said:
It wasn't my fault;
And he locked the gates"

I developed a friendship with one inmate named Patrick. Pat was an incredibly athletic Metis man in his 30s, about six feet, two inches tall with curly dark hair and a Fu Manchu-type moustache. By all standards, he may have been the toughest inmate in prison but was also a good speaker and he had potential. Pat took his wife's life after a day of uncontrollable drinking and he swore he couldn't recall much of the event. Now serving a life sentence, he replaced his alcoholism with an addiction to working out and jogging. He set out a six-mile course around the Rockwood facility and would run it sometimes three times a day.

I told him about my desire to be a policeman and I asked him to help me train to run the qualifying police entry standard. He agreed and we started running together, eventually getting me up to five miles a day. Many of the guards and inmates shook their heads in disbelief watching an inmate training a corrections officer so he could become a policeman.

Before I left I thanked Pat for his help and bought him a pair of Nike Air Pegasus runners. He told me that he couldn't remember the last time someone had bought him anything. I met Pat years later after he finished serving his sentence. He was walking out of Headingley Correctional Centre and proudly showed me his corrections badge. He was now helping others turn their lives around.

Pat and others like him proved to me that some people can change, yet I also recognized very early that others cannot. Our society continues to let offenders out knowing full well they will reoffend. The most frustrating part about this fact is that repeat offenders are so easy to identify.

I was warned by both prison staff and inmates alike about the police culture I was about to enter, but I was an idealist, a romantic and as such very naive.

1448

I was accepted by the Winnipeg Police Department in 1986 and given badge number 1448. This was the same year that Thomas Sophonow was freed and requested that his case be reopened and police conduct be investigated. His inmate number was 7411. While talking on the phone with him recently we both chuckled that our time in prison ended the same year.

At five feet nine inches I was lucky they had removed the height restrictions for entry. Even the background investigator was hesitant because I was labelled "too educated".

My philosophy regarding police interaction with the public was simple. Most people in their lives have little if any contact with the police and as such it is not likely something they will forget. I felt that this made it essential to have that contact positive no matter what the circumstance, regardless of whether or not they were victims, witnesses or offenders.

I remember as a young boy of eight years of age walking down Academy Road in Winnipeg with a collection of glass bottles to take to Bob's Tomboy (now G.J. Andrews Food & Wine Shoppe). It wasn't raining but I wore my favourite rubber boots anyway. I cashed in my haul and spent half my money next door at Gurvey's Drug Store buying candies and then headed home to our house on Cambridge in affluent River Heights. The other half of my earnings was destined for my savings account at the Royal Bank that I was determined to eventually reach \$100.

It was summer and there was no school to dampen my spirits as I walked east on the South sidewalk. I made it to the west back lane of Montrose Street when I had my first contact with Winnipeg's finest. The black and white pulled up right next to me and the passenger with his window down commanded, "hey". I stopped in my tracks and focused on the officer inside the car. He looked at me and then bellowed, "pick it up" motioning with his head to a dark green garbage bag that had been ripped open by the curb.

I innocently replied, "I didn't do that", to which he yelled, "PICK IT UP."

I had been socialized to respect authority figures, especially the police. At school we stood at attention whenever an adult entered the room and referred to our teachers as Mr. and Mrs.

I cowardly got to my knees and commenced placing all the garbage back into the bag as the heroes drove off down Academy. In my efforts I managed to accidentally cut my hand with a dirty can lid and then continued my walk home — and of course I said nothing to my parents.

I will never forget that encounter and the lesson it taught me. Bullies are not confined to schoolyards, they exist everywhere. I vowed to one day not only become a policeman but make sure I never treated another person like that — it really didn't feel good to be wrongfully accused.



My background investigator recommended me for placement in the department but I still needed to pass a series of interviews. I knew that the main downfall in my application was my education. I needed to convince them that I was not merely joining temporarily for some form of social experiment but rather fulfilling a career dream. I can still recall apologizing to the panel for being “over educated” as they looked at each other and smiled.

I had just been married in 1985 and my wife Cathy and I lived in a one bedroom apartment at 281 River Ave. That was where I received a most welcome letter in the mail. It was typed on Winnipeg Police Department stationary and noted H.B. Stephen as the Chief of Police. It was dated January 17, 1986 and signed by Staff Sgt. K. Porter and read as follows:

“Dear Andrew, I am pleased to advise that you have been selected to begin your police career as a Probationary Constable for the Winnipeg Police Department. Class will commence Monday, February 3, 1986.

In order to facilitate the signing of necessary documents and issuance of uniform we request that you present yourself to the Personnel Division office sometime during the week of January 27, 1986, unless you have been instructed to attend on a different date”.

The motto on the bottom of the page read *“Winnipeg...where the NewWest Begins.”* I would soon see first hand that it may have been more correctly labelled the “WildWest”.

As a police officer, I wholeheartedly embraced the service’s core values of Honesty, Integrity, Trust, Respect, Accountability and Commitment to Excellence.

I was fulfilling my dream. Working in the penitentiary was challenging but I knew I needed more. I watched as people who were sentenced to lengthy periods of incarceration would gain their freedom after 5 or 10 years. Prison staff on the other hand had to endure 30-35 years waiting for a pension before their last walk outside the walls.

The guards and staff at Rockwood Institution took me out for a farewell lunch and I was given a gag present. It was a pair of fake black glasses with a pig’s nose at the end. Whoever bought it didn’t know at the time that it came with a penis nose attachment. This would come in handy during dry lectures at the police academy. I have always been a prankster.

Our recruit class was number 105 and it was housed at an old elementary school on Vermillion Road off Fermor Avenue. Coat hangers were shoulder height and you almost had to kneel to have a sip of water from the fountain.

This was a paramilitary organization where common sense at times was replaced with tradition and one's rank determined your place in the hierarchy . The daily marching and drilling was geared for the ultimate climax of graduation day. I still find it archaic that we spent so many hours rehearsing for a marching entrance that lasted less than a minute. It was all about creating an image — an illusion of order.

Most of the material covered in the months of class was mundane but it was necessary. The instructors were more than capable and often broke the routine by inserting candid police stories.

One of the most influential lectures I received in recruit class was from Insp. Ray Johns, in charge of homicide. He stressed that in the case of a murder, we as policemen act in the interest of the dead above all else. I believed that this commitment expands to the family of the victim and their right to the truth.

This was the 1980s and there was a great deal of mistrust of defence lawyers and of course the media. We were taught that we should not trust either one of them.

I can also vividly remember the reaction of one lecturer after the Supreme Court's decision came out on Sophonow. He steadfastly maintained in front of our class *"I don't care what they say, Thomas Sophonow murdered that girl and got away with it. They even had the twine in his car."* This reinforced the notion in me that lawyers and the law really could not be counted on — the justice system was geared to protect the accused.

We blindly accepted that this criminal from British Columbia had committed the murder and got off on a technicality. After all how could he be innocent when they found the twine in his own car.

Little did I know that 13 years later I would be investigating the case all over again.

After months of sitting in recruit class we finally were groomed for action on the streets in our next phase known as field training. Here we were supposed to be assigned a primary field trainer and a secondary. I was assigned to the busiest, most violent district, known as the North End. During the few months that I field trained I worked with possibly 10 different partners due to scheduling and holidays.

Like many other organizations there was complex social structure with lots of opinions based on misinformation. There were three shifts working together to cover 24 hours — days, evenings and nights. The shifts would overlap and there would be the daily bickering that some units were not pulling their weight.

Even on the same shift some would be accused of being lazy by getting an impaired driver arrest at the beginning of a shift on a Friday night so they would be off report writing when the more dangerous calls came out.

I was assigned to A-side. When we were off, B-side would take over for 4-5 days and once again fingers would point as to who was more incompetent and lazy.

One factor that brought both A-side and B-side together was the mistrust of the police administration, who most would accuse of being promoted out of a front-line job that they couldn't handle.

Detectives were also seen with a sense of arrogance and not part of the front-line policing. They were seen as glory seekers often taking credit for the work done by uniform officers in order to promote their own careers.

If you wanted to unite A-side B-side, detectives and the administration all you had to do was bring up the RCMP. They were seen as over-trained, inexperienced gravel road cops.

Perhaps this was just misguided water cooler conversation but it was prevalent in the workplace. Feelings of disgust and belittlement were even more intense towards offenders. Yet these were the people I had just left while working in prison. The same people I enjoyed having coffee with and a convicted murderer who helped me get on the job in the first place.

Being from River Heights I really didn't know my way around the North End and needed to keep a map of the area with me at all times. I was also in for a culture shock in an area known for its violence.

Other areas of the city were far less volatile. The 606 car area at the time patrolled Charleswood and could go whole week without a single call. This would allow time for some to enjoy their shift driving around with rum Slurpees. The North End did not allow that luxury but it was definitely a place to quickly learn policing.

My first shift was a night shift on a Friday . As I left our apartment I told my wife that when I got home in the morning we could have breakfast and I would tell her everything that happened. As it turned out I lasted 30 seconds after walking into the door and fell fast asleep.

I left the apartment in full gear and tucked my extra pants, shirts and boots into our light blue Chevette and headed out eagerly for my first shift. I was proud to put that uniform on for the first time.

I had been forewarned by one of my instructors that I may have difficulty being accepted in the police subculture due to my education. Much like the first women hired by the department there was a form of resentment by some of the rank and file members who considered anyone different as outsiders.

I was told that the best way for me to fit in was to keep my eyes and ears open and my mouth shut.

As sworn members of the police department we are responsible for the prevention and detection of crime and the maintenance of public order. We are granted a great deal of authority and power. What I saw over the next few months and the years to come came into direct conflict with how I was raised and my ideal of what a police officer should be.

The co-workers I had during this phase of training and throughout my career seemed to represent that of any workplace. Some were energetic, while others were lazy. Some were nothing short of heroic and yet others were cowards. There was however a common bond that united us all in times of chaos. A trust factor of keeping your mouth shut and ignoring indiscretions from time to time. Some incidents went too far.

One of my first calls was to attend the hospital to interview a young Indigenous girl who had been beaten up by a group of youths. She sat on the bed in obvious discomfort and tried to relay to us what had occurred. My partner really wasn't interested in following it up and merely wanted to change the call classification to a disturbance.

He leaned over to me and stated, "*she's just a lying squaw.*" I pretended not to be able to hear what he said and he repeated, "*she's just a fucking lying squaw.*" To complicate matters further I knew this young girl. She was one of the children in Marymount when I was working there. "Cathy," I said quietly and held her hand. I knew this was not going over well with my field training officer and it would cost me.

Making it through this phase required a passing grade from my trainers. This created a mild form of Stockholm Syndrome. I quickly took the information and following my trainer's lead the call was changed to a disturbance and not followed up. In fact, she herself wanted nothing done.

A few weeks later I was with another trainer. It was nearly quitting time on night shift and we were assisting other units in setting up a perimeter as they searched for a male wanted for breaking into cars. We were alerted shortly afterwards that a male had been arrested and we casually walked to the area.

We were about three house lengths away when I saw policemen lining up outside the left rear open door of a black and white cruiser car. They were taking turns beating a young Indigenous man handcuffed in the back seat. My partner looked at me and stated, "*you don't need to see this*" and we turned and walked away.

There were all sorts of accusations about police misconduct in these days — now I was seeing it first-hand. Someone even made T-shirts up with a large white uniformed officer complete with handlebar moustache punching a thief in the face as he holds a stolen TV. The caption on the T-shirt ? "Northcop the buck stops here."

As you may know in the 1980s police cars were equipped with what was referred to as a status head. You would push a button to clear yourself from a call, to show yourself available, or on scene, etc. Some members would take a call and not clear themselves so they didn't have to take the next. One of my partners was no exception. If we were on a call that I had finished and I heard a high-priority call come out over the air I would reach to push the "available" button. I was prevented from doing this by my partner who would slap my hand and yell, *"let the other cars take it."*

I was involved in many highly volatile incidents during this training period and gradually was seen as someone who could be "trusted." Weekends were popular to work on evenings and nights since it gave some units the chance to target open liquor infractions. At times it was almost like a game.

In certain areas of the North End there would be the usual drinking spots, especially on welfare days. People working low-earning jobs and others on welfare would spend what little cash they had on beer and openly consume it. Taking advantage of this, some officers would sneak up on the unsuspecting prey and seize their liquor.

The trick was to tell them that they were getting a break and would not be fined. The reality was that the liquor that had not yet been opened was going to be consumed at a "shifter". Shifters were drinking parties for members of the shift, and often lasted all night long.

My turn came in the area of what we referred to as the "concrete teepee" King Street and Dufferin Avenue. Our prey had run off and left a full 12-pack of beer. My partner grabbed it and handed it to me stating *"This one is yours."* He could tell I wanted nothing to do with it but I wrapped it in a garbage bag and placed it in our district fridge to keep cold.

At the end of shift I was asked to go to the "shifter" but declined using my standard excuse of having to get home to my wife. I gave the beer to my partner and confided, "I really can't do this." He nodded his head and for some reason I think he respected me for it.

What a concept — with all my moral upbringing I was able to fight the temptation of stealing from the poor. What standards were in place in this department?

I had many talks with my wife about quitting but there was a more pressing issue. She was pregnant with our first child. Moreover I did not want to leave a career I had wanted for so long. I also believed that the morally void people I was encountering were a minority in the department and perhaps I could make a difference.

I graduated from the Police Academy and was assigned to a shift downtown in October of 1986.

On the 27th, while working my first night shift, I found myself walking the beat on Portage Ave near The Bay. The dispatcher asked over the radio what my location was and I replied. Within seconds a cruiser car pulled up beside me instructing me to get in, my wife had been taken to the Victoria Hospital in labour. They rushed me to her side still wearing my full uniform and equipment.

I was taken aside by hospital staff who informed me that our baby was in the breech position and they would have to perform a C-section. For that reason I was not allowed in the delivery room.

A short time later my son Mark was born - I was a father.

I went to Cathy to comfort her after her anesthetic wore off. I gave her a big kiss on the lips and thought to myself, "my god she has bad breath". I found out later why. We had gone to my parent's house for supper earlier in the evening and she had consumed a large quantity of seafood casserole. The anesthetic caused her to share that meal all over the delivery room. What a way to remember my first born!

Now a father I had even more of a commitment to keep working at my career job.

I was assigned to what was known as the "FPS" shift. FPS is the abbreviation for Finger Print Serial number. Everyone arrested in Canada receives one. Our shift was labelled because many had been arrested in the past for offences including break and enter, assault, wear disguise and impaired driving. Yes, I'm talking about my fellow officers. This was a rough bunch but they had to be dealing with the violent "clients" we encountered on a daily basis.

One of the first people I arrested for being drunk under the IPDA (Intoxicated Persons Detention Act) was a classic example. The drunk tank was located at 75 Martha Street and in that era had a common room where they would sleep it off. The room often resembled a snake mating ball with drunken people dry humping whatever body part they could find. The smell in that room was unforgettable.

I remember some police members actually planning to find young people drinking on grad night. The game was to lock one up in their suit or gown and have them spend the night with "the living dead".

Another section of the building was for violent drunks brought in by police. This is where we took our prisoner this night. We sat him down to be interviewed by a staff worker beside a table. She asked the usual questions concerning his age and name and finally asked if he had any medical issues. At this point he took his right hand and dug out the glass eye from his left eye socket and slapped it on the table stating, "there".

We grabbed him at this point and a struggle ensued. We dragged him into his holding room and just before the door shut my partner kicked his glass eye into the room. He

smiled put the eye in his mouth to clean it off with his tongue and then back into his socket.

During my police career I would estimate that 5 per cent of my time during most shifts would be dealing with highly volatile situations that most people would never want to be part of. The other 95 per cent I would prepare and wait for that 5 per cent. It also consisted of writing reports and trying to be proactive.

Even in the relative comfort of writing a police report there was unease. I was very experienced at this time at writing university papers and giving lectures but apparently I was not prepared to write police reports.

During the first month that I worked downtown a supervisor on an overlapping shift called me out into the common typing area in front of other officers. For all to hear he bellowed, "What the fuck is this." It was my report and the heading he was pointing to the word "Synopsis". I told him respectfully that it simply means a summary, to which he replied, "Then put fucking summary." He then ripped my report in half and once again I sat down in front of a damaged typewriter and typed as I'm doing now — with two fingers.

During my first summer working downtown I recall patrolling in the area of Westminster Avenue. My senior partner was driving and thought he would have a few words with what he thought was a "drunken Indian". The man was about 35 years of age but looked closer to 50 and had several layers of disheveled clothes on him. His greasy baseball cap promoted a brand of beer and hid his matted long black hair.

He wasn't drunk but was showing the effects of years of alcohol abuse. My partner had a few derogatory words for him, prompting the male to tell him to "fuck off". My partner for the day wasn't very energetic and really didn't want to conjure up a criminal charge on the man but he also would not let it go.

The man walked off and we sat idling in the cruiser car. I could tell he was pissed off but I had no idea what he was going to do.

It had rained earlier in the day and there were plenty of large dirty puddles on the street. He waited and slowly followed the man along the street until making his move. Prior to walking across the road my partner accelerated and drove through a large puddle drenching the man from head to foot. He then stated proudly, "Soak a chug."

I had come a long way from the innocence of River Heights. I grew up with the misconception that we were "to protect and to serve". Unfortunately the popular TV show Adam 12 did not convey the policing I was now part of.

Each year of police work would scratch away at the innocence I had when I was a civilian. I kept my eyes and ears open but gradually removed the restraint from my mouth.

There is a fine line on when to take a stand and when to remain silent. When my father was the psychiatrist at Stony Mountain Penitentiary two inmates escaped from a work detail. They were both caught and brought back to the jail. As punishment for their escape, guards formed a gauntlet. One inmate was Caucasian with a long period of time remaining on his sentence while the second was an Indigenous man soon to be released. Knowing their records and the demeanour of the Indigenous man my father believed that the Caucasian male had forced him to escape.

The Caucasian inmate walked through the gauntlet and was given his due. As guards ordered the second inmate to proceed my father stepped in front and walked him through untouched. It was later discovered that he was right.

The point I learned was that you can't take overt action on all injustices. You sometimes have to pick your fights.

There were some officers that would scamper outside the courtroom doors waiting for the first officer to finish their testimony so they could learn what the defence was going after. Once they knew they would write the necessary entry into their notebook and boldly go in to the courtroom. Some even kept two notebooks, one to present in court, the other for in the field.

Testifying falsely was more or less a laughing matter. The common theme was, "lie, deny then act surprised." The goal was to win the case and make sure the unscrupulous defence lawyers lost.

This wasn't done by everyone but everyone seemed to know someone that was doing it. In my position at the time I had to continue to keep my mouth shut but I wouldn't be part of it.

I witnessed two classic examples of police misconduct in terms of note taking early in my career. The first involved a robbery where a man was kicked in the face, beaten and his wallet stolen downtown. We had a pretty good idea who was responsible and I watched as my partner made his notes after we had taken the victim's statement.

Oddly enough, he left a page blank in the middle of his entries and I found out later why.

We arrested the suspect a few days later. Humming casually, my partner seized the man's boots and walked back to the typing room. I watched as he carefully made a diagram of the boot tread mark he had just seized. It was on the very page he had left blank. He then explained that he was going to say that this was the tread mark on the face of the victim.

What was going on: the victim was kicked in the face but there were no clear markings on it.

Once again I was faced with a decision. In all likelihood this was our suspect and he had a lengthy violent criminal record. On the other hand I was witness to something equally criminal in my mind, fabricating evidence.

I confronted my senior partner on what he was doing but he was committed. I knew that if I went to my supervisor or the Crown attorney my career would be over. I decided that I would tell the truth if called upon to testify and let the chips fall where they may.

Don't think for a moment that I was the only one facing similar dilemmas back then. There were others that stood up and sadly paid the price.

As chance would have it the accused in our case died a few months before the court date. My career was intact.

The second example involved a murder case. My partner and I had just parked our cruiser at the rear of the District 6 station in Fort Garry. Our shift was over and we were both eager to head home to our families after a long day shift and yes, a cold beer.

A middle aged man drove into our lot and said he had just murdered his wife. None of us in the parking lot believed him but he was adamant — he killed her and she was in the passenger seat of his car. There most definitely was something in the front seat but it was covered with a blanket.

We still didn't believe what we were hearing. Calmly, one officer walked over the passenger side of the man's car. He sucked on his Slurpee with one hand and with the other used his baton to push the blanket aside.

To our shock it was just as he had said — his wife with an extension cord wrapped tight around her neck.

We took the man into custody and placed him in a holding room in the station after searching him. He made a full verbal confession to us and explained the events of the past week in which he had not slept.

Homicide detectives had been summoned and quickly arrived at our station. We met in the vacant inspector's office and briefed them on what had occurred. I told them we had a full verbal confession made under charge and caution and they seemed disappointed.

We were told that a defence attorney would throw out our confession and it would hurt their case. I pointed out that I had already made notes. I was then asked how far in my notebook I had gone and encouraged to re write the entire notebook and all entries from weeks gone by. I was told to write that I had arrested the accused and he said nothing leaving it to detectives to follow up.

So what was the point of lying? The others in the room later said that Homicide wanted the credit for the arrest and confession. I explained that I was not changing my notes

and I would type the truth in my report. They respected my honesty but candidly laughed that neither my notes nor my report were likely to end up on the Crown's desk. They were right.

Put yourself in another dilemma. You have just arrested a transgender prostitute who robbed a "client" of his car and money. While the accused is detained in the holding room at the station a supervisor comes by to have a look. He shuts the wooded viewing panel and then proceeds to go through his personal possessions that we had taken from him.

Upon seeing several packages of condoms he pokes holes in each one with a syringe that was also in his purse. His rationale for the action - He felt that neither the "tranny" nor any "fag john" deserved to be protected.

So then I was wondering — what to do. There was no way I could suddenly instill any moral fibre into this supervisor and I sure couldn't change his opinion on homosexuals. My solution...say nothing, but I also made sure those condoms were thrown in the garbage and not returned to our prisoner.

This was not a one-time occurrence nor was it the only person I observed doing it especially to prostitutes.

These were the few bad apples that unfortunately smeared us all.

I soon developed a reputation in the service as someone who would, "Stir the pot". Some may go further by suggesting that I stirred it with a paddle and not a spoon. I may have to concede this point but with clarification. I do not possess the patience of putting up with injustice or incompetence for a long period of time. This has caused me on occasion to take a stand and fight for what I believe to be right.

When front-line officers were forced to drive in cruisers that were ill-fitted for computers and the passenger I wrote a report calling for their removal from the fleet. I had my own chiropractor sit in the cruiser to attest to the structural flaws and the potential for injury of the passenger as they would be forced to sit in a sideways position. My doctor also concurred. In response "The Department" sent out a "Blue memo" directing officers not to allow unauthorized people into our vehicles.

The superintendent in our division, who presented himself as a pompous authoritarian paraded me into his office upon hearing of my report. In a condescending tone he threatened that if the cruiser car was causing me so much pain perhaps I could be enticed to walk the beat for the rest of my career.

Our Inspector happened to overhear what was being said to me and after this verbal assault took me aside. He told me not to worry about anything the superintendent had so say. He was not respected in the department, and his own peers would frequently urinate in his teapot. What a place to work!

The negative blue memo and the verbal chastisement were worth it. The department realized I was right and the vehicles were removed from front line service.

When we were ordered to make arrests in domestic violence cases without any grounds to arrest I again took a stand. If I was being ordered to make such an arrest on what I believed to be unlawful I would simply document it in the court report. I actually typed that on this date I arrested the accused with no grounds whatsoever on the instructions of my supervisors. Instead of addressing the issue the department sent out another "Blue memo" ordering officers not to put personal opinions in their reports. The results over the years have been unlawful arrests and successful lawsuits against the department.

An old kid's riddle may be said to best describe my character. What fish go with the current? Answer: Dead fish.

On Dec. 26, 1988, I was once again forced to make a decision between accountability or remaining silent. This was the same year my second son Sean was born.

I had gone to a fire call in St. Norbert that resulted in the death of two young boys and their father. I documented several areas of concern which were ignored by the department. In fact they didn't even bother to interview the other policemen that were there.

Against the advice of my colleagues and supervisors I completed another report prompting an internal review.

Staff Sgt Stan Tataryn was assigned to review my report. In his summary he noted ;

-that Constable Mikolajewski has maintained from the time of the event until now that the Fire Department did not act with appropriate dispatch removing the family from their home.

-that the reasons which Constable Mikolajewski gives for having this opinion are corroborated by the other three officers at the scene with any discrepancies only serving to make their corroboration more credible.

-that Constable Mikolajewski's reading of the Fire Departments report explaining their actions at the fire and the writer explaining the Fire Departments position to Constables Hourd and Zaharia did not in any way change their opinion or memory of what occurred.

-that at any future hearing or under any future examination the facts and opinions expressed by these four officers in the attached report are the facts and opinions which they will put forward in testimony.

My partner James Boyd and I were summoned to attend a meeting with the author of the report and Deputy Chief Joe Gallagher. We were told that the matter would not be looked into any further since, "what good could come of it anyway".

Several members of the deceased family came to the District 6 Police Station after the fire believing something had gone terribly wrong with their rescue. The staff sergeant on

duty read out the police report to them but omitted all of my observations. This was how we treated victims and their families. I wonder how much we really have changed.

On this occasion I was punished with far more than a "Blue memo". Years later I had been selected to be the next Polygraph Operator for the department. For taking this stand I was replaced.

The polygraph position was taken away from me but soon another door opened in vice where I took on the role of an undercover drug officer for three years. I took solace in what happened to me with the words of the late great coach of the Philadelphia flyers Fred Shero:

"To avoid criticism, say nothing, do nothing, be nothing."

Terry McGregor was the Inspector in District 6 when I had the polygraph taken away. He told me that some way, someday, he would make it up to me.

Chapter 4

A TEAM IS FORMED

Eight years went by, predominantly spent in detectives, vice, with performance evaluations exceeding standards in all categories.

I was no stranger to being handed uncomfortable assignments. As a constable I was seconded from general patrol in District 2 St. James to investigate a police-related firearm discharge. It would call into question the actions of my Inspector, the deputy chief of police, my own patrol sergeant and numerous co workers.

While still working uniform in District 6 I was selected to work on a highly confidential internal investigation. My role was to work with the vice unit in an undercover capacity on a fellow officer who was allegedly selling steroids. This resulted in a successful prosecution and death threats made against me and my two young children. I was the second person asked to do this sensitive assignment. The first person they asked refused and later became chief of police.

At the same time I was conducting a series of projects targeting offenders breaking into cars and garages in River Heights. I used my own crime analysis method to pinpoint time and dates of high offence probability. The results were 42 arrests in 12 nights.

In the three years that I was assigned to the vice division as an undercover officer I made numerous high-profile drug purchases; one of which lead to close to one million dollars in seizures in one day. I was also involved in three joint force operations with the RCMP targeting organized crime. Far from being gravel road cops, they were great people to work with.

Police policy required that constables only stay in such units for a year or two at a time. Sergeants were allowed to maintain their positions for several years. As a result I applied for promotion and was the most junior officer to enter the rank of patrol/detective sergeant in 1998. My accomplishment would have been all the much better if my father was present for it; He died of cancer 2 years earlier.

My desire to remain for longer periods in specially units was not the only reason I pursued the next rank. I was born with spina bifida and the wear and tear on my body in front-line policing was becoming very painful. In fact I don't recall a day without back

pain. The only remedy that proved successful over the years was vigorous daily workouts. I believed that I could stretch out my career as a supervisor.

As a result of my promotion I was ironically transferred from District 2 (St. James) detectives back to where I started in general patrol in the North End. It was now known as arguably the busiest and most violent demographic area in Winnipeg and possibly Canada. The summer and fall of 1999 proved to be just that.

As a Street Supervisor I worked alone in a cruiser car and assisted other units with more volatile calls for service. Night shift was perhaps the most challenging for me as I struggled to stay awake and impatiently waited for something bad to happen so I could be of some use. I can still recall driving around unknowingly on the same route over and over.

When I was young our family had a German Shepherd who must have felt the same as I did. Gelert was fenced in our back yard and a highly energetic alpha male. He never seemed to rest and spent his day running the same route in the yard and eventually a dirt trail in the form of a figure 8 was formed.

One such night shift I was assigned to a robbery call. The RCMP north of the city requested our assistance in looking for two males who had robbed a person and stolen his van. The van was last seen travelling south and may be heading to Winnipeg. I waited with one other unit at the intersection of Route 90 (Highway 7) and Inkster Boulevard. After 20 minutes I directed the other unit to stay at the intersection while I checked the Perimeter Highway clover leaf.

As I approached the top of the overpass I saw the stolen van and the two suspects parked on the southbound lane. I continued north until the next road then turned south to apprehend them. It was a pitch black night and as I made my turn I saw two headlights suddenly turn on about 50 yards from me. It was the stolen van driving at a high rate of speed the wrong way down the highway. The van went out of control trying to dodge me and ended up stuck in the ditch.

The two men left the van and could clearly see that I was alone as I exited my cruiser. I voiced for back up but anticipated that the two were about to flee on foot into a farmer's field. I reached for the back door of the Chevy Suburban I was driving and shouted "Get on the ground or I'll let the dog out." The two men looked at each other and immediately lay on the grass face down with their hands behind their heads.

There was no police dog. Our K-9 units and supervisor vehicles were Suburbans and many offenders could be deceived that there was a service dog in the back. I guess they call that thinking outside the box. The ploy worked and my backup arrived promptly to secure the arrest.

The excitement was soon over and replaced with report writing and the lull between calls. This night shift would prove to be my last for quite some time.

I received the phone call from Inspector Keith McCaskill on Oct. 4, 1999. It was my day off and I had spent most of it in court making 12 hours overtime. He told me that I would

be temporarily assigned to the homicide unit to investigate a highly confidential cold case - the murder of Barbara Stoppel.

I would be working with Sgt. Blair Vogen and Detective Sergeant Bob Legge. He said that in all likelihood we could be finished in a few weeks. It was a review and probably wouldn't be going anywhere.

Our team would start work on Tuesday, Oct. 12 at a make shift office at 850 Empress (also the location of the WPS exhibits storage facility).

I remembered right away the comments made to our class about Sophonow having gotten away with murder. I was intrigued to finally get a chance to investigate what really happened in the case.

I was the first person chosen at the recommendation of none other than Terry McGregor who was now Deputy Chief. Terry described me as an officer with high integrity that would find the truth no matter where it took me and he cited the stand I took on the tragic fire in St. Norbert - he hadn't forgotten the promise he made to me years earlier.

It was yet another high-level assignment that was as much a reward for my career success as it was a curse that would end any further advancement.

I picked up a copy of the "Burchill report" on Oct. 5 and read it during my night shift. I reviewed it from cover to cover several times and made notes highlighting areas of concern. Soon the 98 page report was filled with sticky notes and "flags" of issues I had.

It became clearly evident that Burchill possessed organizational skills and intelligence par excellence. He was a walking talking source of information and someone I continue to call a friend. When he came for supper months later he brought me a vine for the side of my house. My wife planted it and it has thrived ever since and in keeping with the labelling of the "Burchill Report" it is jokingly known as the "Burchill Vine."

Members of the executive wanted investigators with no connection to the original case or to the Homicide Unit. They wanted the review to appear objective and to be done with "fresh eyes".

Bob Legge was working at the Police Academy with an excellent academic background and experience in interviewing and interrogations. I gave him the occasion ribbing, accusing him of wearing suits from the early 80's so he could get into the mindset of the times. If anyone was going to compete with me in completely devoting themselves to this file it was him. He would also share my frustrations at the routine interference we experienced in unfolding the truth.

Sgt. Blair Vogen was assigned from the youth Division and had great organizational skills. He was also what could be described as a "company man" with a businesslike attitude and set to a regimented structure. Vogen was our supervisor and he reported to Inspector Keith McCaskill who in turn reported to the Executive (Chief and Deputy Chief). A tenacious Crown attorney, Rick Saull was later assigned to give us legal guidance. Each of us brought something to the table and we would form an effective unit. We also had the unending support of Burchill who assisted us while doing his own duties.

We were initially told that the review might take a few weeks or perhaps a few months. In total we spent a year and a half uncovering the truth and setting in motion the exoneration of an innocent man and the search for the real killer. To this day I don't think they expected us to so quickly uncover the truth.

Soon Legge and I would inherit the mistrust of former and current investigators, past Crown attorneys, and lawyers representing them suggesting a hidden agenda we had. The truth of the matter was they represented the interests of their clients and we represented the victim. We also fought for the exoneration of a man who many would agree should never have been charged.

Our first day of work was Oct. 12, 7:30 a.m. I met with Burchill, Legge and Vogen as we set up a room on the main floor just north of the lobby for central stores 850 Empress Street. It was on the main floor with Vogen's office having the only room with a view.

Legge and I had a large working office adjacent to Vogen's with no window and no phone initially. We had been given some discarded tables and chairs and we quickly tried to arrange a primitive form of office space. I think we had one pen between the three of us. At 11 a.m. McCaskill joined us and we reviewed our mandate.

I was very excited to have the chance to use my mind once again and dive into this investigation no matter where it took us. This is what I was in many ways made to do. I wasn't great at physics, I sure didn't know anything about cars and I'm told I'm not very good around the house - but this was the area that I excelled.

"The two most important days in your life are the day you were born, and the day you find out why." - Mark Twain

I realized quite early that this "review" was going to become very political. In a vain effort to keep it on track both Legge and I taped a large photo of Barb (same photo that was used in the media) on the very first page of our police notebooks. She needed to be the most important person in the investigation.

I was expecting a highly complex murder who-done-it but this case was anything but that. After reading the file for mere hours I looked around our room and felt like saying, "next" - it wasn't even challenging. Perhaps it is best to judge for yourself.

Chapter 5

AUTOPSY OF THE INVESTIGATION

It was now our job to review the evidence and the original report.

I conduct criminal investigations like working on a jigsaw puzzle. Start with the corners, do the edges and then fill in the rest. Too bad there were so many missing pieces.

18 years had passed and memories of the witnesses were unfortunately not the only variables that had faded over time. As we would soon discover, this was what can only be described as a damaged case.

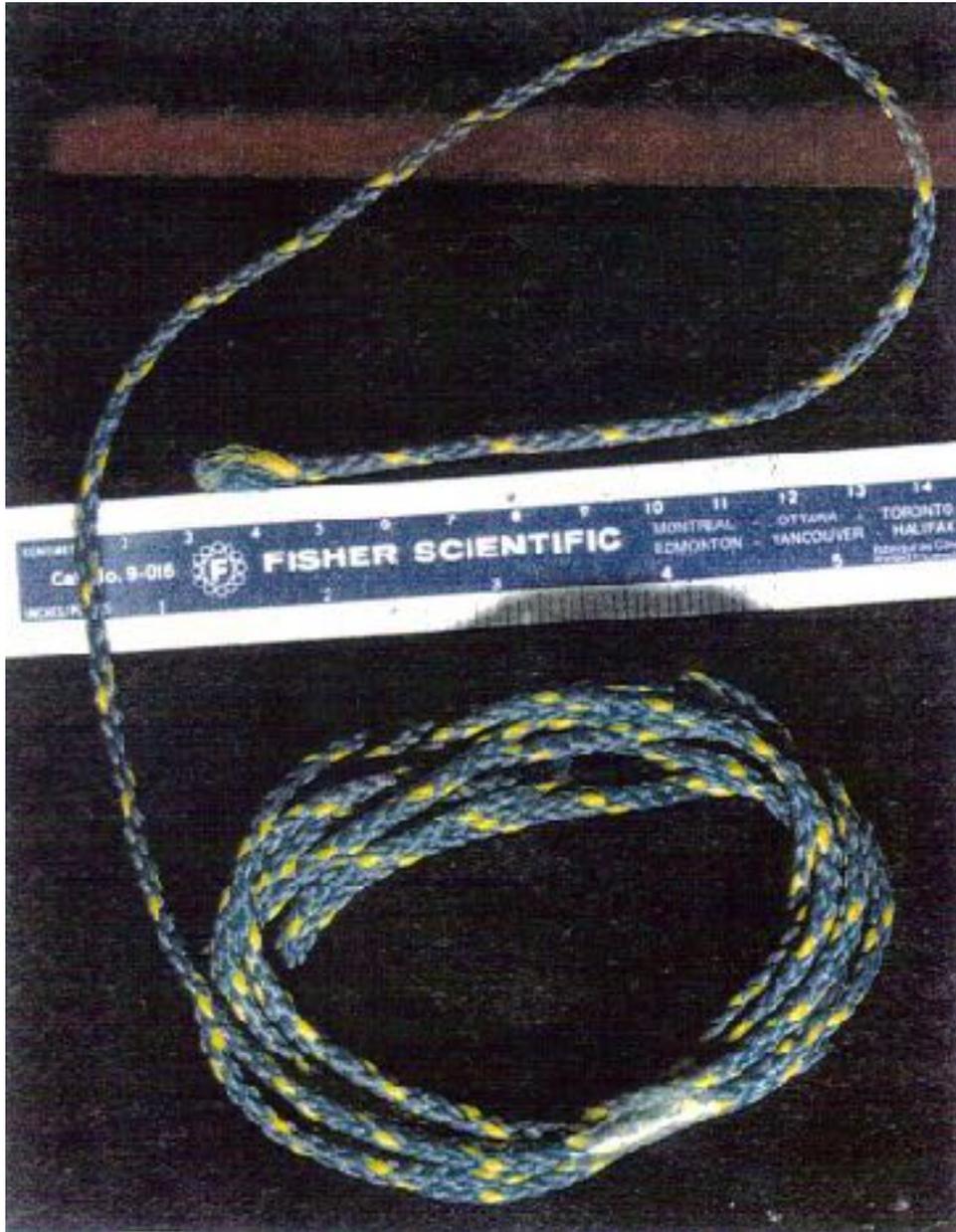
Legge and I began what could be referred to as an autopsy of all the documentation. It became evidently clear in a short period of time (hours) that Sophonow was not guilty of murder.

I would like to say that this revelation was made possible due to the expertise we both possessed. Unfortunately when reading the report in its entirety I would have to conclude that any person possessing average intelligence would come to the same conclusion. More importantly an average person would come to this conclusion even in 1986 when Sophonow was asking for a review - and in 1982 when he was arrested.

In the previous 12 years, I had investigated many murders, sexual assaults, and other major crimes. I found these investigations far more complex in terms of connecting the dots and figuring out the truth than the case I had before me.

Systematically and thoroughly we went through all the information that initially pointed to the guilt of Sophonow and steadfastly began to refute them one by one. The 360 degrees of guilt that was outlined in the Crown's file was now becoming the 360 degrees of innocence.

The Twine



The most important piece of evidence left behind by the killer was the twine. It was determined at the time that it was manufactured in the U.S. and used by B.C. Hydro. This supposition led investigators to believe that the suspect had a B.C. connection.

The origin of the twine was not sufficiently investigated. A simple test costing \$100 was available but for some reason it was not done. I still find this hard to believe. This was the murder weapon - why wasn't it tested?

I was reminded of this neglect when I watched a Napa Auto Parts commercial on TV. A van is speeding away from police. Inside the van were armed criminals and a bag of stolen money. As the chase continues, the fan belt breaks and the van comes to a halt. Police surround them and one by one the robbers raise their hands giving up. One of the masked robbers asks the driver, "What were you thinking about man?" The driver then recalls going to Napa and has a new fan belt offered to him by a clerk but he yawns stating, "I'llllllll think about that" and walks away.

Better late than never, Burchill and I went to a local laboratory to have the twine tested. The result - it was made by a company in Portage la Prairie. There was no connection between the murder weapon and B.C.

The wrongful supposition that the twine originated in B.C. prompted investigators to focus on that lead. This in turn made a connection to Sophonow that much more plausible.

Interview with Detective Barnard

Barnard's connection to the case was made possible by the false connection of the twine to B.C. At the request of Vandergraaf he interviewed Sophonow.

Perhaps the most damning comments in the statement were, "I could have been in 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." There is question whether or not this was a verbatim statement. Moreover, Sophonow simply signed it without reading.

Documentation sent from Barnard to Vandergraaf indicate that Barnard told Sophonow his fingerprints were found inside the donut shop. Sophonow replied that if his prints were inside the donut shop they would be on a spoon or coffee cup. It is then noted that Barnard told him the prints were also found inside the washroom, to which Sophonow denies ever going into.

When conducting an interview police are not permitted to Lie. Being deceptive however is fair game. For example Barnard would be permitted to ask Sophonow **if** we find your

prints in the donut shop where might they be located. However, he would not be allowed to say they **were** found since that would be false.

I arrested a well known sophisticated roof-top break-in artist in Winnipeg years ago. He was the brains behind the group and one of two people I had grounds to arrest. When I arranged for his capture, I had him brought to our station in St. James. Before he arrived I wrote the name of his co-accused on the prisoner log board on the wall. I wanted him to think that he was in custody and may have already confessed.

He was placed in his own cell but definitely noticed my ploy asking, "So you've got Kevin; I saw his name on the wall." If I replied yes, it would be a lie but I simply smiled and said, "Let's focus on you, shall we." That is deception, not a lie and is a tool of police work.

I observed another problem with the initial signed statement of Sophonow. When police take a statement from a suspect or witness, they are supposed to take the comments verbatim (also known as a pure virgin statement). This was quite obviously not done in this case since Sophonow does normally refer to time in a 24-hour fashion, but police do. In essence these were not his words but rather Barnard's summary of what he heard Sophonow say.

This is not Barnard's only connection to a wrongful conviction. On March 15, 1983, Ivan Henry was convicted on ten counts of sexual assault on the basis of weak identification evidence. He was given an indeterminate prison sentence and declared a dangerous offender. On June 8, 2016 Henry was awarded \$8 million for his wrongful imprisonment.

Deception is an important tool in interrogating a suspect. However, providing false information and not obtaining a verbatim statement, may have set the stage for events to come. If in fact he was told that his prints were inside the Ideal Donut Shop, when in fact they were not, then the content of this initial statement may be viewed as tainted. The interview however, justifiably led to a further meeting with Winnipeg police detectives.

Interview with Sergeants Paulishyn and Wawryk

"Trying to catch a Rabbit..."

The RCMP, the OPP and Winnipeg Police Service are all trying to prove that they are the best at apprehending criminals. In order to determine who is the best, they are given a test. A rabbit is released into the forest and each of them has to catch it.

The RCMP goes in. They place animal informants throughout the forest. They question all plant and mineral witnesses. After three months, they conclude that rabbits do not exist.

The OPP goes in. After two weeks, with no leads they burn the forest killing everything in it, including the rabbit and they make no apologies. The rabbit had it coming.

The WPS goes in. They come out two hours later with a badly beaten bear. The bear is yelling: "Okay! Okay! I'm a rabbit! I'm a rabbit!"

This old joke exemplifies the type of image different police forces had over the years, whether justified or not. All the police agencies are interchangeable depending on who you want to tease.

There is little doubt that the lengthy interview of Sophonow by Paulishyn and Wawryk haunts him to this day. There are only three people who know exactly what occurred inside that room. I am not one of them - but I can conjecture based on what was documented during the interview.

Armed with the fact that Sophonow was in Winnipeg on Dec.23 and had allegedly made the comment that he, "could have been in the ideal donut shop at 49 Goulet" and that he was a resident of B.C. officers had every right to consider him a suspect.

A necessary ingredient for a wrongful conviction is the belief by police that they have the right person. In this case there is no malicious intent on behalf of the officers but there was a strong belief of guilt.

I am no stranger to obtaining a false confession from an innocent person. While working detectives in St. James I was assigned to an arson that occurred at a sports card store. The fire investigator was on scene and determined immediately that the fire was deliberately set. The lone employee was the prime suspect and had been taken to our station for an interview.

From all the information I was provided I believed that our suspect was guilty. My Staff Sergeant Jokingly commented that in an hour I should either have a confession or be requesting an ambulance. The employee had been working the night before and was drinking alcohol. He did not have a strong recollection of the events, but I soon convinced him that he must have started the fire. I formally charged and cautioned him and he provided a signed statement of admission. I nailed another one - I thought to myself.

After leaving the interview room I had a strange feeling that something was wrong. I decided to leave him while I went back to the scene of the fire. As chance would have it I had recently taken a fire investigations course. I searched the interior of the store and found that there appeared to be three sources where the fire could have originated.

Upon further review I believed that there was in fact one source of ignition, that being the garbage can. From the garbage can, the fire spread up the wall along the shelf and then dropped onto two other sources. This was looking like an accidental fire.

Although the fire department had left the scene I noticed that the floor was still smoking. I called for a pumper to re attend and candidly asked the firemen when they arrived if they thought it was arson. They chuckled and came to the same conclusion that I had just come to. They also told me that the fire investigator had a history of labelling everything arson.

As a result I returned to the station and released an innocent man with my apologies. As it turned out he emptied an ashtray into the garbage prior to leaving for home. The fire was accidental. This shows that if you start your investigation with a totally incorrect premise, it can build out of control and as an investigator you slowly try to make the pieces fit, when in fact they don't.

Sophonow would later tell me that he was grilled for hours by both officers and that not everything that was being said was being written down. Reviewing the transcript of the interview one can conclude that the notations were far from being verbatim. Furthermore the actual time to read over the interview is in the area of 20 minutes. The interview itself is documented as lasting several hours, suggesting a void of commentary, or hours of dead time.

Sophonow felt that he was being broken down psychologically. In fact this breakdown culminated when he was strip-searched halfway through the interview. This was not proper police procedure and was later condemned at his public inquiry.

As the questions continued and recalling that Barnard had already told him that his fingerprints were inside the donut shop and inside the washroom, Sophonow started to believe he did the murder. He was even told by police that witnesses described him wearing his brown hat. In fact no witnesses had identified him as yet and most witnesses described the hat as being black.

Perhaps the most damning aspect that occurred in this interview was the twisting motion that was being suggested by police inches from Sophonow's face. Sophonow told me during our interview that they kept showing the locking motion but they failed to write it down. This would set the stage for another incriminating comment he would make to an undercover officer who was placed in an adjoining cell.

In his submission Justice Peter Cory would later concur noting "I am satisfied that there are omissions in the statement taken by Sergeants Wawryk and Paulishyn and the suggested demonstration is the most serious of those omissions. The omissions in the interrogation of Thomas Sophonow and the presentation of the flawed photo pack were either deliberate or grave acts of careless inadvertence."

Cell man Cst. Trevor Black

After the lengthy interrogation by Paulishyn and Wawryk, Sophonow was placed in a cell next to undercover Vancouver Police Officer Trevor Black. Black was asked to steer the conversation towards three areas:

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

Sophonow told Black that he was in custody for, “stabbing a girl in a donut shop in Winnipeg... I told them I was there at 8 o'clock...I was driving around Winnipeg I parked on the street and went in the donut shop and locked the door.” Sophonow went as far as to mimic the same turning motion that he had witnessed several times during his interrogation. This innocent repetition of what he was shown by police was now incriminating him and prejudiced the conversation he had with Black.

Sophonow maintained his innocence during his conversation with Black, stating that witnesses saw somebody leave the donut shop that looked like him but it wasn't. Again his volunteered comments would add another layer of incrimination toward's him.

Sophonow's lies

During his testimony at his Inquiry, Sophonow accepted partial blame for his wrongful conviction. The Honourable Mr. Justice Peter Cory noted eight “Falsehoods” which he felt contributed to 10 per cent of the reason for his incarceration. They are as follows:

1. He did not, as he stated, "crash" on the night of Dec. 23
2. He did not leave Winnipeg on Dec. 24 but on the 23rd
3. He was not wearing jeans
4. He had, in fact, been to the Dominion Shopping Centre on the day of the murder but not in the donut shop
5. His route out-of-town on the night of the 23rd was not one which would have bypassed Winnipeg
6. Contrary to his statement, he was familiar with St. Boniface as he had lived there.
7. He did make phone calls while he was in Winnipeg, and
8. His car did not break down only in Medicine Hat on the trip back to Vancouver.

These falsehoods would have made police consider him as being deceptive. Further, by not disclosing his alibi fully at the onset of the investigation, it allowed police to enter the realm of tunnel vision.”

Motive

There is no doubt that Sophonow was at the Canadian Tire on Pembina Highway speaking on the phone with his mother at 7:56 p.m. The suggestion that he was enraged by his failure to see his daughter and as a result decided to race across town and murder a 16-year-old girl that he did not know is ludicrous. By the time he would have arrived at the donut shop witnesses already indicated that the killer was inside. It was also known that his vehicle was not in the Dominion Shopping Centre parking lot. If the vehicle was parked across the Norwood Bridge then he would have not have had time to be at the donut shop at 8:20 p.m.

Daryl Flammond drove with Sophonow from Vancouver and would have been helpful to determine his state of mind. Unfortunately, nobody interviewed him. On Feb. 28, 2000, after 15 minutes I located Daryl in Burnaby B.C. and spoke with him on the phone. Sophonow was in good spirits on the way to Winnipeg excited to see his daughter and nothing more.

There was no motive.

Eyewitness Identification

Being an eyewitness in a serious criminal investigation is an unwanted responsibility. The recollection of the numerous witnesses that saw the killer on the day of the murder provided police with a good structure to work with. The information they gave was admirable and their sole intentions was the apprehension of the killer. Eyewitness identification and the accurate recollection of events is highly susceptible to human error.

Police are trained to be active observers and note takers but are also susceptible to human error. Several years ago while I was assigned to detectives in St. James I organized a theft project in the parking lots of the Olive Garden and Red Lobster on Portage Avenue at Polo Park. Customer vehicles were being broken into on a regular basis.

To the untrained eye crime statistics can be very misleading. The actual recording of property crimes in Winnipeg at that time was incredibly low. Leaders of the police service may have the public believe that the crimes are low due to effective policing. In fact, if you make the reporting of property crimes difficult, or inconvenient, statistically the crimes will show a decline. There is a large difference between actual and reported crime. In this case, people were just paying their deductible and not reporting to police.

My method of determining if vehicles were in fact being broken into, was simply to count the piles of broken glass in the parking lot. I determined that the occurrence was high.

I assigned several undercover units to the area and I took position on the rooftop of the Viscount Gort Hotel. The staff provided me with a table and chair, a small buffet of food and a carafe of coffee. About an hour into the project I thought that one of my officers had gotten me back for the many years of practical jokes that I had inflicted on them. I looked around as I felt what I thought was a glass of water being tossed on my head and found no one there. I then looked up and saw a seagull who must have been eating garbage outside VJ's restaurant on Main Street. My head and right side my body was covered in its excrement. So much for my rooftop candle lit supper.

Getting back to our surveillance, two men were spotted breaking into a vehicle. I directed take down units to the area and one suspect was immediately caught. The second man was described as Indigenous, 19 years of age, wearing dark clothing and was last seen jumping over a fence and heading towards Portage Avenue. Other units were called to the scene and drove right by the second suspect, who was casually waiting at a bus stop. He got away but was apprehended after his co accused identified him.

Oddly enough the officers that drove by him were not at fault. The description given out over the air was grossly incorrect. The man was in fact caucasian, in his 30s and dressed in clothing nothing similar to what was voiced. This was a seasoned officer who made human errors during a short dynamic encounter. It also proves as a good reminder that eyewitness identification and recollection of events should be used cautiously.

The identification process in this investigation was brimming with errors. During our review we concluded that Sophonow could not be identified by any of the witnesses with any legal certainty.

1. **John Doerksen**

On the first actual entry of my notebook I had a photograph of a male that was identified by Doerksen on January 6, 1982, as resembling the suspect. In fact Doerksen reported that if it was not him, he could pass for a twin. Police identified and interviewed the man and he was quickly eliminated.

The point of interest for me was that this man looked nothing like the composite or Sophonow. I started to wonder whether Doerksen had any idea what the killer looked like.

Doerksen's false identification was **not** shared with counsel for the defence or the jury at any of the trials. As weeks went by, he continued seeing possible suspects and one by one they were ruled out. Had all these instances been shared, his credibility in court would be nothing short of catastrophic. And this was the Crown's prime witness.

Doerksen did identify Sophonow in court and this did play a part in his convictions. The process of this identification was extremely suspect. Initially he was shown approximately 100 photos by police. On March 13, 1982, he viewed a live lineup of suspects including Sophonow and he could not identify him.

On March 15 Doerksen was arrested by Winnipeg police for not paying a \$107 fine. Even though he said he had the money at home police took him to the Remand Centre where Sophonow was in custody.

I found this very odd. Back in those days, officers would get an arrest "stat" for making just about any arrest. Catching a criminal after a lengthy investigation was one arrest but so was arresting a person on a warrant of committal. All you had to do was bring him to the Remand Centre with his money and you were back on the road after only a few minutes. Why were they so intent on having him detained?

While in custody Doerksen "by chance" bumped into Sophonow prompting him to ask a guard if he was the person under arrest for the murder of Stoppel and then he finally made the comment, "That's him, that's the guy, that's the guy from the line up."

The guard, Bruce Henley, would later testify at the inquiry, "when I was taking him to dorm two Doerksen asked if he could have another look at the guy so I opened up the range door. Doerksen walked into the range and looked at Sophonow. He walked back out and said that's the guy who murdered Barbara."

There was no reason for this to have occurred since he could have obtained the money from home, paid the staff at the remand counter and been free. We needed to find out from Doerksen himself what really happened.

On Jan. 5, 2000, Legge and I went to the Dairy Whip restaurant just blocks away from the Dominion Shopping Centre. This was where Doerksen had been working for years. He was in his early forties now, a slim man who seemed unsure of himself. One thing he did have, was an incredible memory.

The Dairy Whip is one of many iconic places to eat in Winnipeg. A classic burger place with character. Doerksen was excellent at his occupation. There could be twenty customers giving him orders and he never seemed to write them down, yet he always got the orders correct. In fact if you gave your order twice because you thought he didn't hear he would be offended.

We identified ourselves as police and asked him to join us in our unmarked car for a talk, and we told him it was about the Stoppel murder. He made sure that the others would cover for him and walked out to the parking lot.

It was a face-to-face meeting between the three of us and we needed to stress the importance of him being honest and keeping our review confidential. His eyes seemed to tear up if only for a moment - this case really affected him. We asked him to come for

a formal interview the next day to recollect what occurred on the night of the murder. He nodded his head and agreed.

He exited our car and walked back to work. Legge and I both had the same feeling - something was haunting him.

The next day shortly after 8:00 pm Doerksen arrived at our office on Empress. Legge and I led him into our makeshift interview room which was just big enough for a few chairs and a table. It was going to be a taped interview and he appeared nervous.

I explained outright that Sophonow had nothing to do with the murder and he didn't seem to have much of a reaction. I believed that he lied during his testimony and I needed to prove it. I placed a large photo of Barb on the table next to him and pleaded for him to help us. I needed him to know that the real killer was out there and for Barb's sake we needed the truth.

Throughout the interview it became clear that he could not identify any person he was fighting with. After all these years he now claimed that he was wearing glasses on that night but lost them and this is why he kept identifying the wrong suspects. In fact he even asked us if we were same officers that had spoken with him the day before. A telling story of a man who could not identify us, having spoken with him only feet away within the last 24 hours.

Doerksen looked nervous and confused and presented himself in a tormented manner. All he ever wanted to do was the "right thing," how could everything have gone so terribly wrong. I kept telling him that if he wanted to help us catch the real killer he needed to tell the truth. Gradually we gained his trust and one after the other the lies came out.

He admitted to fabricating the entire event of taking a cab across the bridge to look for the cowboy. In essence he had lied in all three trials and the preliminary hearing. He told us that he made the story up to make himself look better and cover for his irrational actions of simply going home. Then again no one checked with the cab company.

I then brought up his testimony during the second trial when he was asked, "they didn't tell you which one was the suspected killer?" To which he had replied, "no they didn't." Doerksen now confessed that he was told by police who the killer was after the lineup. One officer told him, "*that's the guy...John that's the guy we got to do this...the person that we have is number 6.*" Doerksen recalled that the policemen was then "reamed" out for telling him who Sophonow was.

Doerksen explained that he was under a lot of pressure, "*we were given information to show Sophonow was the killer,*" he claimed. He admitted to us that he could not say that Sophonow was the person he was fighting with on the bridge on the night of the murder, again contrary to his testimony in all three trials and preliminary. The case against Sophonow was indeed falling apart.

At 11:45 p.m. our interview was complete and Doerksen left a broken man. We needed the truth but I could feel what he had gone through over the years wearing him down. He appeared to me as a character in a Shakespearian play. He wanted to be the key witness, the hero. He inadvertently was a catalyst for a wrongful conviction.

During the inquiry he was fed to the wolves, torn apart, and portrayed as the villain. After admitting to so many lies, his allegations of being told who the killer was by police lacked credibility. He was simply labelled a liar.

I was not there when he claimed to have been given the information but I can offer you this to ponder.

I spoke with the identification officer originally assigned to this case, on March 3, 2006. He was now an inspector in the district I was working. He told me that one of the investigators pressured him to say that the footprints in the snow that were made by the killer were the same as Sophonow's boot imprint (sounds familiar). Although he decided not to lie, he never brought up this encounter in court or the inquiry. Perhaps it would have made Doerksen's revelation more believable.

Doerksen's parents described him as having a big heart and being very respectful. I saw him as a good person caught up in events and agendas way over his head. He died a few years ago, in many ways another victim in a string of tragedies. Yet by telling us the truth he helped clear an innocent man.

2. Lorraine Janower

A typical police photo lineup consists of placing a criminal suspect photo in a group of nine other photographs of people who had nothing to do with the crime. The eyewitness is tasked with the responsibility of identifying the suspect. Ideally all ten photos should be similar in appearance. If a photo lineup is unduly suggestive, any affirmative identification of a suspect may be excluded from her or his subsequent prosecution.

When we interviewed Lorraine Janower she admitted picking out Sophonow in the original photo lineup stating, "It was easy enough because it was so different from the rest." I then asked her if the composite and the photo helped her identify Sophonow in court to which she replied, "they helped me identify him, I don't know if I could have recognized him in court without them."

Justice Cory again concurred with our concern regarding the unfair line up noting, "the differences in Thomas Sophonow's pictures are such that it might as well have carried a notation saying, here I am."

Most importantly, she was adamant that the person who came in to Boots Drug Store and ask for twine at 5:15 p.m. on the day of the murder, was the same person she saw leaving the Ideal Donut shop at 8:30. This of course could not have been Sophonow since he was at the Klein's. Again the evidence was pointing to another person.

3. Norman Janower

When Norman Janower viewed the unfair photo lineup he commented on Sophonow's photo stating, "this guy, I know him from somewhere. I don't know why. I couldn't be sure with the pictures." This was hardly a positive identification.

When he viewed the live lineup with Sophonow in attendance he stated, "from what I see I'd say number 7" (Sophonow). Again this is not a solid identification especially after he was shown Sophonow's photo earlier. He does however state, "he's about the right height and weight and he walks just like the guy." In essence there was no positive identification; however there was a conversation between Janower and Sergeant Biener.

Janower asked Biener if he had picked out the right guy to which Biener replied that he had picked out the person being investigated as the suspect. An already frail identification was now tainted. Having not identified Sophonow in either photo pack or live line up, Janower went on to identify him in his trials.

There was nothing evil or malicious in the testimony of Janower. His tentative identification was reinforced by the comments of Biener making him become more certain as time went on. Concerning Biener, I can attest to the fact that I have witnessed on numerous occasions in the past, exactly the same practice by others. In fact I have witnessed officers show witnesses a photo pack and when they get to the suspect the officer will cough and begin pointing prompting an identification. It was evidently wrong to do, but it certainly wasn't alien to the Winnipeg Police Department.

4. Mildred King

On March 15, 1982, Mildred King viewed the live lineup. She was asked if she could see the suspect to which she responded, "no". When asked if she was positive she stated, "yes". As the men were being escorted out she requested the last five males be viewed again. At this time she commented, "No I can't swear. Number 7 was the closest from the side view, the right side view." Once again there was no positive identification. Yet at the preliminary hearing and all three trials she was positive in identifying Sophonow as the man she saw on Dec. 23, 1981.

It should be noted that neither the police nor Crown counsel shared the weaknesses of the identification of the suspect to defense counsel. Had this been exposed to the jury it would be hard for a conviction to have ever been made.

After dissecting the witness identifications or lack thereof it became more clear that we had convicted an innocent man.

Jailhouse Informants

In reviewing the case, there seemed to be no end of jailhouse informants lining up to testify that Sophonow confessed to them. I personally have little interest in reviewing their allegations and will wish them all a short life. It does suggest that investigators were desperate to add more incriminating testimony in a weak case, even if they had to use liars, thieves and a rapist.

Tunnel Vision

Possessing all the information relating to this case, resulted in our dismantling of the prosecution's allegations of guilt. What we had now, was a man that was in Winnipeg on the day of the murder and resembled the composite. The comments made by an Inspector to our recruit class in 1986 that the twine was found in Sophonow's car was also misinformation. An acquaintance did say that she saw twine or rope in the trunk of his car in the past, however, there was nothing to indicate that it was the same twine. In fact, I was living 15 minutes away from the Ideal Donut Shop that day and had twine holding my boxing bag up in my garage - a fact that is equally meaningless.

"Tunnel vision" has been described as the narrowness of viewpoint resulting from concentration on a single idea, opinion, etc, to the exclusion of others. It originated with the police who may have had a mindset or subculture that fostered a belief that the ends justify the means. This mindset is known as "Noble Cause Corruption" and it is the antitheses of what the role of the police or the Crown should be.

The Honourable Mr. Justice Cory in his summation regarding the investigation and prosecution of Sophonow, would later concur with our assessment in this wrongful conviction. The actions of the police and numerous non-disclosure issues with the Crown, provided the perfect breeding ground for tunnel vision.

I believe that the role of the police and the Crown should not be to obtain a conviction. The purpose of a criminal prosecution should be to present "ALL" credible evidence relevant to what is alleged and not to include any notion of winning or losing a case. Providing full disclosure is the best method our courts can have in arriving at the truth.

It became apparent quite soon in our review that there were two parallel paths we were on. One was to exonerate an innocent man. The other was to pursue the real killer and we would upset numerous people along the way. Many of the original investigators told us that there were rumours in the department many years earlier that they had gotten the wrong guy.

Police were justified in considering Sophonow a viable suspect but when that hypothesis failed to make sense they ignored information pertaining to his innocence. When new information came to light that did not fit, they failed to modify their belief of his guilt and their tunnel vision remained.

Less than six working days into the review we knew that Sophonow was innocent. On Friday, Oct. 22, 1999, between 10:00 a.m. and 12:30 we met at our office at 850 Empress. Present were McCaskill, Vogen, Legge, Burchill and myself.

I still recall staring at a large binder sitting on the desk at the back of our office. Inside was page after page of correspondence from Sophonow begging year after year to have the case reviewed, and to have someone at least read it.

The key issue for me here is that all this information was available in 1986 - for that matter it was available even in 1982. We knew within hours the investigation was a mess and formally addressed the issue merely days into the review.

This gave us an interesting dilemma. If Sophonow didn't murder Barb Stoppel, then who did? As it turned out the name of the killer was peppered all over the original report and in her mother's possession for the past 18 years. We all agreed during our meeting that the identity of the killer was blatantly obvious.

Chapter 6**PIGPEN**

Blessed Michael, Archangel,
defend us in the hour of conflict;
be our safeguard against the wickedness and snares of the devil.

May God restrain him, we humbly pray;
and do thou, O Prince of the heavenly host,
by the power of God, thrust, down to hell, Satan,
and with him the other wicked spirits
who wander through the world for the ruin of souls.

Amen

One aspect that Sophonow had in his favour during his trials was his legal counsel. All defense lawyers by his side were highly competent and knowledgeable. I have no doubt that if they had been supplied all the information that police had gathered he would not have been prosecuted. This information was all available to police at that time but was not shared with Sophonow's lawyers or the judge and juries.

As I mentioned earlier, the original case file contained more than 700 tips that were called in about suspects looking like the composite drawing of the killer. After reviewing the tips it was evident that only one person's name kept appearing over and over again, almost demanding to be noticed. To this day I have never been involved in a case where the offender has appeared to want to be caught more - in fact he was waving his arms.

To say that I was dumbfounded to see all the initial evidence pointing to another suspect is an understatement. I was appalled. This was an era in Winnipeg police history where front-line officers were actually charged internally for not wearing their hats while on duty. Yet there seemed to be no consequences for missing such obvious clues in this murder.

Even more alarming was the realization that the real killer was in fact a suspect months before Sophonow was ever interviewed - and all we had to do was read the first part of the report.

There is no glamorous way of conveying this. Much like Legge and I explained it to McCaskill and the others present for our meeting just days into our review, we laid out the evidence point by point. I am still unable to read it without having a mouth guard protect my teeth from grinding.

Just five days after Barb was attacked, her mother once again grieved by her side at the St. Boniface Hospital. This would be the last full day that she would be kept on life support. Muriel left her daughter's side and was approached by a man in the lobby.

He explained that he was a truck driver that frequented the Ideal Donut Shop and was a friend of Barb's. He wanted to check on her condition. Muriel told him solemnly that she was still unconscious and the doctors did not know if, or when, she would wake up.

The man showed concern and asked her for a favour. He wanted Muriel to contact him if Barb's condition changed and he left these words written on a piece of paper,

*Terry Arnold
9-25 Cromwell St.
237-5473
Mrs. Donna Barbe - mother*

She thought the man was a bit odd and relayed what had occurred to the police.

The very next day Detectives Bell and McQuat paid a visit to Arnold who was at his apartment on Cromwell, just across the street from the Dominion Shopping Centre and of course the Ideal Donut Shop. They considered him a possible witness and asked if he knew anything of interest in the case - he could provide nothing. Before leaving they showed him the composite drawing of the suspect but he couldn't recognize the person.

Later in the morning they tracked down 49-year-old Garnet Lapierre who was in the shop at about 11:30 a.m. on the day of the murder. He recalled that there were about seven other customers in the shop but one caught his attention.

The radio was playing Christmas carols but when a country western song came on one of the patrons stated in a loud voice, "I see somebody likes country and western music." The comment was loud enough for all to hear but was directed at no one. Because of the man's unusual mannerisms Lapierre took notice of him and described him as being 22-26 years old, 5-feet 11-inches tall, with a medium build. He had a pocked-marked

face, moustache and was wearing a brown cowboy hat, a dark ski jacket and blue jeans.

Lapierre viewed the composite and stated that it looked like the male, however the moustache was shorter than the drawing. The hat however was the same and the composite itself was a good likeness. Was the killer in the donut shop earlier in the day?

A promising lead would take a back seat to some somber news - After a five day struggle Barb Stoppel passed away. This was now a murder case. More and more tips started to come in.

As family arranged for her funeral police were determined to solve the crime. Michael Scott Pickall, a thin tall man in his early twenties, called in one of the numerous tips to be followed. Detectives Vandergraaf and Sobczak interviewed him on Dec. 30. He had seen the composite drawing and believed he recognized the suspect, a man known to him as Terry Arnold. He described Arnold as a thief that regularly wore a cowboy hat and cowboy boots and more importantly, he believed he was capable of such a violent act.

Police records indicated that he was living in the 200 block of Furby Street. When they arrived they were met by the caretaker of the bloc, Lila, who just happened to be Arnold's aunt.

Lila told them that Arnold had moved and was now living with his mother Donna at 9-25 Cromwell. Their curiosity was aroused immediately when they realized that the block was right across from the donut shop. It was about to get more intriguing. She claimed that Arnold wore glasses and a cowboy hat similar to the one in the composite.

Vandergraaf and Sobczak contacted Bell and Mcquat after learning that they had spoken with Muriel Stoppel a day earlier. They learned that Bell and McQuat had searched Arnold's mother's suite and could not find any evidence such as a cowboy hat or boots. They confirmed he wore glasses, could be similar to the composite but heavier in the face. They described him as being "somewhat strange." Bell and Mcquat were unaware of Arnold's history of wearing a cowboy hat and boots at the time of their inquiries.

Vandergraaf and Sobczak then went to Arnold's address on Cromwell and spoke with his mother Donna. She told them that Arnold was not home but they could try the Salisbury house at Portage Avenue and Camden Street where he had a girlfriend named Jackie. They soon identified the alleged "girlfriend" as being Jackie Gurergil, who lived on Burnell Street. They submitted their report noting at the end, "*officers find it strange that Arnold had taken such an interest in the victim particularly when she worked there such a short time.*"

On Dec. 31, 1981, at about 6:45 a.m. Vandergraaf and Sobczak arrived at the Salisbury House on Portage and Camden and located Arnold. There he sat, sipping a cup of

coffee at the counter. They described him as being" *somewhat similar to the composite*", 5-feet 11-inches, 180 pounds with short brown hair, moustache and dark-framed eyeglasses. His face was quite noticeably acne-scarred and he appeared much older than 19.

Arnold was taken to the back of the cruiser car and questioned briefly regarding the homicide. He told officers he had already been interviewed the day after he went to the hospital to check on Barb's condition. He then asked officers to check with the staff, particularly Jackie who could account for his whereabouts on the evening of Dec. 23.

With Arnold still in the cruiser car Vandergraaf went back into the restaurant and interviewed Gurergil. She said she had known Arnold for about a month and he was a regular customer and was there almost every night, often all night long. On Dec. 23 she did recall seeing him in the restaurant when she arrived for work between 10:30 and 11:00 p.m. She was not asked if he wore a cowboy hat, or for that matter what he was wearing.

Arnold was then taken to the PSB (Public Safety Building) for questioning. In his possession was a diary with the note from Dec. 29, 1981. It mentioned that undercover police officers came to his home to speak to him about the Stoppel case.

Police learned that he was in custody until Dec. 15, 1981 and that a cowboy hat he used to own was left at a co-accused's house before the arrest. He was adamant that he did not replace it.

With regard to his alibi, he claimed that at 1:30 in the afternoon on Dec. 23 he was at the Dominion Shopping Centre buying milk and bread. He went home and fell asleep telling his mother to wake him up at eight. When he was awoken and received a ride downtown by his mother's friend, cabdriver Reggie Davies. Arnold claimed Davies dropped him off at the Northstar Inn because he received a taxi call. He then took a bus to the Salisbury House at Portage in Camden arriving at 8:40 - 8:45 p.m. (oddly enough the same time police were called to the Ideal Donut Shop).

Prior to releasing Arnold, detectives phoned his mother and asked if she could corroborate his alibi. She was sick that day and couldn't remember anything. She did however mention that her son hadn't worn a cowboy hat since he was released from jail.

Cab driver Davies also reported that he had not seen Arnold wearing a cowboy hat since jail. He also recalled driving Arnold to the Northstar Inn but he could not remember the exact date.

Salisbury House staff working that evening could not remember seeing Arnold that night but also indicated that they did not know him. He was not only considered a suspect - but a suspect without an alibi.

A Polaroid photograph was taken and he was released.



On Dec. 31 at approximately 11:00 a.m. , Detectives Betesta and McLean went to the Salisbury House to follow up another tip. Restaurant manager Betty Ann Commodore reported that she had seen the man matching the description of the composite drawing with a waitress named Jackie. She also told police that this man always wore a cowboy hat but for the past several nights he had worn a black tuque.

They followed up this information and spoke again with Gurergil at her home. She told officers that police had already interviewed "Terry" the day after the offence. It is apparent that these investigators were unaware that Vandergraaf and Sobczak were interviewing Arnold as a suspect at that very moment.

Vandergraaf's police report is summarized as follows, "*it appears that Arnold does no longer have a cowboy hat, however, he had no clear-cut alibi for the times in question... there is nothing to tie Arnold into this case as a strong suspect, however officers will continue other inquiries regarding Arnold.*"

Betesta and Mclean for their part believed that Arnold had been ruled out simply because he had been interviewed by police. It should be noted that Betty Ann Commodore did not know Arnold until he got out of jail on Dec. 15, yet she claimed he had always worn a cowboy hat until the last few days.

Shortly after noon the same day another tip was called in to police - this time it was from Terry Arnold. He had moments earlier been released by detectives and gone to the McDonald's across from the Ideal Donut Shop. Here he phoned police stating he had "*spotted a male who resembled the murder suspect.*" He then pointed out a male identified as Robert Fournier who was eating a hamburger - he was quickly eliminated.

On Jan. 3, at approximately 11:15 a.m. Detectives Corneillie and Lucki followed up a tip from James Septon at his residence on Goulet. He overheard at a New Year's party that the possible suspect lived on Cromwell. On Jan. 2 at about 6:30 p.m. he saw a male who matched the description walk into 25 Cromwell. Septon directed detectives to suite number nine.

They too interviewed Arnold, felt he matched the description but learned that he had been spoken to on several occasions. They confirmed this with Sgt. Ken Biener and no further action was taken.

Early in the morning the next day Constables Miller and Black received information from Terry Barbe of 9 - 25 Cromwell. He told the officers that an acquaintance of his named Mario Fertado recognized the picture in the paper but the male was afraid to come to police. It is unknown if this male was ever located or interviewed.

On Jan. 17, at 10:15 p.m. Sergeants Paulishyn and Shipman attended to 9 - 25 Cromwell and requested that Arnold come with them to the PSB to be interviewed as a suspect.

Arnold admitted meeting Stoppel shortly after being released from jail. He visited the donut shop on a few occasions for coffee and he knew her as Barbara. Although only admitting to seeing her two or three times before her death, he admitted that he "once" had a crush on her. This was his rationale for attending to the hospital. Hospital staff told him that she was not having visitors other than immediate family. He then asked if a family member could come down so he could check her condition - enter Muriel Stoppel.

During further questioning Arnold said he was at home sleeping until 8 p.m. on Dec. 23 when his brother woke him up. He shortly thereafter got a ride to the Northstar Inn from Reggie Davies. From there he made his way to meet his girlfriend at the Salisbury

house. It is unknown if any investigators even asked if the two were boyfriend and girlfriend.

Arnold steadfastly denied being in the Ideal Donut Shop on the night of the murder and maintained he was not involved. He was subsequently released after agreeing to submit to a polygraph test if required - the test was never done.

On Jan. 22 at 12:04 p.m. Constables Hebert and Black were requested to attend the Dominion Shopping Centre at 43 Marion St. and meet with none other than - Terry Arnold. Not finding him there they went to 25 Cromwell and found him sitting on the front steps. He appeared to pretend not to see them and walked into the block. They were unable to reach anybody in suite number nine. The same officers returned at 3:30 p.m. and found Arnold home with his mother Donna Barbe. He told police that he called them because he saw yet another man matching the description of the composite in the shopping centre.

A few days later Sgt. Mortimore received a phone call from an unidentified caller. She stated that she had seen the man responsible for the murder sitting with a friend on Jan. 22. She told police that the man's name was Terry and was the cousin of her girlfriend who lived on Furby. The caller also stated that on two separate occasions prior to this date she saw Terry at the Salisbury house at Sherbrooke and Broadway. She said he was wearing the same clothing as Jan. 22 except his cowboy hat had been exchanged for a multicoloured tuque.

On Feb. 4, at 11:20 a.m. the Polaroid photograph of Arnold that was taken Dec. 31, 1981, was shown to John Doerksen and Marcel Gloux along with seven other Polaroids. Neither could pick Arnold as a suspect.

That same Polaroid photo of Arnold would haunt me just days into our review of the case. Although Doerksen and Gloux could not recognize him, I knew right away I had seen him before.

Armed with more than enough to consider him a prime suspect, the investigation into his alibi and background seemed to fizzle. Biener would later tell the Inquiry that Arnold seemed to "slip through the cracks".

Although he indicated that he was a truck driver there seems to be no effort in confirming it. A simple driver's record check would have revealed that he had only a class 7 beginner's licence. Other checks would have shown that he was unemployed. Why was he lying and more importantly why wasn't anyone catching it?

Valuable information concerning his background was also available to investigators at that time. Youth records and workers at the Youth Centre and Seven Oaks would have been able to identify him as a classic psychopath. Countless stories of his lies and sexual deviance were also available.

This is the background of the man that, “slipped through the cracks.”

On May 31, 1962, after a painful delivery Donna Paton gave birth to a son weighing 10 pounds 8 ounces in St. Catherines Ontario. Donna and the father, Afton Samuel Arnold (Sam), named the boy Terry Samuel Arnold. Apart from being born with yellow jaundice there were no signs that he was anything but a normal baby boy.

There is a good deal of research on the topic of psychopathy today and some would suggest it is hereditary. Reviewing the literature and the background of Arnold I firmly believe he was born a psychopath. A psychopath is generally “self - centred, callous, and remorseless person profoundly lacking in empathy and the ability to form warm emotional relationships with others, a person who functions without the restraints of conscience.”

Traditionally we form the image of a psychopath as an out of control serial killer leaving a wake of blood and destruction behind them. The names of Ted Bundy, John Wayne Gacy, Jeffrey Dahmer, Paul Bernardo and Ed Gein come to mind. In reality there are different types of psychopaths, including ones who are not necessarily criminals. Psychopaths exist in our world as bankers, lawyers, doctors, high ranking police officers, politicians and a host of other professions. The point to emphasize is that being born a psychopath is not the only ingredient required to make a monster. This requires the appropriate environment.

At the age of nine Arnold took a five-year-old girl into the nearby bush removed her clothing and sexually assaulted her. His father, Sam learned of the abuse and punched Terry in the face and may have knocked him through a window. He now wanted nothing to do with Terry who is subsequently placed in various youth institutions in Alberta.

In 1976 he was transferred to the Manitoba Youth Centre and presented himself as having a sociopathic behaviour disorder. It soon became apparent that he was becoming institutionalized and had the ability to manipulate staff, playing one group of people off against another.

He was constantly challenging both staff and fellow inmates resulting in the kids hating him and staff burning out. Positive Peer Culture was the treatment used at the time and he was kicked out of the program. In fact routinely he was not allowed in class and actually had his desk in the hallway by himself.

He was also prone to violence and damaging property as he acted out on a weekly basis. On one occasion he bit a male worker on the arm and had to be hit several times in the head before releasing his grip. This would not be the last time he would use biting as a way to harm others.

Interviewing staff that had encountered Arnold in the Youth Centre and Seven Oaks Detention Centre, I was overwhelmed by the level of consistency in his description. Each of the staff members had vivid recollection of him being unkempt, dirty, having a heavy body odour due to a reluctance to wash, bad acne and a very poor self-image. He internalized nothing and demanded instant gratification. It was here that he would get the nickname of "Pigpen". One worker went as far as to describe him as, "*the most damaged kid I have ever come across*".

Signs of sexual deviance were becoming clearly visible. He routinely stole girls underwear and hid them in his room. On one occasion he was caught in the bathroom putting on a girl's bra. The youths that witnessed it laughed at him causing him to blow up ranting and raving.

He was a pack rat and his room was full of property he had stolen from others. Arnold made homemade books full of Sears's bra/underwear photos to masturbate to. There was even an empty yogurt container that he collected his semen in. He was described as being totally preoccupied and obsessed with sex with a high propensity to aggression if rejected.

Socially he would attempt to dominate smaller kids and would gravitate to any signs of affection from females. He was also described as having above-average intelligence and was known to study people full time. Nonetheless he was an outcast who one worker stated, "*Didn't really have a human side.*" Even at this young age officials believed there was no appropriate facility for him in the province and he would likely spend most of his life behind bars.

When I sat down for coffee with my friend and youth chaplain Rev. Bernie Pinet during our re-investigation I asked him what he could recall about Arnold. He paused reflectively and shook his head and stated, "he was so full of rage." Once again we debated the concepts of good versus evil and whether a society can be "just" in taking the life of someone that clearly had no conscience.

Arnold was on a path that quite simply could not be undone. He would soon turn 18 and be unleashed in Winnipeg to a very unsuspecting unprotected public and be supported by one form of welfare after another. Experts agreed that the social disharmony that he would inflict on society was likely to be severe.

Sigmund Freud would have diagnosed him as being fixated in the phallic stage of psychosexual development.

In my experience working with youths in need of care, I found them most stable when there were limits/controls clearly placed on them. When there was an absence of order, chaos would follow.

After Arnold left Seven Oaks, family members remember Arnold bringing home a mentally handicapped boy from a carnival in Winnipeg. He had a sleep over in a tent in the back yard. All night long they heard the young boy's screams but he was unable to leave. A dog was chained up in front of the tent opening growling at each attempt to escape. It remains unknown what happened to this boy.

Obsessed with a need for female companionship, Arnold met Victoria Spakowski who was 18 years old and they moved in together at a downtown Winnipeg apartment. One night Spakowski, Arnold and a male acquaintance were drinking at their residence. She decided to go to sleep and was awoken a short time later to find Arnold handcuffing her to the bed so his friend could have sex with her. She pleaded and persuaded him to stop.

Spakowski and Arnold soon moved to Calgary where he managed to get a job working as a security guard. He would occasionally bring home co-workers and tell them it was okay to have sex with her, but they had to pay him. He would then leave them alone and she would refuse.

Spakowski became pregnant with Arnold's child but was unwilling to bring it into the world. He had told her that if she was to have a child and it was a girl he would be responsible for teaching it how to have sex. If it was a boy then it was her responsibility. As a result the pregnancy was aborted. She left Arnold and moved back to Winnipeg.

Arnold continued to live a transient lifestyle, moving from place to place eventually returning to Winnipeg. On June 21, 1981, he was arrested for breaking into his sister Tracey's apartment and held in the Provincial Remand Centre but soon released. Two months later he was arrested again for breaking into another apartment was detained and subsequently released. On Oct. 12 he was arrested for breaking into a coin vending machine at Polo Park was detained and again released.

There are generally six purposes of sentencing.

- (a) to denounce unlawful conduct;
- (b) to deter the offender and other persons from committing offences;
- (c) to separate offenders from society, where necessary;
- (d) to assist in rehabilitating offenders;
- (e) to provide reparations for harm done to victims or to the community; and
- (f) to promote a sense of responsibility in offenders, and acknowledgment of the harm done to victims and to the community.

Continuously engaging in criminal acts and getting caught Arnold did not learn from experience but seemed to get gratification from deviance and subsequent punishment. In essence he appeared to be asking for punishment in a masochistic manner. At this point the only way to control him would be isolation, yet he kept getting released from custody - a pattern that continues with known predators today.

His adolescent behaviour strongly suggested emotional and physical deprivation and abuse. During later interviews with me he would confide that he was emotionally, physically and sexually abused by several people in his past including his aunt when he was 17 years old. The validity of these claims is uncertain but the constant theme he provided was that he was the victim.

Early years of environmental abuse coupled with his psychopathy yielded the necessary ingredients for the making of a killer. Yet as I later told him in his prison cell, *"there is no excuse for what you have done...but there are reasons."*

On Oct. 29, 1981, Arnold was arrested for a break and enter and held in Custody. I recently received a foreboding letter he wrote while in jail, confident that he would soon once again be released.

"Dear John, how is everything? I might be getting out of here Dec. 15. I hope so. Don't forget we still have to make that trip to Regina. So how's the trucker? Tracey told me about the problem about you and my mom. Don't worry about it. She's just overprotective to the point of ridiculous that's all. She'll get over it. I already talked with her and I told her that she was being rather ridiculous.

Anyway how is Donna? I'm going to have to tell her hi when I get out. I'm not going to come back here either. I've had enough of this shit.

Hey I just remembered, I still haven't met Bill yet. I guess we'll have to trip over to the (not legible).

I am still going to buy you supper at the S H (Salisbury House) too don't think I forget.

Oh by the way, I hear Fergie has a new boyfriend. It was in the newspaper. I clipped it out and mailed it with this letter ha ha.

Well, you take it easy. I'll be seeing you sooner than you probably think.

Terry Samuel Arnold.

Arnold was released on Dec. 15 and took top residence with his mother and sister at the Cromwell Street apartment block. A perfect storm was brewing.

One of the major concerns we had as a review team was how Arnold could state that he "used" to have a crush on Barb when he had only seen her a few times. There had to be a connection more than a few chance meetings. The answer was present in 1981 but not put together until 1999.

Victimology is the study of victims and the examination of every facet of their lifestyle, background, health and physical characteristics. In a murder case it is imperative to know everything about the victim. While reviewing the file I learned that Barb worked at the Red River Exhibition (RR-EX) in the summer of 1981. It was a yearly entertainment carnival set up on the grounds of Polo Park and almost always accompanied by several days of rain.

I confirmed this by speaking with Barb's family. She worked at a darts booth and Muriel would take a bus to the RR-EX at 1:00 a.m. and escort her home.



Criminal investigations also require the same passion of knowledge about the offender. As an investigator, you have to know every facet of the suspect's physical and psychological background. Reviewing Arnold's record we learned that he was arrested and photographed on June 21, 1981. In the photograph or mug shot he is wearing a uniform with the Conklin emblem on the front. Conklin ran the Red River exhibition. I reviewed several arrest reports and discovered that he admitted working at the Red River Exhibition in the summer of 1981.

The connection between the two became clear - he knew her long before she worked at the donut shop.

Arnold became easily obsessed with any female he encountered. Barb's friendly outgoing character may have led to him to have a fixation of being with her. Muriel told me that while Barb worked at the RR-EX she would bring home other workers clothes and have them washed for them - I can only hope his clothes weren't among them.

Objectively, one must conclude that Sophonow and Arnold bore a striking resemblance to the composite drawing. However there were two alarming concrete exceptions. Several witnesses described the suspect as having an acne pocked marked face. In reviewing Sophonow's photo I would have to describe him as baby-faced. Arnold on the other hand even described himself as having a pizza face. Secondly, Sophonow was almost six inches taller than Arnold and would have appeared almost seven feet tall when wearing a cowboy hat.

Just as one would presume that the investigation into Arnold would commence it somehow inexplicably ended. Our investigative team was not armed with new techniques or new DNA evidence as reported to the media - unless of course "reading" was invented in 1999. So why mislead the public into thinking some breakthrough in modern policing was responsible for uncovering the truth?

We had the same information that was provided to the original investigators who appeared to all miss several pieces of the puzzle. I have no doubt that if I was to sit any one of them down with the report in its entirety in 1982, they would be shocked at what was known and perhaps not shared. Yet one by one former investigators were surprised at all the evidence pointing to Arnold - which only made it more likely that no one had read the report.

The front-line investigators did commendable job in gathering the initial information on Arnold. In fact their efforts made our job a lot easier. All the contacts they made were documented and filed. They were inserted into the report as they came in. For example his visit to the hospital may fall on page 62 while one of the many tips he called in on others may appear on page 150, etc. Taking all contacts police had with him and looking at them together, would have made a compelling case against him. Or perhaps someone did.

“Slipping through the cracks,” being poorly organized, tunnel vision, whatever the terminology, this flaw occurred and is not immune from happening today. There are many safeguards in place but human error still occurs regardless of the victim’s age, race or sex.

You may rightfully wonder how a police investigation could have missed all these connections. I can only reflect by asserting that policing is a human process and as such subject to all the frailties of the human mind. Dramatic blunders in policing have no borders.

As I mentioned earlier I studied the crimes of a killer known as ‘The Yorkshire Ripper’ who was killing prostitutes in England in the late 1970s. Peter Sutcliffe was interviewed nine times over three years before finally being arrested and confessing. Each time he was released he would continue to murder over and over again.

Unfortunately this was also true of the case before us. We learned that Arnold had been convicted of the 1991 murder of Christine Brown just days after we started our review. We also learned that Calgary cold case officers were investigating him for the 1987 murder of Denise Lapierre. He was also a prime suspect in the disappearance of a young Indigenous girl, Roberta Ferguson, whose body is still missing.

I was incensed that this could happen. It was tragic enough that Barb Stoppel was murdered and an innocent man wrongfully imprisoned. But now came a third dagger. The killer had gotten away with murder in 1981, and he had been very busy ever since.

This brings you up to date with the investigation we were handed. My frustrations were just beginning and we were only a few days into the review.

Arnold’s name inundated the original report but police were so sure Sophonow was guilty they refused to do the simplest of all checks and balances - read the report.

We would soon need to work in unison with the RCMP, Corrections and Calgary police to build a case for Arnold’s prosecution for the murders of Denise Lapierre, Roberta Ferguson, and Barb Stoppel. With Arnold safely behind bars we focussed our attention on finalizing the innocence of Sophonow.

Chapter 7

THE DOOR IS OPENED

Continuing with this case was nothing short of a juggling act. While we worked to formally exonerate Sophonow, we were also engulfed with the task of building several cases against Arnold. There was also a more pressing issue to address - letting the most important people involved know that a review had begun.

Our meeting on Friday Oct. 22 lasted 2 1/2 hours. At the end there was a somber mood in the room. Legge was tasked with contacting Sophonow to gain his cooperation and let him know that the review he requested so long ago was finally going to happen.

I imagined how comedian Bob Newhart would have handled the conversation, "Yeah Tom...Winnipeg police here...we um...well we ah...we finally got around to reading that report after 18 years and...um...well...hey you were right...you're innocent....Sorry about that...and ah...what's that Tom?...How long did it take us to figure out? Well that's the kicker Tom...um about 2 hours...hello Tom...Tom?...you still there?"

Don't worry, we weren't allowed to tell the full truth at all. Legge could only let him know that a review had started and we would be interviewing him in the near future. Sophonow would have to wait another 15 years for the full truth.

On Nov. 5 Legge phoned Sophonow at his residence in B.C. He was cooperative and more than willing to be interviewed. During the inquiry he testified that I was the one who made the call, showing how innocently we as humans can make a mistake recalling events.

Legge was brimming, it really meant a lot to him. He had touched base with a man wrongfully convicted of murder and genuinely wanted to get him closer to justice. He wasn't on speakerphone but I could hear Sophonow's voice full of enthusiasm. Finally someone was listening - and Legge wanted to tell him so much more.

I was assigned to be the liaison with the Stoppel family. I soon found myself caught in the middle much like I was after the fatal fire in St. Norbert. On the one hand, her family deserved nothing less than the truth, but on the other there was a political will to ensure damage control for "the Service." (we had abandoned the term "Department" years earlier).

At 10:30 a.m. I made my first call to Rick. The dilemma I faced? I was assigned to a highly sensitive, classified investigation that only a handful of people knew about. Yet I

felt compassion for the family having gone through three trials, a preliminary inquiry and the end result was years of hatred towards an innocent man. Knowing how deeply seeded the contempt was, I had to feel Rick out and begin a gradual exposure to the fact that Sophonow was innocent. The door to the truth had to be opened slowly.

I chose my words carefully explaining the investigation into his sister's murder was being reviewed again. I could feel the emotion in his voice and the years of turmoil were evident. I asked if I could meet with him and his mother in person and he agreed. I could tell there was mistrust but this was soon replaced by friendship that has endured to this day.

On Nov. 8, at 12:40 in the afternoon I called Rick again. I asked him if I could have his sister's diary and related information that may have been returned to his mother. It was at this moment that Rick confirmed that Barb worked at the RR-EX in the summer of 1981.

As much as I wanted to tell Rick everything I didn't want to jeopardize the case. He agreed to try to find the diary and any other personal effects that could possibly help.

A few days later a conference call was set up in the PSB. Present were McCaskill, Vogen, Rob Finlayson of Justice, Crown attorney Rick Saull, Legge and myself. The call was made to Sophonow's legal team, Paul Bennett and Joanne McLean in Toronto.

From the onset there appeared to be a great deal of mistrust between all parties. I felt that a phone conversation relating to Sophonow's innocence and the new suspect being sought may have been inappropriate. The magnitude of the new developments required a face-to-face conversation in order to establish some trust and cooperation. I shook my head as the conversation kept heading south.

The key elements that we required from his legal team were a blood sample from Sophonow for DNA purposes, an interview and full disclosure. Bennett on the other hand was more concerned about exoneration and an apology. He was looking after the interests of his client and we were seeking the next step, to move on to the real killer. Our case was slowly becoming very political.

We needed to interview Sophonow again. This was now stalled by posturing on both sides and our own reluctance to share the truth delayed the inevitable. But there was no end of work to be done in the meantime.

I met Muriel Stoppel for the first time on Nov. 19 at her house on Harbison Avenue West. Her husband had already passed away years earlier. When I arrived at the front door, Rick wasn't there yet but she graciously allowed me in. She is such a kind woman with a pure heart. I can best describe her as Aunt May from the Spiderman comics.

We sat down at her dining room table and she carefully poured me a cup of tea. She slowly reflected on all the fond memories she had of Barb. She loves her so much and

feels her loss each and every day. Muriel proudly showed me dozens of Barb's photos and even the volleyball jersey she used to wear. It was like reliving moments in her life right to the end.

Rick arrived and gave me a box of Barb's personal effects including her diary, a calendar she had been writing on and copies of her yearbook. After a short conversation I shook their hands and promised Rick that he could trust me. I felt so empty walking out that door. I had so many answers for them but just couldn't let them know yet.

Humans live a world now where they don't like to be kept waiting. Fast food stores are all over the place and people in general are impatient. There's no better example of this than at an airport. Passengers often become enraged when their flight is postponed as they return from vacation. If they only knew what it was like to wait for justice year after year.

Just a few days later, I again had the pleasure of meeting with Rick and Muriel at her house. We talked for three hours and I slowly began to let them know that Sophonow was not responsible for the murder and that we had a suspect that was interviewed at the time. I couldn't keep it from them. They needed to know. Too often police hold back information under the guise that it may affect the "ongoing" investigation. There was no credible rationale for holding this back. Perhaps this opened up more trust between us.

During this meeting I took a sample of Muriel's blood for DNA comparison between her and Barb. The storage of many murder exhibits was far from adequate so we needed to make sure that the blood vials we possessed were in fact Barb's.

I was also enlightened about the contamination of the crime scene itself. Rick confided that after waiting for news of Barb's condition at the St. Boniface Hospital he went back to the Ideal Donut Shop, opened the door and walked in. He spoke with police inside and left shortly after using possibly his elbow or palm to exit the door. This being the case, the crime scene was anything but secure.

If you are going to present to judge or jury that the crime scene was intact it needs to be just that. This scene was already contaminated.

Out of the blue Muriel remembered what I can only describe as a crucial event. When police were guarding the scene a man called the donut shop asking for Barb. The caller stated that he was a friend calling from Texas and just wanted to wish her a merry Christmas.

Muriel found this odd because Barb didn't know anyone in Texas. My eyes lit up - was this the killer calling to get an update on her condition? Phone records would give me another break in the case - I was pumped. Was this Arnold desperately trying to find out if Barb was dead or a live witness. It all made sense.

I kept a poker face on while Muriel told me this revelation. After leaving her house I went straight to our office to review the file once again. There was no mention of the call to the donut shop. Perhaps it was listed in the "Tips" log book? I checked the Winnipeg Police Exhibit Stores and found that the log book was missing. What else could be put in our way to hamper the investigation? I was soon to find out.

On Nov. 24, at 10:30 a.m. armed with a litre of buttermilk, retired Inspector Ken Biener came to our office for a prearranged informal interview. He had been given the dubious distinction of being labelled the original "lead investigator" in the case.

Prior to retiring he was in charge of the youth division where Vogen worked under his authority. I could tell there was an uneasiness about him interviewing his former boss.

We reviewed the case and he volunteered what he could remember. He was taken aback several times when I described Arnold's constant involvement point by point. It seemed like every one of the original investigators had the same reaction - did anyone read the report?

Biener calmly took a sip of his buttermilk and without prompting stated that he kept certain "trophies" from the case. I couldn't believe what I was hearing. Then, just as surreptitiously as the impromptu comment was made, the interview was over and he and Vogen walked out of the office.

When he returned, I voiced my concern that Biener must have kept exhibits. Legge looked contemplative while Vogen simply shrugged his shoulders.

It was at this moment that I knew I needed to do a file review on all our exhibits and find out what was missing. I was in for another shock.

I went inside our secure storage facility and located the "Lost and Stolen Property Book". The book contained notations of everything that was seized by police over the years and their disposition and catalogued by incident number.

On April 22 and 23 1986 Biener is noted as having taken exhibits from the murder case and marked them as destroyed. More perplexing than the destruction of three boxes of exhibits was the date, April 22, 1986 - the same day the Supreme Court rejected the Crown's appeal of Sophonow's acquittal. Why was there such a need to go to our stores unit twice within 24 hours of this decision and destroy exhibits?

We soon learned that there were a host of missing items from the case. They included Barb's bra, underwear, socks, belt, shoes and her wallet and identification. We were also missing the Kleenex with mucus which may have belonged to her killer.

Were any of these what Biener referred to as "Trophies?"

I had just confided to Muriel and Rick that Sophonow was innocent. Then I shocked them with the news that we knew who her killer was. Now I was faced with the revelation that we are missing exhibits? Truth is stranger than fiction but this was nothing short of disheartening.

I knew right away that I would need a search warrant for Biener's residence. This was an issue that needed to be addressed. If we were missing exhibits, there was little chance of any successful prosecution let alone an arrest in this case.

For now our attention shifted to Arnold and what he had been up to for the past 19 years.

Chapter 8

CHRONOLOGY OF EVIL

I knew that one day soon I would meet the man that placed the twine around Barb's neck and took her young life. If I was going to have any chance of getting into his head I needed to know everything about him. After all, if you don't understand your enemy, you haven't got a chance against him.

Legge and I tracked down a woman named Eileen who met Terry Arnold when the two were in the Manitoba Youth Centre. She was 12 years old at the time. The other girls were playing volleyball and she was sitting by herself on the stage. Much like his other prey he singled her out because she had the time to talk with him. Even though this initial contact was mere moments he was not going to forget any female that offered him the time of day.

Just two years after he murdered Barb he met Eileen again, now 16 years old, on a downtown street in Winnipeg. They went for a few drinks and after dating for only a few weeks he persuaded her mother to allow them to marry. If anyone was going to give us an insight into Arnold it was her.

She described him as being a heavy drinker who was also into pot and hash and during the time they were together she never saw him drive.

They visited his father's house in St. Catherines and then moved into an apartment in Ottawa. He was jealous and possessive and threatened to kill her when she said she was leaving him. In his words he stated, "*I'd rather kill you first.*" His temper was always ready to erupt even over simple things like the dishes not being done.

Before they were married she felt the relationship was "okay" but soon it deteriorated. He was a constant liar who loved pornography and action movies and would watch them every day.

The night she left him for good in Ottawa in February 1985 he looked like he was, "totally demented" and she thought he was going to kill her. A neighbour named Derek overheard the commotion and distracted him while she grabbed her I.D. and ran out the door. The fight was over her not wanting to have sex.

She told us that Arnold used to carry a butcher knife in his boot and he also had a hunting knife with a heavy handle. He was like a child that would punch walls and yell when he didn't get his way. True to form she never saw him cry or apologize for anything. Every four days or so he would have a shower but would not use soap.

Eileen began to shake as she recalled the last day she spent with Arnold. This was a memory that was visibly disturbing.

As we were quickly finding out there was no shortage of lives touched by those evil hands.

Kelowna

“Nothing binds people more than the pursuit of a common enemy”

Many of Shakespeare's plays contain a tragedy that the audience would see coming and yet the main actors could not avoid. This reinvestigation dealt with three tragedies. The first was the death of a beautiful young woman and the family that mourned her. The second was that an innocent man was convicted of murder. The third and arguably the most preventable tragedy was the wake of destruction left behind by the killer.

In the past 13 years of being employed with Winnipeg the furthest I was sent on a trip was Brandon, Manitoba. Now they were sending me to Kelowna to share and gather whatever information we could on Arnold.

As usual the Winnipeg Police Service didn't want to pay for all three of us going so initially it was just Vogen and Legge. At the last minute I was allowed to join them but we would have to share the same room. It had been 17 years since they failed to test the twine and cutting corners to save a dollar was still ever-present.

It was Dec. 8 in the afternoon when we arrived at the Kelowna airport. I stepped off the plane and looked in awe at the mountains surrounding us. There was no time to relax as we prepared for our meeting the next day.

It commenced at 10 a.m. at the Holiday Inn Conference Room. We were joined by Calgary Cold Case members Lance Colby, Scott Hobbs, and Judy Wiltse. The host of our two day conference was RCMP Major Crimes Investigator Arch Doody.

Doody was a charismatic speaker that got everyone's attention in the room. Months away from retirement he still possessed a passion for justice and a detailed history of the case he was assigned to.

Like Barb, Christine Browne was a pretty 16 year old girl just beginning her life. She was reported missing on June 6, 1991, in Penticton B.C.

She was from Kimberly B.C. and wanted to join the carnival. Her mother allowed her and she went on the road ending up on Vancouver Island. She was fired from West Coast Amusement in June and took the ferry with friends back to the mainland.

She split up from her friends and got a ride with a trucker to Penticton. Being on the road she hadn't washed for days but met a friend who took her in. The next day for some reason they wanted to ditch her. They told her to meet them at an arcade but they had no intention of going.

She was last seen getting into a car with two males outside the Joystick Arcade in Penticton. The RCMP did what they could to track down her whereabouts but soon the trail was cold.

On Oct. 31, 1992 Browne's remains were found in a wooded area near Hedley, B.C. The RCMP now had a murder on their hands.

As time slowly faded the memory of Browne away, RCMP investigators would not give up. In 1994 a desperate attempt was made to find any kind of lead. They ordered all of their officers to review their notebooks to see if one of them had contact with her. As chance would have it, one entry was found.

A young officer wrote her name in his notebook the day before she was reported missing. It was in regard to a mischief call in the area of the arcade and she was a potential witness. And whose name do you think was written down beside hers? - Terry Arnold - who just happened to be employed at the arcade that summer.

The Stoppel file had multiple notations with Arnold's name polluting it but the RCMP only needed one. They scrambled to locate their suspect and quickly learned he was not in any position to harm the public.

Shortly after Christine was reported missing Arnold changed his appearance and headed to the Maritimes. It was here that he would soon sexually assault three young girls aged 10, 12 and 14 between July 8-11, 1991. He threatened them not to tell anyone taunting them with the words, "*you mess with the best you die like the rest*". Oddly enough the words on the T-shirt Christine Brown was wearing when she was raped and murdered were:

"Mess with the best
Die like the rest
Rock rules"

It took a lot of courage for these three young victims to come forward. Without them Arnold would have been able to add to the ever-growing list of lives he had damaged. Finally he was behind bars.

On Dec. 6 he was convicted of 3 counts of sexual assault and started to serve his time in Dorchester Penitentiary.

The connection of the words on Browne's T-shirt coupled with the discovery of her name and Arnold's written in an RCMP officer's notebook, made him a suspect in the

murder. When Doody interviewed Arnold in Dorchester Penitentiary, it became clear he would not confess to anything.

We all sat focussed and watched the video of Doody interviewing Arnold in a secluded room inside the Prison walls. Doody was good, actually very good at the craft of interviewing and interrogation. Arnold on the other hand had many years of practice in the art of deception. I could quickly see that he was the type of person that would deny even the obvious until you broke the point down step by step. Arnold knew all too well that the best lies are hidden in 90 per cent, of the truth.

And then out of the blue Arnold brought up our murder. It was almost rehearsed.

“Have you heard of Thomas Sophonow? Thomas Sophonow was a guy in Winnipeg who, uh, murdered a girl in a restaurant with some rope. He tied her up with some rope, uh, tied her up with a rope or something... and the rope was identified to be from B.C. Hydro and he worked for B.C. Hydro. He was consequently convicted and, uh, he says he didn't do it and later on it was found out that he didn't do it... even though he was convicted... all right? Now thinking about this, I'm thinking no matter what is said or done here today, there is going to be charges laid, regardless of whatever they are and, uh nothing I can say or do is going to change that fact.”

Doody had no idea that Barb's killer was sitting right in front of him.

After the interview, Doody told us he drank for three days straight. That's the kind of draining influence he has on anyone he spends time with. Doody was frustrated that he just didn't have enough to lay a charge of murder but he wasn't giving up even though Arnold's sentence was coming to an end.

On April 3, 1997, Arnold was released from Dorchester Penitentiary and began living in Moncton, New Brunswick. Little did he know he was under surveillance by the RCMP.



On April 9 the RCMP commenced a Mr. Big undercover operation on Arnold targeting him for the murder of Christine Browne. Having yet to review the Stoppel case, Winnipeg police were unaware of the connection of yet another murder.

The Mr. Big sting was simple enough. Undercover officers pretending to be members of the Hells Angels befriended Arnold and gradually let him be involved in their supposed criminal business. As Arnold would later tell me it was, *“easy money and they were great guys”*.

The ploy led up to a videotaped meeting between Arnold and the supposed “Boss” of the Hell Angels. The “Boss” confided that they had contacts with the RCMP that knew he was the killer of Christine Browne. In order for Arnold to be fully accepted into the club they needed someone else to take the fall for the crime.

Arnold was told that the Angels had a member in a prison that was dying and was willing to take the responsibility for the crime. All they needed was enough personal information to convince authorities that it was him.

The operation was a success. Arnold admitted raping and murdering Christine Browne on videotape. He went further and flew with RCMP undercover officers to B.C. and took them to the area where her remains were located. He also admitted that he threw away

her shoes and they were able to locate one of them. On May 18, 1997, Arnold was finally arrested and charged with her murder.

During the trial he was described as being dispassionate - sitting in the prisoner's box reading a paperback novel as lawyers bickered amongst themselves.

This was just the beginning of our conference. As I mentioned to you earlier Arnold had been very busy over the years. Now it was Calgary's turn to let us know what he had done.

In early 1986 Arnold fled Canada through Buffalo, New York and entered the United States. Coincidentally this was of course when Sophonow was freed and demanding a review of the case. Perhaps even he knew that someone simply reading the report might reveal him as a prime suspect - taking no chances, he fled.

Arnold claimed to have travelled throughout the United States, from New York, West Virginia, Georgia, Oklahoma, Texas, California and even to Mexico. I have no idea what crimes he committed during his time in the states but I'm sure he wasn't dormant. He returned to Canada in March 1987 and soon would strike again.

Much like we had come up with Arnold as the suspect in Barb's murder, Calgary police discovered he was living only feet away from where another young woman's body was found. Denise Lapierre was a 17 year old beautiful young woman who had a house party on June 21, 1987, several houses away from Arnold's residence.

She was upset because someone had broken a glass in her house so she walked eastbound on her way to a friend's. She would have had to walk right by Arnold's house. The next day someone made a phone call from a nearby phone booth stating, "*a girl has been murdered*". Her naked body, most of the blood drained, had been placed in the back lane about two car lengths from Arnold's residence. It also appeared that her body had been washed after severe sexual assaults.

As Calgary police continued their presentation on the murder they confided that they could not explain a pattern of lacerations on her body. For years they had been puzzled by the marks - in seconds I had the answer.

Oddly enough I recalled an incident that occurred when I was playing with my sons in our house.

We used to tape flashlights onto our toy guns and turn all the lights off and simulate a war game. They would hide in the basement and I would carefully try to find them. They would also set up booby-traps so they could hear when I was coming.

One such trap was a plastic floor runner that they had placed upside down at the bottom of the stairs leading to the basement. I had my flashlight off so they wouldn't see me coming. I failed to see the runner, stepped on it in bare feet and let out a yelp. Plastic

floor runners have spikes to stop them from moving on carpets. Needless to say I was shot in my tracks.

I realized that Lapierre's body was in all likelihood carried from Arnold's house to the back lane wrapped in a similar runner. If her body was laid out straight there would be no pattern. If however she was placed in a curled position simulating how she was carried a distinct pattern emerged. In an effort to get rid of any evidence he placed her in the shower and drained her blood to make her lighter. There was also a bite mark on her body.

Arnold was interviewed by police in 1987 but somehow deemed not connected to the murder because police had a strong suspect who lived nearby. He had recently become involved with a woman who had an 8-year-old daughter. He told her to tell police that she was with him all weekend. Arnold would now become the young child's babysitter and subjected her to one sexual assault after another threatening to kill her and her mother if she told. It was his form of discipline. She was raped well over a 100 times.

Arnold would years later brag to acquaintances about a mother and daughter "team" he has doing in Calgary. Of course he failed to mention the daughter was 8. The one thing he did give to both of them was a yeast infection.

The girlfriend was later re-interviewed on Oct. 6 and Dec. 8, 1997. She reported that at noon on the day of Lapierre's murder she and her daughter moved their belongings into Arnold's residence at 139-21 Avenue NE, Calgary.

After she moved in he asked her to provide him with an alibi for the weekend of June 21 and 22. He told her to tell police that she was with him on that weekend and appeared paranoid.

She described Arnold as having a "real hatred for young girls" and an explosive violent temper. She recalled watching the news on television with him when the story on the Lapierre murder came on he stated, "*The bitch deserved what she got.*" She also recalled finding a pair of blood-stained blue jeans in a cupboard under the sink in their house during the summer of 1987. Arnold instructed her to throw them out, which she did. They were in all likelihood Denise's pants.

We then watched a video interview of Arnold by Calgary investigators who questioned him on the Lapierre murder and the sexual assault of the young child. They interviewed him while he was awaiting trial for the murder of Christine Browne. Once again they had no idea that he was Barb's killer because no one had reviewed the file.

Arnold was interviewed three times by Calgary Police Detectives Sgts. Colby and Hobbs. He presented himself again as someone who would not confess to any crime but would possibly bargain on sentences. He stated that he could not have had anal and vaginal sex with the young girl because, "*Well I'm rather well endowed.*" Investigators at this time did not have a comprehensive background on Arnold and

failed to challenge him on this point. In fact while trying to expose Arnold as violent, he turned the interview around and made one investigator actually admit to spanking his own kids.

On Dec. 6 he was charged with gross indecency, sexual assault and buggery for his abuse of the young child. The charges were later stayed by the Crown.

On Feb. 23, 1998 Arnold contacted Doody wanting to discuss a plea bargain. He offered to plead guilty to the murder of Christine Brown as Manslaughter and serve 5 years and in addition plead guilty to the sexual assault of the young child and serve 8 years for a total of 13 years in custody. He also indicated that if he is going to be charged with 1st degree murder by Calgary Police and he is going to do life anyhow it doesn't matter.

Arnold entered the guilty plea but withdrew it after learning that they were going to have him designated a "dangerous offender".

Calgary investigators told us that they would love to get a search warrant for Arnold's mother's residence in Calgary because they believed he had his belongings stored there. Colby also said that the bite mark on Lapierre's body had been compared to Arnold's bite and an expert had reported that they were the same. Unfortunately the expert could not testify they were 100 per cent the same in court. A one-to-one comparison with another bite mark might assist in their endeavours.

I remembered that I had seen a picture of Eileen's uncle Peter Comley after Arnold had bitten him in the face. There was no ruler for measurement but there was lined wood panelling in the background. If I could go to his residence and located the panelling I would have a frame of reference for measuring the bite.

We continued to review other rapes and offences Arnold had done over the years. In 1988 he raped a girl named Doreena Greene in Chilliwack, B.C. After the attack he threatened her, "*you're not coming down from this hill*". She pleaded for her life and he agreed to let her live if they have sex again. He raped her again and then contemplated killing her. He then offered her \$50 and gave her his knife stating, "*this will protect you from assholes like me.*"

Arnold told her that if she was going to go to the police to let him know first so he could run away. When he decided not to kill her he walked her back to his car and saw a male witness nearby. He took her hand pretending to be on a date and would soon use this gesture to his advantage when she reported the crime. Arnold explained that the sex was consensual and he was not charged. He was proud to always be one step ahead of police.

There are several other rapes and dozens of other criminal offences that Arnold was involved in since 1981. They are simply too many to mention and most I could do nothing about.

One more person that you should know about is 19 year old Roberta Ferguson. She was a young Indigenous woman who was on a camping trip in Cultus Lake B.C. She decided to end her trip early and return home. Ferguson was last seen hitchhiking on the highway on Aug. 24, 1988.

Arnold was living in a nearby campground. He had access to a vehicle that looked similar to one witnesses's reported she accepted a ride in. A composite drawing of the driver was made and looked similar to Arnold. Her body has never been found.

Of all the murder cases before me this was the one with the least firm connection to Arnold. I still maintain that he should be considered a strong suspect especially when you consider his glib comment, *"how can they charge me with her murder...she's missing."*

Arnold was under surveillance but a free man while a Mr. Big operation was being conducted. He soon moved in with a family in the Maritimes and purchased a VHS recorder. When he was arrested RCMP seized a tape that was in the recorder and Doody played it for us in Kelowna after Calgary gave their presentation. In many ways the video gets you into Arnold's mind and lets you see how he views his surroundings .

The video starts with several family members getting ready to go out on the town to party and Arnold is holding the camera and recording. A young girl is also present and appears to be 6 or 7 years old. The mood in the house is jovial and one woman states enthusiastically, *"were going out tonight and Terry's babysitting so you better watch out."* I couldn't believe what I was seeing.

The video showed what was behind the eyes of a rapist and murderer. He clearly studied everything full-time, things that most of us would take for granted. I could almost imagine him in the Ideal Donut Shop noticing the "closed" sign and the lock.

The scene would then change with Arnold masturbating in his hotel room. I would assume he had thought he taped over it. Everyone now had seen enough and wanted the video turned off. I had to see the rest as they continued to share information and strategy. The VHS tape suddenly went fuzzy so I pressed fast forward for several minutes.

The others laughed and called me a pervert looking for more of Arnold playing with himself. The laughter stopped the second I found more footage.

There was no longer any sound on the tape and unfortunately no other adults in the house with the exception of Arnold. He was not alone. The young girl was in her nightie and clearly being spoken to by Arnold who was holding the camera. What happened next was a disturbing form of grooming that to this day repulses me.

A submissive cat is on the floor with a dominant cat raping it - I have no other words for it. The cat on top is holding down the other cat and has a firm hold on the back of its

neck with his teeth. The cat on the bottom suddenly breaks free but is captured by the young girl and held down for the other cat to mount and hump it again. She does this at the direction of Arnold. The rape continues and he pans in on the cat's face on the bottom. He then pans out and pans into the face of the young girl.

Following instructions the girl gets off her knees and sits on the floor spreading her legs. The camera now pans on the cat being raped and then into the crotch area of the young girl - then the camera is turned off. There was no more footage on the VHS but I can imagine what happened next.

Doody sadly said that he had never seen the footage before and they had no idea it existed. I wasn't even supposed to go to the conference to save money but I guess sending me was worth it.

I found that there was an interesting analogy between Arnold and a cat. In many ways cats are selfish, independent, prowl at night, have sex when they want to, move from place to place, eat when they are hungry and sleep when they are tired. They can also strike out in a blitz like manner much they way Arnold had done on several occasions.

We also had information that he was very cruel to animals. For entertainment he would stick a pencil into the rectum of a cat because he thought it was funny the way they looked as they walked around.

“We can judge the heart of a man
by his treatment of animals”

(Emmanuel Kant)

Doody also told us about the tattoos on Arnold's fingers. On one hand his fingers were tattooed with the letters L T F and C. On the other were E S U and K. Arnold didn't need a pick up line in a bar. All he had to do was sit across from a girl put his hands together and his fingers would cross making the words “LETS FUCK”.

I was very impressed with the passion Doody possessed in apprehending Arnold and his knowledge of police work. This was not his only talent. We learned that he had his own Celtic band called Okanagan and they were playing at a nearby wine and beer bar that night. He invited us to come and we agreed but I had one condition. He had to promise to play duelling banjos.

We went to the bar and were entertained by some spirited and talented musicians. True to his word they belted out duelling banjos with energy next to none. If only for a few hours we put aside all thoughts about the case we were so committed to.

After a night of fine wine and music Doody approached me once more in the parking lot as they were packing up. The east coast smile was replaced with a serious look you just couldn't ignore. He then spoke these words,

“Get Terry, Miko. If you don't, no one will.”

He was worried that Arnold might win his appeal due to some disclosure issues. He had good cause to be worried and those words he spoke would ring in my ears for years to come - the burden was on me.

We flew back to Winnipeg and tried to shed some of what we had just learned. I was still tormented by the realization that none of what I had just heard over the past few days needed to have occurred at all.

Jackie

We needed to focus on the case and get back to the basics of a proper investigation. I tracked down Arnold's "girlfriend" Jackie Guerigal who was now living in Manchester England. As you may remember she told original investigators that Arnold was in the Salisbury House on Camden Street and Portage Avenue when she arrived for work after 10 p.m. on Dec. 23, 1981. I was in for quite a series of revelations.

One thing I was getting good at was winning over witnesses and victims alike in the quest for justice. Jackie was no different.

I called her on Dec. 21 from our office.

I asked her if she recalled knowing a male by the name of Terry Arnold. There was silence. After a brief pause she recalled that he was into burglaries and had a sister and some brothers and even stole her baby's milk from her fridge.

“At the time were you boyfriend and girlfriend?” I asked. “No, No,” she laughed. “I was happily married then. He looked like he needed someone to talk to, I felt sorry for him.” Then I asked, “Did Terry ever wear a cowboy hat?” She replied, “I only saw him wear it once. It was the night he told me that if anyone asked he was in the restaurant that night.”

When I ask her to elaborate she said that on this night Arnold arrived at the restaurant between two and three in the morning. He was very nervous and twitchy and she asked him why he wanted her to lie for him. He explained, “*A girl's got me into trouble... if anybody asks I was in here all night right, right, right.*” She agreed and admitted to lying to police saying he was there around 10:30 P.M. on Dec. 23 at the start of her shift.

She also remembered that on this night he was not wearing what he normally wore. He was almost disguised. He was wearing a cowboy hat, a waistcoat, two pairs of gloves, and a leather jacket.

He didn't want to go home. He pleaded to go with her and asked if he could store some stuff in her apartment. She found this very odd and said no but a few days later agreed to store a tote bag at her place. She recalled the contents as being:

- * A dark tracksuit with zipper upfront and woollen hood
- * Something heavy at the bottom
- * She could not recall the colour of the tote-bag
- * Something twisted like a cord at the bottom
- * Something square at either end of the bag.

She also remembered that a few days after the murder three customers were in the Salisbury House talking about it. Arnold was near them, got up and moved away to another area. She asked him why he had moved and he said it was because of the conversation. He was again very nervous and twitchy and didn't want to talk about it. She assumed he may have known the victim and it bothered him.

Later Arnold actually talked about the murder, "*She was probably a tease and deserved it.*" She also remembered him saying that the police were trying to frame him for the murder and that's why she had to lie for him.

A few months later I arranged to have Jackie flown to Winnipeg for a formal taped interview. Her recollection of Arnold and the events around the time of the murder were quite consistent with the full interview we had completed earlier with one exception.

Arnold had a large number of rubber bands in his pockets that he would play with. On one occasion he had twine of some sort as well. I showed her a photograph of the twine used in the murder and she said it was similar but could not say it was the same. I also showed her the composite drawing of the suspect - it was similar to Arnold.

So right from the onset Arnold had lied about his "girlfriend," lied about being a truck driver, lied about having a job, lied about being at the Salisbury House and persuaded Jackie to lie for him as well.

Over the next few weeks Legge and I turned our attention to re-interviewing all the original witnesses that saw the killer with Barb in the donut shop. As I mentioned earlier one by one the credibility of their identification for court purposes was damaged beyond repair.

Our focus was again about to change. After much delay, arrangements to reinterview Sophonow were nearly finished.

Chapter 9

THE REINTERVIEW OF THOMAS SOPHONOW

After several weeks of delay it was decided that Police Chief Jack Ewatski and Rob Finlayson from the Crown's office would meet with Sophonow's lawyers, Paul Bennett and Joanne McLean in Toronto on Dec. 18, 1999. A few days later Vogen met with Legge and I and provided a summary of the meeting.

Sophonow and Bennett agreed to have him give a DNA sample, and be interviewed. In return they requested the following:

1. Ewatski, Vogen, Legge and I would attend to Vancouver for the interview
2. Ewatski had to apologize to Sophonow in private before the interview and tell him there is another suspect
3. They requested a public apology, compensation and inquiry
4. The interview was not to be done in a police facility, and Sophonow's lawyers must be present
5. We would pay their way to B.C.
6. They request a copy of all transcripts and all alibi evidence prior to the interview
7. We were not to interview anyone linked to Sophonow prior to his interview
8. Legge was not allowed to be in the interview room.

Bennett voiced his concerns that the phone call from Legge to Sophonow was inappropriate. He believed that he should never have been spoken to without counsel. Furthermore, he did not like the tone of concerns Legge may have raised during our earlier conference call. His punishment would be to sit outside the interview room and monitor the recording. I can attest to the amount of passion Legge possessed in learning the truth about this case and to this date I find his exclusion from this interview unwarranted.

On Jan. 6, at 8 p.m. I managed to track down another person who was important to interview and who again did not trust the police. His name was Robert. His fingerprint was found inside the Ideal Donut Shop. It was a single print of the right index finger located on the donut shop's door near the locking mechanism. He was not a viable suspect but needed to be interviewed and we needed his DNA and palm prints for comparison.

He was now living in Vancouver and I persuaded his parents to have him call me. He indicated that he knew the area but had no idea why his prints would be there. He was very reluctant to give his DNA or prints and said he would seek advice from his parents.

I knew I needed to convince his father about my integrity and the fact that his son was not a suspect. I did my best over the next few weeks to arrange for him to meet with me in Vancouver when we scheduled Sophonow's interview.

On Jan. 27, 2000, we arrived at Vancouver Airport and went directly to the Sheraton Wall Hotel. Waiting for me was a note at the front desk. It was from Robert - he would be unavailable to attend as arranged but would come the next day. He was proving to be just as difficult to interview as Sophonow. I could understand his reluctance. Imagine being told your prints were at a murder scene and all you have to do is trust the police.

As soon as we arrived at the hotel Vogen, Legge and I went to our separate rooms. Moments later we emerged like kids on vacation heading out on the streets of Vancouver. What a novelty, walking around without a jacket at the end of January. The environment was euphoric.

Our feelings of excitement to finally meet the person wrongfully accused and setting in motion a formal path for justice were tempered by unfortunate circumstances. Legge's banishment from the room just didn't sit well.

Vogen and I were to conduct the interview reading from prearranged questions. On the date of the interview Legge would be demeaned once again but there would be consequences.

At 4:30 p.m. Jan. 28, Robert finally arrived at my room (2908). I reviewed the case with him informally and confided that he was not a suspect. On video he stated that he could not shed any light on how his print got inside the store but admitted to drinking under age at the nearby Norwood Hotel. He was 16 years old at the time and looked nothing like the composite. My patience paid off as he consented to both a blood sample and palm print (The palm print was later determined not a match to the palm print on the crash bar). In appreciation, I called his mother in Winnipeg and let her know all was well and thanked her for their cooperation. I then handed the phone to her son.

After speaking with his mother Robert looked at me shyly and asked if I could lend him \$2.50 for a bus ride home. I gladly complied. This wouldn't be the last time I had to give something up for the case.

After preparing for our interview we went out for supper at Joe Fortes and ate probably the best salmon I have ever had. It was cooked on a cedar plank and melted like hot butter in your mouth. Heading back to our hotel rooms I recall shutting my door and not knowing what to do. It was pretty quiet not being with my family after a day's work. Life on the road was not as glamorous as I thought.

The next morning Crown Rick Saull, Vogen, Legge, Ewatski and I met for breakfast in our hotel and discussed what was about to happen.

Our interview was scheduled to commence at 10 a.m. in the fourth floor conference room. As prearranged, Ewatski briefly met with Sophonow in a boardroom. They sat at a very large table several seats apart reminiscent of the dinner scene from the Citizen Kane movie.

After a short apology the two entered our conference room. The first thing that struck me was Sophonow's height. I imagined a cowboy hat on him and wondered how he would be able to walk under a normal doorway without bending over. He was 6-feet 4-inches tall.

Prior to commencing the interview and before even sitting down Sophonow's lawyer Bennett commented, *"Detective Legge, Tom would like a cup of coffee. How about you run and get us some."*

He could not have made a more demeaning comment. It seemed like old-fashioned contempt for the police by a defense lawyer - the same kind of contempt I was told to have for them when I was in the Police academy.

We could see that Legge was seething inside and Vogen quickly interjected and left to pick up the order. Of all the people in that room who do you think would make Bennett pay for what he had just said? Who would later stand up for Legge - well, that would be Sophonow.

Vogen sat to my right, Sophonow was across the table from me with his lawyer, and Saull was next to Vogen. Legge watched the interview from a monitor room we had set up.

It was easy enough starting the interview since the questions were already written down. This was not the way I was taught to conduct an interview. Most of the questions were clarifying in nature since we had a good grasp on the events of the case already.

For Sophonow this was a moment he had yearned for. He was telling his story once again but this time to police that were on his side.

Through the course of the interview that lasted over four hours we reviewed his alibi and the conditions during his initial police contact. It became evident that his initial interview with Detective Barnard was anything but verbatim and although he signed the statement he didn't read it.

Sophonow became emotional during several segments of the interview but none so much as when he described Sgts. Paulishyn and Wawryk's interrogation. If ever I have been able to read somebody this was it. There was no deceit in what this man was telling us, just a feeling of torture from what he felt he endured.

He mentioned one of them motioning in front of his face and I asked him to elaborate. Tears filled his eyes as he sprung to his feet and reached over the table and stuck his

right hand in front of my face moving it in a twisting motion over and over, *"Like this!"* He shouted. Sophonow was overcome with emotion and I asked if we should take a break. Bennett said no. It was intimidating enough for me to have Sophonow spring to his feet and gesture like that, I can only imagine how he felt having it done to him with a policeman allegedly yelling, *"You did it"* over and over.

I placed an aerial map of Winnipeg on the table and asked Sophonow why he said he was in the Ideal Donut Shop. This met with another emotional response. He looked at the area of the donut shop and shouted, "I said I was there and there and there and there" pointing to locations all over the map.

As I wrote earlier it would've meant a lot to me to have my father alive when I was promoted. Sophonow said in a quivering voice how much it would've meant for him to have his mother alive when he was proven innocent. His father had already died while he was in jail.

Near the end of the interview Sophonow looked towards me and asked me to apologize to the Stoppel family for a comment he made during his first interview with Winnipeg police. *"I went driving around and I stopped for a coffee where that chick got killed there. I should never have said that, I should never have said, 'that chick.'"* I told him that I understood and I would be phoning the family after our interview to let them know.

At the conclusion of the interview Sophonow seemed to have shed a large weight off his shoulders and appeared calm. In my usual candid manner I made a DNA request from him and he of course complied. As the others chatted together I took him aside and we spoke in private.

We both began laughing quietly as I took his blood sample when he commented, *"You're shaking."* I replied, *"Well it's not everyday I get to help exonerate an innocent man."* Sophonow's blood sample was later tested and found to have an interesting connection to a key figure in this case. It was another aspect that made this whole investigation hard to believe.

I also spoke with him about fellow police officers that I had known that were falsely accused and how they were finally vindicated but not before years of stress. I again assured him I would call Rick and convey his apology.

It was a pleasure shaking Sophonow's hand and assuring him that I would do everything I could to catch the killer - but I couldn't bare to tell him how easy it was to find out.

My impression of Sophonow after being with him for several hours? He was a good person that I would be honoured to share a meal and drink with even in my own home.

As I left him and walked to my hotel room I prepared for a sobering phone call to Rick.

I had already spent many hours and nights talking with him on the phone about the case. Like peeling an onion I took every layer of the investigation apart and put it back together with Arnold as the true killer. Gradually Rick's contempt for Sophonow was replaced with the urgent need for justice and total dismay on how the investigation could have gone so wrong.

I could not explain why it appeared that no one actually sat down and read the report. He had a right to know the truth and a right to know the name of the killer. In fact, little did he know the killer's name was written on a piece of paper in his mother's possessions and had been for all these years.

The last thing this family needed was deception from the police so I made sure they knew the truth. They would not be kept in the dark like that family in St. Norbert.

I passed on Sophonow's apology and let him know that he would soon be formally and publicly exonerated. He quietly accepted the news and wondered to himself where all this would lead.

To celebrate Ewatski treated us to a diner at the Keg restaurant a few blocks away. Vogen, Legge, Saull and I made good on the gesture by consuming shrimp cocktails, steaks, a smorgasbord of drinks - all of course washed down with some fine Merlot.

While everyone was enjoying the night I caught a comment from Ewatski that gave me some concern. He mentioned that now that Sophonow would be exonerated it was no longer a review. It was now a murder investigation and homicide officers would be required.

I wasn't impressed with the comment but I still had a job to do even while having supper. On three occasions during our meal I tried to convince Ewatski that the Stoppel family needed to be informed about the developments in the case. He had apologized to Sophonow, so it seemed only fair to apologize to the Stoppel family.

After supper Ewatski went back to his hotel and the rest of us found a blues bar nearby. It was the end of January and it was beautiful outside. No need for gloves or a hat but I was wearing my black police boots. Yes, I was too cheap to buy my own.

Everyone was pretty exited as we headed into the bar and continued a night of celebrating. I still recall my own feelings that night, not really of merriment but almost numbness, contemplating what had occurred and what still needed to be done. I was asked repeatedly by a trio of gorgeous women to dance but declined each time. Hey I was married, wearing police boots and these three lovelies certainly appeared to enjoy their own company on the dance floor, turning every song into a mild porn show.

After a few drinks I exited the bar and called Burchill. We had a good talk about the case and I teased him once again that I would be bringing him back a gift. Every time I

went on a trip for the case, twelve in total, I would bring him back a hair net, shampoo and soap from my hotel room.

Sitting on a cement ledge in beautiful downtown Vancouver talking with Burchill after working so hard to prove a man's innocence, the night felt complete. I was soon joined by Legge and Vogen and we stumbled back to our hotel several blocks away. It was here that I told them about the Ewatski's comments regarding homicide detectives being brought in. We would just have to wait to learn what input we would be allowed to offer in the case.

When morning arose Legge and I were the only ones remaining in Vancouver. The others were on their way back to Winnipeg. Both of us were nursing the effects of the night before but we managed to drive to Horseshoe Bay. I recall sitting in a nearby restaurant before we left having some bacon, eggs and of course, coffee, as the waitress laughed at our condition. It had been a long night.

The ferry left in the late morning for Langdale and we two Winnipeg boys stood in awe at the mountains and ocean before us. Never having taken a ferry before we would have been well-advised not to stand outside right under the horn. That sound was so deafening. It had the effect of smelling salts and quickly woke us up.

We had arranged to interview Beth Pederson, who was Sophonow's girlfriend at the time of the murder. There had been suggestions made that Sophonow was incensed at not being allowed to see his daughter which sent him into a rage resulting in Barb's death. As ridiculous as it sounded we decided not to cut any corners.

Pederson recalled that Sophonow was not happy that he could not see his daughter in Winnipeg but was far more depressed than enraged. In fact she remembered him taking a toy dog out of his bag and doing a ventriloquist act. She described him as being a gentle man and at no time saw him lose his temper or become violent.

One point that did stick out in her mind was when the police executed a search warrant at his house. After the search she noticed that some of her panties were missing. When she addressed this with one Winnipeg officer she was told, "*I guess we're just kinky.*" She was never formally interviewed.

The next day Legge and I attended to Mission Correctional Institute where Arnold was imprisoned. We met with Preventive Security Officer Duncan Palmer and updated him on our investigation. We then met with staff at the Matsqui Institute and were given a good background on Arnold. He actually wanted to take a cognitive skills program which in my opinion only makes sex offenders better sex offenders.

We then drove to the home of Dr. Robert Hare. We would have got there earlier but Legge and I were not good navigators. We actually had to phone him a few miles away and have him guide us in. Dr. Hare is known as North America's leading expert on

psychopathy and the author of the book *Without Conscience*. He also lectures at the FBI College in Quantico, Virginia.

We arrived at his doorstep at 3:50 p.m. He was a caring middle aged man with a keen insight. He had every right to be arrogant with the knowledge he possessed but was a humble and down to earth person. The first order of business was making us a coffee with this monster of a contraption. He apologized that he hadn't used it in a while and then proceeded to serve us an incredible latte.

Just like a boxer will scout his next opponent we needed to know everything about the type of person Arnold was. We had most of the information on what he had done, now we needed to get into his psyche.

Legge came right out and asked him, "*what's the best way would be to interrogate a psychopath.*" This prompted Dr. Hare to state, "*you're the cops, that's your job.*" He was an expert in identifying them not interviewing them.

During the next two hours he gave us a great background on psychopathy.

Psychopaths are emotionally deficient; they don't understand their own emotion and can't explain how they feel. Emotions are like a poor second language for a psychopath. In essence, when they are asked to mentally process feelings those parts of the brain just don't light up. Frustration is an emotion that Arnold does have and anger is goal-directed.

Psychopaths will keep trying and will not give up. They will use technical jargon with people who know the jargon even though they will get caught.

Hare suggested we should challenge him to explain things. He will try to take control of the interview - we need to be in charge - play hardball. You have to tailor the investigation to the psychopath.

He also relayed that psychopaths are not treatable. In fact treatment makes them worse. With all this in mind we left and headed back to our hotel.

Air Canada VIP Lounge

Legge and I had one more appointment to make before catching our plane back to Winnipeg. Saull had given us two passes to the Air Canada Lounge that he thought we would enjoy. We took him up on his offer and arrived in the lounge several hours before our flight departure.

When we walked in we thought we were in heaven. There was a fully stocked self serve bar complete with beer on tap and a generous smorgasbord of sandwiches. We stood in awe turning to one another smiling and then pouring our first cold beer. It was an enormous lounge and there were only one or two people other than us enjoying it.

A rather overweight businessman was sitting off in the corner. He was on his cellphone scoffing down a sandwich and guzzling a healthy tall glass of rye. He appeared very busy taking only a pause to have another sip of his drink and bite of his sandwich. I thought to myself that he was a health disaster waiting to happen. Thinking back I should have looked in the mirror.

The beer was soon washed down with several fine selections of rum and perhaps a rye or two. By the time we boarded the plane we were capable of flying ourselves. To toast a job well done Legge bought me a brandy on the flight and the next thing I knew, I was in Winnipeg. I will pay Legge back...as soon as I get the \$2.50 bus fare back from Robert.

We arrived back in Winnipeg and into the care of our respective wives who were shaking their heads as they met us at the airport. It was now time to be family guys if only for a few days.

Bennett's office Toronto

Our team was now joined by two Winnipeg Homicide Detectives Murray Allan and Paul Brown. Both of them were more than competent and each had a strong desire to keep Arnold behind bars. One of the roles for Legge and I was to update and educate them on the investigation so they could best interview Arnold. Consts. Jeff Conway and Bruce Huynen were also assigned to assist in following up historic "tips." We would soon refer to them as "mindless tips".

On Feb. 14, Murray Allan and I flew to Toronto to again meet with Paul Bennett. We required photocopies of all pertinent information concerning Sophonow's alibis and his correspondence with his lawyers from all three trials. There were nine large boxes of documents that we sifted through over the next two days. To demonstrate the level of cooperation offered by Sophonow, I should note that five of the nine boxes were sent to Bennett's office by Sophonow himself. Much of the information confirmed the timing of

his alibi. Methodically we went through each box until suddenly stopping. We looked at each other and couldn't believe what we found.

We came across the names of two witnesses, Hazel Barton and her friend Claudette Fontaine. They saw Arnold in the Ideal Donut Shop on the day of the murder bothering a waitress. 'You have to be kidding,' I thought. 'His name was popping up again?'

They knew it was Arnold because Barton lived in the same apartment on Cromwell. We now had a signed statement that Arnold was in the donut shop on the day of the murder between 3:00 - 3:30 p.m. wearing a cowboy hat, glasses, cowboy boots and a short jacket. Arnold offered to serve the two but the waitress said no. The statement was dated Feb. 12, 1985. Unfortunately both were now dead.

This lead was followed up by Sophonow's lawyer Greg Brodsky on Feb. 14, 1985. He interviewed Barton but her memory had faded. He had no idea that Arnold's name was all over the original police report because that information was not shared. Brodsky did pass the information on to police but it is unknown what was done with it.

More intriguing we learned that Barton was subpoenaed to testify for the defense at Sophonow's third trial in 1985. She sat waiting in the hallway of the court house and for some reason was never called to the stand. This revelation would soon give a possible explanation for an alarming discovery in the Crown's file of the case.

We also found confirmation that Arnold was in the Winnipeg Remand Centre at the same time as Sophonow. He wanted to give police a statement that Sophonow told him he was the killer. In return Arnold would get an early release. He claimed that when he asked Sophonow if he did the murder he responded, "*of course I did it and if you don't get off my back you're going to get it too.*"

Can you imagine the tragic irony if police actually used this for court? The real killer implicating an innocent man.

On the second day reviewing the material, Bennett candidly asked me to speak with Sophonow's common-law wife Rebecca on the speakerphone. He wanted me to tell her that he was being cooperative and that Sophonow was not a suspect anymore. It seemed like an odd request but I agreed. Like everything in this story there had to be a twist - I would learn it 17 years later.

When we finished reviewing the material, Bennett took both Allen and I out for lunch. He was very cooperative and supportive of our thorough efforts. He also showed a keen interest in a T-shirt I was wearing. It had the Hells Angels logo with the marijuana leaf and the skull but the wording on the back was "DRUG SECTION" on the top rocker and "MANITOBA" on the bottom. The front had "WE MAKE HOUSE CALLS". This was a T-shirt many of us bought when we were in vice. His admiration for my T-shirt would later cost me.

After flying back to Winnipeg, I arranged for a meeting between Ewatski and the Stoppel family. It was just after 3 p.m. March 2, when we arrived at Rick's house on Eastmount Drive. Muriel was there and so was Rick's wife Bess.

Ewatski briefed them on the circumstances surrounding our review and let them know that Sophonow was not responsible for her murder. He seemed awkward letting out what limited information he thought he could give. Unknown to him I had already explained everything to Rick months earlier and he was playing his part to perfection.

The meeting was supposed to develop some trust between Ewatski and the Stoppel family and lasted over an hour. Whatever gains may have been made this date would soon be erased.

On March 6, 2000, our investigative team met with McCaskill to discuss the possibility of obtaining a search warrant for the residents of Arnold's mother Donna Bouchert in Calgary. Burchill and I were selected to gather information for the warrant.

McCaskill took me aside after and congratulated me on the meeting with the family and stated, "I hear you had them eating out of our hands." Although the comment was made innocently enough, the words made me realize just how political the case was becoming.

A few days later I received the results from RCMP crime lab with the following conclusions:

"Exhibit 16-6 (stain on Stoppel's pants) is of mixed origin. The major component matches the profile obtained from the known sample, exhibit 24 (Stoppel). The estimated probability of selecting an unrelated individual at random from the Canadian Caucasian population with the matching profile is 1 in 18 trillion.

The very minor component of this mixture is an unidentified male source. The donors of known samples, exhibits V1 (Robert) and V2 (Sophonow), are NOT the source of the male DNA from exhibit 16-6."

Keep in mind this is the only real DNA we have from the crime scene and it does not have to belong to the killer. It could have come from hospital staff, ambulance attendance etc, and as I was soon to find out, they weren't even Barb's pants.

The results of the mitochondrial DNA from Muriel and Barb Stoppel had also come in. It was a match for a person quite prominent in the case - Tom Sophonow. That's right they are genetically related. How close they are related is another matter.

Mitochondrial DNA is genetic material found in mitochondria. It is passed down from mothers to both sons and daughters, but sons cannot pass along their mother's mitochondrial DNA to their children. You inherit it exclusively from your mother who inherited it from her mother and so on.

Keep in mind mitochondrial DNA mutates very slowly. This means that your mitochondrial DNA is nearly identical to your straight line maternal ancestor who lived thousands of years ago and it is identical to thousands of people living today. There is no way to determine whether this common maternal ancestor lived recently or thousands of years ago.

Putting this new revelation aside Burchill and I got back to work on the warrant.

Chapter 10

THE PURSUIT CONTINUES**CALGARY WARRANT**

Just a week before the Ides of March, Burchill and I went to the law courts building at 408 York Ave. in Winnipeg and presented Judge Kopstein with the completed warrant. The contents of the warrant detailed why we believed Arnold was guilty of murder. It must have been compelling: Kopstein only needed an hour to review and sign it. We now had authority to enter and search Donna Borchert's (Terry's mother) trailer in Calgary.

We believed that Arnold may have some written material that might link him to some of the crimes we were investigating. The warrant allowed us to seize anything we deemed important in building a case against him.

The day before we executed the warrant Detectives Brown and Allan went to Mission Correctional Institute to see Arnold. The interview was to be recorded and informal.

True to form, Arnold would admit to nothing and talked in circles. I found it interesting though that he lied about everything. He denied liking coffee, having a cowboy hat, making any tips on the case, and even denied knowing Barb. He claimed he might have gone to the Ideal Donut Shop but never at night and for some reason initially denied ever working at the Red River Exhibition.

When Brown and Allan forced the issue and proved that he did work at the RR-exhibition in the summer of 1981 he stated, "I didn't work the game booth or anything." Interesting - they hadn't told him that Barb worked a games booth.

On March 10, I arrived in Calgary and Det. Lance Colby, crime analyst Judy Wiltse and Winnipeg officers Brown, Allan and Legge met me at the airport. We reviewed the recent interview and developed a 'soft entry' strategy for searching the trailer. 'Soft entry' means just that. It's not as much fun as the dynamic entries that I had done in the past.

Legge and I drove to the trailer park just before noon the next day. The trailer was run down and looked like it could have been in a low-budget horror movie. We walked to the front and I knocked on the dented door. It soon opened and there stood the monster's birth mother - Donna Borchert.

She was a frail, elderly woman with grey matted hair. The one thing that struck me about her was her eyes. Behind her glasses those eyes were constantly dilating and constricting. Her voice was coarse, raspy and void of emotion as she asked what we wanted.

I told her that we were investigating her son for the murder of Barbara Stoppel and gave her copy of the warrant. I then explained that we would be going through Arnold's property and possibly making some seizures. "Terry has nothing here, it was all stolen in the Maritimes," she explained.

What a perfect way to make a first impression, I thought. As she said those words I just happened to be looking at dozens of large cardboard boxes in the porch. In bold black letters I could clearly see that most of them were labelled "Terry Arnold's property." Did Arnold's mother have the same allergy to the truth as he had?

I seized assorted items including a typewritten one-page article titled, "The Greeks" and signed by Terry Arnold April 7, 1993. Included in the article was the foreboding motto, "*If you can't fuck it, then kill it.*" That pretty much summed up the way he lived.

The seizures provided little in the way of incriminating evidence against Arnold for any of the murders we were investigating. However, they did provide me with valuable insight into his mind.

I really couldn't wait to get out of that trailer. As I walked out the front door I looked back at Borchert. I wondered what it would have been like in the same house as her growing up. She seemed to have no accountability for anything. She lied about Terry's property being stolen and was ambivalent when I caught her on it.

Crisscrossing across Canada, Sergeant Vogen and I interviewed Sophonow again in Vancouver on March 25, 2000, with Crown attorney Rick Saull and his lawyer Paul Bennett present. We had clarifying questions for Sophonow including any knowledge he may have regarding Arnold.

Prior to the starting the interview I had agreed to turn over my vice T-shirt and a framed copy of the reward poster to Bennett. I guess it was worth the lunch - and besides I still had one left.

I showed Sophonow several pictures of Arnold but he could not identify him. He adamantly stated that at no time did he confess to Arnold or anyone about this crime.

I saw a marked difference in Sophonow compared to when I first interviewed him. As he sat in the conference room during our first meeting I saw a good man with a tortured soul. During this interview a huge weight appeared to be lifted and on occasion he would give a gentle smile. At the end we shook hands and he encouraged me to "go after the real killer."

I have no way of comprehending what this innocent man had suffered during his trials and years of false imprisonment. I have known many fellow police officers who were wrongfully accused of crimes and dragged through the court process resulting in years of stress and torment for them and their families.

In university I wrote a paper on the meaning and consequences of prisonization. I concluded that the mentally frustrating environment in which an inmate lives, leaves him with a low self image, a sense of injustice, an alienation from the outside world and a feeling of helplessness.

The more an inmate becomes assimilated, the more he will be unfit to return to society. The prison environment has a horrifying, tragic effect on those inside its walls. The effects of prisonization on an innocent man is much more severe.

Years earlier, my father took an Indigenous man out of Stony Mountain Penitentiary for a day pass to Winnipeg. He was nearing the completion of his life sentence and would soon be released to a world he was not a part of for most of his life. He took him to the convention centre and was taken aback by what he saw.

The man stood in awe as he watched an escalator for the first time. A smile lit up his face as my father encouraged him to take the first step. The next half hour was spent going up and down. It demonstrated how prisoners are excluded from everyday life experiences that we all take for granted.

I had my own encounter with an inmate we were trying to reintegrate back into society in 1985. I took a few of them to Kenora where they were going to be eventually released into to a half way house. I thought it would be a good idea to take them for breakfast, something they hadn't done in public for many years.

I knew one of them was nervous about the trip and had been urinating blood the past few weeks. He was an Indigenous man in his early 50's who once again had spent most of his life behind bars.

The waitress approached us with her pen and paper and looked at him asking what he wanted in a kind voice. He looked up innocently and replied, "bacon and eggs." This prompted her to ask, "and how do you want your eggs?" He wasn't ready for this question that she probably asked customers every day. He pondered for a second or two and then replied, "cooked." It wasn't long before we all started laughing and I explained what she meant.

Isolation from everyday occurrences has its effects.

The people I was with had committed more than their share of crimes to warrant their imprisonment. Thomas Sophonow didn't deserve a day of it.

After returning to Winnipeg I met again with the Stoppels and showed Muriel a photo pack of 10 people including Arnold. She was unable to identify him.

The next day March 29, I received a phone call from Rick Stoppel. He told me that after our meeting he drove his mother home and they looked through her documents and a funeral log that I had requested. While going through a box containing cards and regrets from the time of her murder, Rick located a piece of lined paper with the following writing:

Terry Arnold
9-25 Cromwell St.
237-5473
Mrs. Donna Barbe-mother

After all these years she still had the killer's note in her possession. I sent the note together with known handwriting samples of Arnold for analysis. It was determined that the writing on the small note was not his. It appeared to be a female's writing, quite possibly it was written by one of the nurses at the hospital.

FBI

At the request of the Winnipeg police executive I contacted Agent Marie Dyson of the FBI in Quantico Virginia. I provided her with a general background of the case and she agreed that Arnold presented himself as a classic psychopath. The main reason for our contacting the FBI was to gain insight into interrogation techniques that would be successful on this type of offender. Dyson said that they did not have concrete steps for interrogating psychopaths since none are alike.

One of the key points raised by Dyson, and one that was shared by our investigative unit from the onset, was how would Arnold benefit from confessing to the murder.

He had initiated an appeal and had started a jailhouse romance with a woman named Darlene in Newmarket, Ontario. He had the hope that he would win the appeal and soon get married. These were important factors in his life and while they remained he had a vested interest in presenting himself as a victim and not as an offender.

Dyson recommended amassing an 'army' against Arnold and taking as much time as necessary to build the strongest case against him. He should be overwhelmed with his past criminal history. She also concurred with me that a good approach would be to present his guilt in our case as a given. Then, focus should be placed on the reason behind his offences using a technique of "diminished responsibility."

She also maintained that psychopaths are not all alike. Approaches used successfully in the past are not working today even on younger offenders who she stated, "just don't care."

I agreed to send her all the pertinent information including taped interviews and crime scene photos. She would then go through the file with other profilers and enter his information on their system since Arnold had spent time living in the U.S. She also agreed to come to Winnipeg for a meeting later in the summer.

The end of a Jailhouse Romance

In April, Legge and I flew to Toronto. The purposes of our trip was twofold:

1. To alert Arnold's girlfriend and expose him for what he was - a cold blooded psychopathic killer and not a wrongfully convicted man as he was suggesting
2. To obtain more background information on Arnold from his natural father Sam in St. Catherines.

We contacted Sam by phone and apprised him of our murder Investigation involving Terry. He was very cooperative, agreeing to meet with us and stating, "I won't hide anything, that bastard broke into my house twice." We agreed to meet the next day.

At 5:50 p.m. we went to Darlene's house. She was initially reluctant to meet with us but nonetheless agreed. We presented an in-depth analysis of Arnold's criminal background and the dangers he posed to children and women. After meeting for several hours she was convinced that Arnold was not only guilty but was also a danger to those around him. She was very cooperative and gave us several letters from him that would later prove enlightening.

The next day Legge and I managed to locate Sam Arnold at his home in St. Catherines. He was extremely co-operative and volunteered useful background information on his natural son.

Prior to leaving I asked Sam one final question. 'Terry told Calgary investigators that he was well-endowed, what can you tell me about the size of Terry's penis?' "It was a puny thing," he said, responding quickly. "Hell, if you didn't tie a string to it, you wouldn't know it was there."

Hey - there's always a method to my madness.

After yet another successful interview Legge and I managed to get lost once again driving around the area in search of Niagara Falls. Our perseverance paid off and we rewarded ourselves with a beer overlooking the attraction. We then headed back to Winnipeg and updated our team with our results. Arnold's hope for this romance was now over.

Former girlfriend Victoria Spakowski

On April 12, I contacted Arnold's former girlfriend Victoria Spakowski in Calgary Alberta. I told her that Arnold was in jail in Mission, B.C. for the murder of a young girl and about our interest in his background. She was very cooperative and reiterated much of what she had told me weeks earlier on the phone.

She remembered that Arnold did work at the Red River Exhibition and used to wear a cowboy hat at that time. He always wore a knife and proudly had it on his belt. He was very coy with it because he believed the police could not take it from him because it was under 6 inches - much like other things.

He liked country and rock music. His favourite food was Kraft Dinner with tomato sauce. He also loved red pistachios, sitting in Salisbury Houses and coffee shops and yes, he drank coffee.

Weeks later I would travel back to Calgary and obtain a formal written statement from her confirming everything she had provided over the phone. At the conclusion of our interview I asked her one more question:

"Terry told Calgary investigators that he is well endowed, what would you say about this?" "He had a peanut dick," she laughed.

It remained to be seen what value this information would have when I confronted Arnold with it.

Chapter 11

THE DAMAGE DONE

“The only thing necessary for the triumph of evil is for good men to do nothing.”
Edmund Burke

As I mentioned earlier, managing this investigation quickly became a juggling act. As we were trying to build a case against one man and exonerate another we had the ugly issue of trying to find our missing exhibits.

Arnold had a great advantage over us. We had systematically eliminated all of the eye witnesses from being able to identify anyone for the murder. As for forensics, I was about to get the most damaging revelation of the case so far.

As you recall on Nov. 24, 1999, Vogen, Legge and I met with retired Inspector Ken Biener who many referred to as the ‘Lead’ Investigator. He indicated that he kept “trophies” from the case that he felt he deserved but would not be of interest to us. He agreed to review his notes and forward anything that could be of use to our investigation.

I then discovered that we were missing the “Tips” log and several exhibits and learned that Biener had destroyed three boxes of items from the case.

Months went by and we had still not heard back from him. I spoke with Vogen and anyone else that would listen ad nauseam about the necessity of obtaining a search warrant for Biener's residence. The request to me seemed logical. We had missing exhibits, Biener had signed exhibits out and he told us that he kept ‘trophies’ - it was that simple.

To make matters more compelling I learned that on Feb. 18, 2000, Burchill received instructions from Vogen to pick up exhibits from the case at Biener's residence. Perplexed as to why Biener would have exhibits, Burchill went to his apartment and seized a slide box RCMP file number 81-1449. This exhibit was the seized samples of Sophonow's hair.

I again discussed the merits of obtaining a search warrant with Vogen. Oh yes, my usual compassionate demeanour was replaced with raw emotion. These were simple decisions to make - I can imagine how Copernicus felt when people laughed at his theory that the world was round.

The discussion occurred again on March 26, and this time it was decided to forward my concerns and recommendations to the Winnipeg police executive.

I felt betrayed in a sense. I had voiced my rationale for getting a warrant for Biener's apartment which constantly fell on deaf ears. Yet here was my supervisor telling Burchill to pick up exhibits from the murder at a retired officer's residence. It didn't make sense.

On April 10, 2000, I again met with Vogen and related the following concerns point by point:

1. An outside agency looking in would question why we would not get a search warrant for the residence of Biener
2. Why were the exhibits/documents destroyed within 24 hours after the day of the Supreme Court decision
3. I contacted Rick Stoppel on April 7 and updated him on the destroyed exhibits. He felt Biener would never destroy them but would more likely take them home
4. If Biener kept Sophonow's hair for over 14 years in his apartment, then there was the possibility our other exhibits existed. If we were going to have any chance of prosecuting Arnold we needed the exhibits.

The logic was foolproof.

My relentless requests to have a warrant for Biener's residence is well documented throughout the 400 pages of notes I made in our reinvestigation. In fact on March 26, 2000, I spoke directly with Chief Ewatski about the issue. "We can't do that, he's a retired inspector," he stated. This was witnessed by Crown attorney Rick Saull. On Sept. 5, 2001 I bumped into Saull in the Wordsworth cafeteria on Broadway and asked him if he remembered the comment, which he recited word for word.

I can't say what he meant by those words but he most definitely said them.

On April 17, 2000, I again brought my concerns up with McCaskill. He assured me that he would bring the matter up with the executive.

A few weeks later I learned that Legge and I would be allowed to interview Biener in an effort to learn the following:

1. Were all the exhibits destroyed
2. Why were the exhibits destroyed within 24 hours of the appeal decision
3. What was the purpose of keeping Sophonow's hair
4. Does Biener have any more exhibits.

Once again I strongly recommended that a search warrant be obtained and that Biener be interviewed under charge and caution. Vogen instructed me to request Biener's presence at our office without charter and that no warrant was to be obtained on the instructions of the executive.

I was nothing short of incensed. I had authored and executed dozens of warrants in the past and this was the first time I had ever been ordered not to obtain one when the grounds clearly existed. This was a murder case that had already taken shortcut after shortcut with devastating consequences. Had we learned nothing from the shortcomings of the initial investigation? Didn't we owe this to Barb and her family?

I felt the same as when I was young boy ordered by police to pick up that garbage on Academy Road. At the time I didn't feel I had any choice even though I knew it was wrong.

I phoned Biener at home and asked him for an interview to which he agreed. I also requested that he bring all notebooks pertaining to the case. I strongly inferred knowledge of other exhibits that may be in his possession apart from the hair turned over to Burchill. I knew he had them.

Biener was hesitant and claimed Burchill took all the exhibits he had and he didn't have any more. I again pleaded that if he did have any we needed them for our investigation to continue. He would later accuse me of tricking him over the phone. To that I am guilty - but what other choice did I have?

On May 10 Legge and I met with Biener at our office. He brought six black police notebooks and no exhibits. We reviewed the case with him and I emphasized that it was crucial for us to have any remaining exhibits so we could pursue charges against Arnold. I had to get him on our side. If we don't have the exhibits no one could be charged.

After some time he admitted that he destroyed the exhibits on those dates and he also took some home - finally we had a glimmer of hope.

He said that he was told to destroy the exhibits but he could not specify who in particular gave him the instruction. "You don't think I would have destroyed them in a fit," he asked.

More importantly he had kept other exhibits in his apartment since 1986.

Almost an hour and a half after starting our interview Biener retrieved a box from the trunk of his car. He told us that he kept the items out of curiosity and the possibility that he may entertain the notion of writing a book on the case. I asked if he recalled destroying her bra, underwear, socks, shoes and the Kleenex with mucus. "I must have," he said.

Some of the exhibits he turned over were as follows:

1. Large Christmas card from Sophonow to his daughter Kimberly
2. Barb's wallet and assorted identification
3. A brown leather belt that Barb was wearing when she was murdered
4. The warrant of committal for John Doerksen that we had been looking for and had no record of.

As each article came out of the box I grew more and more incensed. Holding back my emotions I calmly asked if Barb Stoppel's belt was ever tested - it had not been. I knew any chance of prosecution was crumbling away. This was it, we were done.

Biener strongly suggested that there was pressure from the NDP, the Crown, and police to get rid of the case possibly because of a lawsuit from Sophonow. He also recalled that around the time of the appeal in 1986 Inspector Ken Dowson told him they had the wrong guy. I suddenly remembered an incident that would give that theory some merit.

While reviewing the Crown's copies of the original police report months earlier, a disturbing observation was made. Every page of the report involving Arnold be it an interview, tips made on him, tips he made on others and any other mention of him had all been taken out of sequence and attached to the back of the report.

The Crowns we had assigned to assist us, Rick Saull and Dale Schille, had not done it. Did someone figure out who the real killer was?

Then it all started to make sense. If the defense had Hazel Barton on their witness list in 1985, then someone in the Crown's office would have reviewed the file for any mention of Arnold. After all, she saw him in the donut shop on the day of the murder, wearing a cowboy hat, cowboy boots bothering a waitress.

In all likelihood that was why every entry of his name was grouped together at the back. If this hypothesis is correct then one must assume that someone figured it out - and did nothing.

I had one more revelation that I wouldn't understand until August 2017. That handwritten note regarding Sophonow's 360 degrees of guilt in the Crown's file. I innocently learned who the author was - it was not a Crown. I am not a handwriting expert so I am unable to give the person's name with empirical certainty. That will be left for an outside agency to follow up.

Although my outside demeanour was cordial and calm I was in agony inside. I felt that not only should we have gotten a search warrant but I should have charged and cautioned Biener for theft and obstruct justice.

Although his actions were alarming, Biener was very cooperative and candidly honest. In fact after reviewing over 11,000 pages of transcripts from the Sophonow inquiry he stood out with integrity and took the blame for what he had done.

The storage and continuity of exhibits in the Winnipeg Police Service Stores Unit was not always as stringent as it is today. Years ago I was approached by a constable who worked in temporary stores. He knew I had two young boys at home and thought I might be interested in some comic books. He brought me into the stores unit and showed me a large hockey duffel bag full of pristine comics still wrapped in plastic. He didn't have an owner for them so he told me to take them home. I declined his offer.

While I was assigned to internal affairs a co-worker applauded me for taking a stand on the Stoppel case. My decision to step forward for all intent purposes cemented my career. He had a similar decision to make years earlier. He had proof and documentation that a high-ranking officer was taking seized guns from the storage unit and selling or giving them to friends instead of having them destroyed. He approached his supervisor with this information and was told if he came forward the high-ranking officer would be charged. The supervisor also warned that it would be the end of his own career. He decided to remain silent and was later promoted twice.

This was our stores unit where seizing officers could retrieve exhibits for destruction and simply take them home. It was never policy but the door was open for such actions. Lorne Mazur who was a civilian in charge of the unit told me candidly that if he testified in court about the continuity of exhibits in murder trails he could get most suspects off - not a comforting thought.

I cannot defend the actions of Biener but I did respect his honesty. After he left I contacted McCaskill and told him what had occurred. I'm sure his jaw hit the floor. This was truly the beginning of the end of the case.

Just after ten in the morning the next day a hastily called meeting was held at the Public Safety Building fifth floor boardroom. Present were Ewatski, Deputy Chief Thompson, Inspector Schumacher, McCaskill, Vogen and myself. Yes, you could have heard a pin drop.

For months I had begged, pleaded and fought for the merit of obtaining a search warrant. Now I was proven right and for the sake of the case I wish I had been wrong. And here I sat with all the Chief's horses and all the Chief's men clearly unable to put the case back together again.

I told them about the exhibits I had retrieved and the exhibits that were still outstanding missing or destroyed. It wasn't enough that they wouldn't allow me to get a search

warrant. Now they suggested that since there still were missing items I should get a search warrant for Biener's apartment. I couldn't believe what I was hearing. I originally had grounds but after Biener turned over exhibits and told me he had no more I believed him.

Thinking back I must admit that there is no doubt that I could have written a search warrant for his apartment and it would have been authorized by a magistrate. All I had to do was lie and say I still believed he had more.

Then they suggested that we contemplate charges of theft or other related offences against him. I told them that I was instructed not to charge and caution him at our interview and thus no charges could be laid. If I hadn't read his rights all his comments were inadmissible.

It was at this point that I looked around the room and had a flashback. It was that moment when "Toto" Dorothy's dog pulled the curtain from the booth of the great and powerful Oz. The smoke and mirrors were all an illusion of order. I guess Toto was the first K-9 sociologist.

In much the same way I saw the executive exposed. Two simple issues needed to have been addressed, a search warrant and a charge and caution and we couldn't even do that.

It should come as no surprise that the higher one gets in the police service much like any other organization, the less one has a grasp of the ground work. The T.V. series *Undercover Boss* can attest to this fact.

Yet the Chief was an honourable man...so were they all honourable men.

There was no malicious intent to harm the efforts of our investigation but I certainly didn't agree with these decisions. I wish I would have been allowed to do my job.

The errors that plagued the original investigation seemed to be repeated again. In essence we didn't start the fire but we kept it burning.

What we had here was a confession case. In fact both our Crowns, Saull and Schille agreed with me that we needed a confession so compelling that a judge would have to convict.

Even some of the remaining exhibits were far from useful.

Early into the case I took a blood sample from Muriel Stoppel as we had an interesting chat over tea. She candidly recalled that she still did not know whose pants Barb was wearing that day but they certainly they were not hers. Apparently Barb and her friends would constantly switch clothes. The sweater she wore was actually Louis Oddley's, and the coat was Carol Browning's, which she had borrowed since the summer.

When I relayed this information to the staff at the RCMP Crime Lab on Academy Road they were not pleased. Everyone had presumed it was Barb's clothing. Meticulous hair and fibre analysis was conducted with that presumption. No one had asked.

This was indeed a damaged case, and to make matters worse Arnold was pressing ahead with an appeal for his murder conviction of Christine Browne.

On June 5 it was time once again to be immersed in politics. At 2:30 p.m. Burchill and I met Ewatski at Rick Stoppel's house. Bess and Muriel were also there. Ewatski read the press release that he would be giving the following day. He left shortly thereafter while Burchill and I stayed until 5:30. p.m. They had many unanswered questions.

The release actually included the comment, "New evidence came to light that was not available at the time." As I mentioned before the only way for this to be true would be if "reading" was suddenly invented in 1999.

There was no new evidence. It was all there years and years ago but no one bothered to read the report.

Ewatski had boasted earlier that Burchill had solved the case by using his "super computer." Bess asked Burchill if that was true, prompting him to respond that there was no super computer and he could have solved it with a box of crayons. He then candidly remarked that when he was given the file he was instructed to "make this go away."

She then asked him how long it took to figure out that Sophonow was innocent. "About 15 minutes," he replied. As for me, I jokingly remarked, "it took me two hours, but I'm a slow reader."

When the release was a made public all of us assigned to the case shook our heads in disbelief.

Highlighted at the end of the media release was the following sentence "**It is never too late to do the right thing.**" Looking back I find it ironic that while we seemed to be taking credit for exonerating Sophonow, the service refused to provide a report that would eventually force authorities to release yet another wrongfully convicted person - James Driskell.

Driskell was convicted of murder in Winnipeg in 1991 but the federal government overturned the decision in 2005. A commission of Inquiry was initiated and Patrick Lesage assigned as commissioner. He was a former Chief Justice of the Ontario Superior Court of Justice.

One of Lesage's findings was that Winnipeg Police Chief Jack Ewatski contributed to the miscarriage of justice by not releasing a report that he prepared as an Inspector in 1993 once he became chief in 1998. It was a well-written thorough report with

information that raised doubts about Driskell's guilt - but it was not made available to Driskell's lawyers for a decade.

Driskell was added to the list of wrongfully convicted and compensated with millions of dollars for the many years he was behind bars.

And still some in the WPS just didn't get it. There was resentment for what we uncovered. One senior officer approached me after the release of Sophonow's innocence came down and stated, "Even if Sophonow wasn't guilty, jail looked good on him." I couldn't believe what I was hearing.

I defended Sophonow and all he had gone through but that just didn't seem to matter - tunnel vision was still alive and well.

Sadly many of us knew we were done. There was too much against us. Much like that lopsided soccer game I played in as a youth, we could not win - but we couldn't give up.

Interview of Joanne

On June 6, Legge and I interviewed Joanne at our office. She knew Tracey Arnold, Terry's sister, prior to and after the murder.

She remembered Arnold wearing a black toque and had a pock-marked face and was not a good dresser. We then showed her some photos of Arnold from that time period and she began to shake and would not make any comment.

She continued to paint a similar picture of a disturbed man. He presented himself in an "evil creepy" manner and actually threatened her once when she refused to have sex with him. He had pure hatred in his eyes.

I then confided that we believed Arnold was responsible for the Barb's murder. Oddly enough she didn't seem surprised. In fact she recalled immediately that Tracey told her he was a suspect in the murder because, "Terry was in the donut shop that night."

This was another revelation in a series of missed witnesses and associates of Arnold. She even recalled him talking about the murder - "Ya I was a suspect but they could never prove it, now this other guy's going to jail," he boasted.

She asked if he was the killer. "What do you think," he replied in a sinister tone.

Although Joanne was very cooperative there appeared to be an enormous amount of negative emotion associated with Arnold that she either could not or would not remember.

The vast majority of our background investigation was complete and now we turned to a more frontal attack on the offender. I had learned that Arnold might not be staying in Mission Institute much longer due to concerns for his safety. I also learned that writings, photographs and personal papers belonging to him were seized from the inmate newspaper editor's office where he was the sole editor - yes as you can see he was doing hard time.



Our team decided that I should write another search warrant for Arnold's cell, his belongings and the computer he used for the prison newspaper. It was time to meet him again and get personal.

Chapter 12

Mission Search Warrant

Armed with information that Arnold had writings, photographs and personal items in his possession in Mission Institution, I wrote another search warrant. I again speculated that he was the type of offender that may hide details of his crimes in writings or perhaps notes. Everyone was in favour but there was pressure from “them” to have it sent to B.C. to be executed and have none of our team attend. Once again we were cutting corners.

I strongly recommended to Sgt. Vogen that a team from our unit attend since we knew what we were looking for and were well-versed on Arnold’s crimes. I suggested that anyone looking back on our investigation would see this as a cost-cutting move. Further, this case had already had its share of such decisions. We had neglected to test the twine in 1982 and saved ourselves \$100. We neglected to have someone sit down for a few hours and review the file in 1986 saving \$40.

Vogen conceded, “they” had made their decision. He also said that, “they” didn't want Arnold interviewed yet because they were waiting for the direction of an FBI analyst. Even being one of the “lead” investigators in this case I started to question who was actually in charge.

We quickly learned that if we were going to steer this investigation properly we needed to get the rational support of our Crown attorneys. We discussed the issue with Crown Dale Schille and he agreed with our concerns. Someone from our office should be involved in the execution of the warrant. We then relayed his opinion to Vogen who in turn passed the information on to Inspector McCaskill who may have passed it on to “them”.

If the powers that be would turn against the advice of our Crown who represented the Province, public perception would be negative. Our tactic worked and it was decided that I would attend to Mission with Detective Sergeant Brown to conduct the search.

When I gave a speech at Bob Legge’s retirement years later I brought up our confusion with who was running our investigation and making these decisions. Putting on my best George Carlin impersonation I asked who where ‘they’ and jokingly came to the conclusion that, ‘they’ were ‘them’. We were never really told who was making numerous decisions in the case and can only infer it was members of the executive.

But don’t get me wrong. ‘They’ most certainly had every right to make those decisions - but they should also be held accountable.

On July 5, 2000, Brown and I flew to Vancouver for the purpose of executing the search warrant. It seemed that even the simple act of planning a flight was void of logic. Since the cost of the flights was coming out of another budget, arrangements were made for the cheapest fare. In so doing we landed in Calgary, then Kelowna before arriving in Vancouver resulting in 6 hours of overtime for both of us and we still had to get to Mission.

Arnold had been placed in segregation due to potential threats against him by other inmates. A month earlier the media had exposed him as a possible serial killer and the "prime suspect in the murder of Barbara Stoppel". The threats had nothing to do with him being exposed as a murderer, rapist, or child sex offender. The prison subculture was more alarmed that he had let another man do his time.

And then the moment arrived - Arnold was brought within a few feet of our interview room. He was unkempt and weighing in at about 240 pounds now with greasy hair and visible acne piercing through his faded white T-shirt like small nipples. Realizing who we were, he cowardly turned around and ran back to his cell which we had already locked. We followed him.

Arnold became irate tugging at the door handle desperately trying to get back in. This was the tough guy who raped an 8-year-old girl over one hundred times?

Looking into his eyes, those lifeless eyes I could see the rage that too many others had seen. He stood with his fists clenched threatening to pound Paul Brown's face in. I looked at him calmly and thought to myself, "this is Detective Paul Brown not Christine Browne." All he had to do was attack one of us and I could avenge each and every one of the people he had harmed. I wanted to hit him so bad.

Brown told him about the warrant and he refused to take a copy. This cold-blooded killer was acting like a little child. He was then escorted out of the area.

I searched his segregation locker and his cell and although I made no seizures, I learned a little bit more about him. To pass the time he would write out the names of movies and made notes on who was starring in them. He was truly bored.

After I was done he was brought back to the hallway outside his cell. I told him that I left a copy of the warrant on his bed. Then in a tone loud enough for all those on the range to hear I said, "I left your watch on your table...it's not broken but I did stop it at 8:20, the same time you murdered Barb." He did not reply.

I really couldn't believe what we did next but in an effort to turn over every stone we interviewed his cellmate. Prison population was so high at this time that they were double-bunked in segregation. After reviewing all the jailhouse informants from the initial investigation and feeling nothing but contempt for their statements we still had to ask if this guy knew anything. He was cooperative but could provide us with nothing of interest.

I then proceeded to seize his personal computer and hard drive, the correction service's computer he was using in the editor's office and numerous photos and writings.

Later in the afternoon Arnold agreed to speak with us about the warrant. We met in an interview room off the segregation unit. Also present were Correctional Officers Duncan Palmer and Aaron Fitzgerald.

Arnold entered the room with a pen and notepad in hand and refused to take a list of seizures that I had made. He demanded that the list be given to Palmer who in turn should turn over the list to him because he wanted no contact with Winnipeg police.

I told him that we were in fact germ-free and gave a list to Palmer who in turn gave it to Arnold and I instructed him to "grow up." He was trying to take control of our interview like he had done to other officers in the past - this wasn't going to happen.

He reviewed the documents and appeared upset at the seizure of the computer. He also denied ever typing or using them stating, "if there's stuff on there it's not mine and I erased it anyway." What an interesting choice of words.

Brown read Arnold his rights. He refused to be taped but he was willing to talk. In fact he didn't want the conversation to end. He desperately tried to find out what we knew.

He continued with his scripted comments about not having a cowboy hat, never wearing a knife and coincidentally not liking pistachios.

We then showed him a photocopy of the note found by Rick Stoppel at the bottom of a box at his mom's place. "I've only sent flowers twice and I remember both," he stated defensively. He now volunteered that this was not around the time of the murder because his mother was not Barbe. I then corrected him - she was named Barbe at that time and that he should know since he called in a false tip in the case using the name of Terry Barbe. This revelation prompted him to look confused and stare at the floor. Catching him in lies was oh so easy.

Keep in mind we weren't even supposed to interview him this trip but we couldn't resist.

He then mentioned that his mother Reggie Davies and his brother could prove he wasn't there. It was time for me to play with him a bit.

"You have no alibi," I said with an air of confidence. "But I wasn't there," he replied staring at the floor. "You got Jackie the waitress at the Salisbury House to lie for you Terry. We know this. We flew her in from England and she has given us a statement." Arnold appeared worried and confused wanting to hear more.

"Have you carefully read the warrant you were given?" I asked. "It reads in the warrant that I firmly believe you are responsible for the murder of Barbara Stoppel and I have no

doubt. This point is not up for debate. The reference to first-degree murder may have some flexibility because I don't know if you were intoxicated or how much thought you put into it." Arnold had no response and kept his head bent staring at the floor.

Suddenly he looked up, "There's the issue of MO [modus operandi - a distinct pattern or method of operation especially that indicates or suggests the work of a single criminal in more than one crime], there's no connection of MO between the murders I'm connected with and this one." I quickly responded: "Actually Terry they are all very well-connected psychologically and all involve acts of impulsive rage consistent with you."

I opened up the first page of my first notebook and placed it on the table in front of us. It had a large photograph of Barb Stoppel taped to it. "This is the only person that's important in this room," I asserted. "Pretty girl," he replied quietly. "I hope you find her killer." I paused and looked him straight in the eyes. "I have," I said.

Arnold now talked about the Stoppel family and how hard it must be on them. I viewed this as something he would have learned in a prison workshop especially after reviewing his sex offender notebooks. He was attempting to display empathy, an emotion he was void of. I told him that her family was doing well since they now had closure. Arnold looked at me, appearing confused. "I told them that I know who murdered Barb. I told them it's you," I said. He was not pleased.

He clearly seemed to have an insatiable desire to learn what we knew about him. Even though he still wanted to talk we terminated the interview. In an effort to lure us in, he agreed to meet with us again. He also said he was willing to give a voluntary DNA blood and hair sample and take a polygraph. I told him we had all the time in the world and would probably get another search warrant in the future. Then I teased him that the FBI may also want a sample regarding some cases in Florida.

"If you want my DNA I'll have a team of lawyers to stop it," he bellowed - I seemed to have exposed a nerve. What exactly had he done in the United States?

Before I left I had one more thing to say to him that I made him agree to. "You told police that Thomas Sophonow confessed to you and you've told investigators that he is guilty. We both know that's not true. As a gesture of respect, don't you ever say that again in my presence, understood?" Arnold did not say a word but nodded his head in agreement.

We arrived back at the lobby of our hotel and I picked up an envelope that was waiting for me at the front desk. It was the composite drawing of the possible suspect in the disappearance of Roberta Ferguson which had been dropped off by the RCMP. Initial investigators strongly suggested a resemblance to Arnold. Although I believe he should be considered a strong suspect in her murder/disappearance I cannot concur that he looked like the composite. Then again, his habitual tendency to change appearances may be a factor.

Thinking back, I don't recall ever coming across a suspect that I could catch in a flagrant lie every 60 seconds. Here was a person that was functioning within the superior range of intelligence yet he could be trapped with ease in any and all his deceit when confronted with facts. I found him to be emotionally deficient and if I was going to get anything out of him in the future a direct approach was not going to work. Sometimes when you lay siege to a castle the last place you want to attempt entry is the front gates.

On July 10, after returning to Winnipeg I had a phone message from Suzanne Wilton, a reporter for the Calgary Herald. She already had information that we had executed the search warrant at Mission Institution. She was writing an article on Arnold, exploring his adamant claim of being wrongfully convicted. She had already spoken with him over the phone and was planning an interview in jail. This was unbelievable to me. Arnold wanted to be in the same company as Sophonow, another wrongfully convicted person.

I did my best to document Arnold's background and guilt so she could be more knowledgeable for her interview. If she was to expose him she needed to know everything about him. This may also serve to foster the potential to make a deal on some of his offences. Contrary to what I was taught in recruit class, I learned that you can trust the media.

One thing I forgot to mention to her was that he was a compulsive masturbator. I let her know later, after their first meeting, when she told me they shook hands. Her response, "Ewww."

Our reinvestigation team felt that we were on a bit of a positive roll. We had ended his jailhouse romance and entered private areas of his life. By obtaining warrants to his cell, computer, and mother's trailer, he was beginning to feel that we were in control and his appeal was still far in the future. He had also been told that we had no doubt that he murdered Barb. If we wanted a deal or even any chance of a confession we needed to keep up the pressure relentlessly. Unfortunately this was not going to happen.

Chapter 13

FUBAR

The momentum that we had worked so hard to achieve was soon to be stalled by the upcoming public inquiry and all the political baggage that would accompany it. Brown, Allan, Legge and I stressed daily that a hard interview of Arnold needed to be done while he was still vulnerable. Our greatest fear was to have information regarding the destruction and continuity of exhibits become public knowledge. Once exposed, he would have no reason to confess and an interview would be futile.

There was a necessity for the inquiry to formally address the shortcomings we had already dissected. There was an even larger urgency to have Arnold interviewed prior to the Inquiry. The solution for the executive was to push for the Inquiry to be put off, which made no sense to any of us. As investigators in this case, we felt powerless to pursue the right course. I can empathize with the families of victims and the distance they must feel from the system as a whole.

I had earlier spoken with FBI profiler Marie Dyson at the request of the executive. They wanted agents to come to Winnipeg and assist on our case. They also wanted Dr. Hare to attend. When I spoke with Hare, he was grateful for the invitation, but felt no need to attend since Legge and I had already met with him and we had an excellent working knowledge of psychopathy. This recognition was from the same man that lectured to the FBI and is considered the leading expert in psychopathy in North America.

On July 25, 2000, we met with FBI profilers Marie Dyson and Jennifer Eakin in Winnipeg. Also present were members of the cold case unit from Calgary. In describing what a psychopath is like they offered the following on the chalk board:

(CAMELEON)

C - cunning

A - actors

M - macho manipulator

L - low frustration level

E - egotistical

O - operator

N - no guilt

Both profilers came across as very competent people, but we had no idea why we had paid for them to come all this way to tell us what we already knew. Perhaps it gives credence to that old saying:

“An expert is someone that knows as much as you, but comes from farther away.”

Chief Ewatski took us all out for lunch, including the FBI profilers. Perhaps the only incident that stood out for me this day was a comment made to me by Inspector McCaskill while we ate. For the second time in recent months he leaned over to me and said, "someone should write a book on this."

At the end of our meeting they made four recommendations that we wholeheartedly agreed with weeks earlier.

1. Repeat visits - wear Arnold down
2. Go after all his victims - lay multiple charges
3. Calgary has a stronger case - get bite analysis completed
4. Arnold should be interviewed by members who know him best.

After flying these agents into Winnipeg, one would think that we would at least have been allowed to comply with their recommendations. Instead we halted our pursuit and were instructed to follow up hundreds of 18-year-old tips. The tips had been investigated but the 'tips book,' among other exhibits, was missing.

As we know from the murder of Christine Jack, it's imperative to investigate all tips. Our case however; was unique.

The original investigation had been suffering from tunnel vision. What we were now being forced to take part in was what I labelled 'funnel vision'. We knew who the real killer was, but instead of pursuing him we focused on anything else.

The handling and destruction of exhibits, lack of forensic evidence, lack of usable witnesses, and the passage of time had made this a confession case. Moreover, we needed a solid admission of guilt. The pursuit of arguably "mindless tips," as we would refer to them, not only could not be done thoroughly, but were useless in our pursuit of a charge.

Numerous inter-office memos were sent to the police executive requesting a hard interview and the cessation of following up the tips. A summary of my concerns were documented as follows;

"During the course of the Barbara Stoppel murder investigation approximately one thousand tips have been documented. Police reports indicate that most of these tips have been investigated while approximately 400 remain open.

The 400 remaining tips may be characterized as follows:

**If we follow them up properly, our 7 member investigating team will require years to complete the task and a large budget to travel across the country to interview possible suspects. This is due to the fact that the tips are 20 years old and people are hard to*

locate. If our goal is to appear thorough, then we must also follow up the other 600 tips, since many of them were cleared without meeting today's standards.

**Interviewing possible suspects over the phone in an effort to cut costs should not be considered an option. Arnold's alibi was followed up by police phoning his mother and one would hope that we have learned from this error.*

**The initial investigation has been accused of suffering from "Tunnel Vision". It may be argued that our current efforts, while pursuing the goal of being thorough, may in fact be accused of having "Funnel Vision". In this scenario we have a viable suspect and yet choose to follow up tips in an effort to appear complete in our investigation.*

**We have reasonable and probable grounds to believe that Terry Arnold murdered Barbara Stoppel. The Crown has given their opinion that we require a good confession in order to lay a charge. If this is the case, there are no grounds to follow up the tips since it will not assist in obtaining a confession. Further, if we had a confession there would be no trial and thus again no need to follow up the tips.*

In conclusion, investigators believe that due to the nature of this investigation, there appears to be no real purpose in following up the remaining tips. Further, officers have reviewed these leads and have the opinion that none are viable."

I don't know if I could have laid out our opinion in a more logical manner. Yet our concerns were seemingly ignored, much like my pursuit of obtaining a warrant for Ken Biener's residence early in the investigation.

I wanted to get some insight into what was going on by confronting the person who recommended me for reviewing this case, Deputy Chief Terry McGregor. Unfortunately, he had no idea. When he asked Deputy Chief Thompson how the review was going, he was told, "It's on a need to know basis" - I guess they figured he didn't need to know.

People I've worked with have described me as a passionate investigator. I have to admit that the frustration of not being allowed to follow the correct path in this case caused my passion to be replaced with emotion. But I had also already learned my lesson.

Months earlier I was hospitalized after feeling dizzy during a workout. As I lay on the hospital bed with all sorts of monitors attached to me and my wife looking on, the doctor read out my blood pressure reading - 166/124. I had gone through a lot more intense investigations than this, especially as an undercover officer, but the internal/management interference had gotten to me.

There was no doubt that the systemic stress I had encountered was related to my lying on that hospital bed. But it wasn't the cause. I take full blame for not coping with the stress better. Thinking about nothing else but this case for months and wanting justice for not only Thomas Sophonow but Barb and her family, I had slowly got into the habit of numbing my mind by drinking.

An intense cycle emerged as I arrived home each day for a stronger glass of rum, and gradually more in number. When morning came I endured even more strenuous workouts resulting in my body and mind never taking a break. This was caused by me and I take full responsibility for it. Even my chronic back pain was no excuse, just an added reason. My desire to be successful in this case had made me neglect my wife, my sons and ultimately my own wellbeing.

When Rick heard of my condition he called me. I can still recall the words he spoke after I confided what had occurred - "We don't need another victim Miko, there's been too many." He had gone through similar frustrations, but for a lot longer than I had. He strongly suggested I watch a movie starring Donald Sutherland called "Citizen X". He felt I was going through much of what the Russian detective in the movie did. I watched it and it was very close to home.

A regiment of blood pressure medicines, lowering my alcohol intake, a progressive workout routine and the patience of Dr. Bharat Shah led me to slowly recover. The frustration in our case would continue, but I would not succumb to it again.

After months of looking into prehistoric tips and photocopying documents for the inquiry, I called Crown Rick Saull on Oct. 11, 2000. He told me again that after reviewing the case, he believed there was not enough to charge Arnold due to the destruction and handling of exhibits. He also agreed that Arnold should be interviewed hard and soon and that we should be prepared to make a deal.

On Oct.12, at 1:40 P.M. Vogen and I attended to the 5th floor boardroom at the Public Safety Building and met with Deputy Chief Thompson and Chief Jack Ewatski. It was a cold shallow room void of character with a long table taking up most of the space. I provided them with an update on the tips and Rick Saull's Crown opinion that no charges could be laid due to our handling of exhibits. "We aren't going to wear this," Ewatski replied.

I remember thinking to myself, what exactly do we have to wear? We didn't lose a daughter or a sister. All we are "wearing" was the mistakes left by others and the best way out was to be honest.

I stressed that pursuing the tips would not lead us any closer to a charge. While everyone in the room agreed it was still decided that the tips would be followed up "within reason." I again noted my frustration and recommended that Arnold be interviewed sooner rather than later. It was like Groundhog Day - trying to make a point for the obvious and once again being turned down.

Many more months would go by without an interview, much to our dismay. We were slowly moving from a position of strength to one of weakness.

It was becoming apparent that we simply wanted to give the appearance that we were working on the case. The only decisions we seemed to be making was where we would go for breakfast and lunch each day. The inquiry into Sophonow's wrongful conviction was just around the corner and the executive appeared to be in self-preservation mode.

Coupled with the seeming lack of logical direction in the case, I was trying to obtain weekly updates from Calgary. We were anticipating a Crown decision on the murder of Denise Lapierre and their bite mark analysis. Weeks turned into months with little progress and the possibility of Arnold's appeal becoming a reality.

The Inquiry

The Commission of Inquiry regarding the investigation and prosecution of Sophonow began in October 2000 and continued until June 2001. There were many competing interests that had legal representation or "standing" during the Inquiry. They included:

- Thomas Sophonow
- The Stoppel Family
- The Manitoba Association of Crown Attorneys
- The City of Winnipeg
- The Province of Manitoba
- The Winnipeg Police Association
- The Crown Attorneys (George Dangerfield, Greg Lawlor, Stu Whitley and Robert Gosman)
- Justice Department of Manitoba

The Inquiry was initiated with the premise of Sophonow's innocence and its purpose was to learn how an innocent man was imprisoned and to recommend ways of avoiding similar occurrences in the future. Lastly, it was to discern what compensation he should receive for what he had endured. The lawyers representing each of the participant's interest attempted to minimize their client's responsibility - that was their job. Many fingers were pointed, especially at myself and Legge, who had no legal representation and yet our work formed the backbone of the information presented.

Yes, we used unconventional tactics, but for reasons they had no knowledge of - no one could be charged with the murder. With that door shut, we still had another open - proving Sophonow's innocence.

Even from the onset, our worst fears were becoming a reality. I had already told Rick Stoppel that we needed to keep one fact out - the destruction of exhibits. Everyone from the executive to the city lawyers knew this.

On Oct. 17, 2000 Rick called me at home, there was a big rumour going around the legal community that a policeman had destroyed exhibits and taken some home. The next day, I told Vogen about the "rumour" and expressed my concerns of keeping it out of the media. I had prepared yet another warrant for Arnold's palm prints, but if this

information was released, we could forget about any final interview and simply fax the warrant to the RCMP to execute.

Again, I strongly recommended that we should interview Arnold as soon as possible. Detectives Brown, Allan, and Legge all agreed. I later called Saull who again agreed with our recommendation. (I know, I keep writing the same thing over and over, but you need to know how hard we were pushing just for common sense.)

If the constant recommendation of interviewing Arnold appears redundant, imagine how we as investigators felt. I documented this in page after page in my notebooks, yet we sat idly by. At this point we felt that it really wasn't a police investigation anymore and we were simply going through the motions while the real focus was on the inquiry and other people's agendas.

To make matters worse, I learned that the bite analysis was still far from being completed in Calgary for the Lapierre murder. I was also told that their case was unfortunately similar to ours. They too were missing a crucial exhibit and their Crown had decided not to charge Arnold without a confession.

I would later get Arnold to admit that not only did he know Denise Lapierre, but she in fact was in his house on the day of her murder. He would also confide that when she was in his house, she was bleeding from a small cut on her hand and he got her a bandaid. This was simply his way of explaining her blood being present in his home if police located any. Even this information would not be enough to lay a charge, they needed a confession.

I updated Vogen on the news from Calgary and that the lawyer representing the Stoppel family, Jay Prober, knew that Biener had destroyed exhibits. Again, I recommended having an interview as soon as possible to which he responded, "It's out of our hands." I won't say what I was thinking.

I actually recommended Jay Prober to be the representative for the Stoppel family due to his professional diligence and reputation. He did not disappoint. In fact it was he above all others that tried to keep the missing exhibits issue out of the Inquiry.

For several months we had argued to have a final interview with Arnold as soon as possible. It was now November and Legge decided to have his turn writing a memo - 'here we go again,' I thought. It was addressed to Ewatski and was noted to have been sent by the "Barbara Stoppel Homicide Investigation Team" since we all agreed with it.

Once again the final interview of Arnold was recommended to occur now as opposed to later. The reasoning was outlined as follows:

**Arnold's appeal decision will be unlikely to be heard until the summer of 2001.*

**Calgary does not appear to be in a position to take any action against Arnold.*

**Arnold was as vulnerable as he will ever be. He had been in segregation for a record 129 days in Mission B.C.*

The memo also called for a two-team approach to the interrogation. It would be our final effort to obtain a confession and the teams should be accompanied by Rick Saull in the event a deal is offered. It was also strongly recommended again that we stop reviewing 20-year-old tips.

Vogen went to a meeting with Ewatski regarding our recommendations. None of our investigators were allowed to attend, so I really don't know what happened.

He returned with the following results:

1. We **are not** to interview Arnold until the appeal decision.
2. We will continue to investigate the "Tips".

I was quite, frankly, dumbfounded. All of the recommendations had been turned down and again the possibility of Biener's destruction of exhibits becoming public knowledge was inevitable. On page 83 of my third notebook I wrote four words in response to this news: "Will is to fail?"

Half an hour later Legge and I met with city lawyers who asked us to provide information on Sophonow's "dark character" before his arrest. I was insulted by the request and refused to do it, there was no way. It was all heading towards self-preservation for all the parties involved. After I outlined the devastation that Sophonow suffered through, they looked at me and stated, "**You** will not be testifying at the Inquiry."

Part of our strategy for interviewing Arnold and putting him in a weaker position was to release information to the media that the twine had in fact not come from B.C. Vogen later said that city lawyers had put a halt to it, not knowing our purpose for doing it. If you were to ask me on the stand who was in charge of this investigation, I would have to say, "I don't know."

On Nov. 28, I received a phone call from B.C. Crown Richard Peck. Arnold's appeal hearing was now set for May 18, 2001, in Vancouver. Two applications had been brought up for a mistrial and there was a possibility that the judge may concede the appeal and order a new trial in January 2001.

The pressure was on to act. If Arnold got his appeal, perhaps he would be released.

I relayed the news from Peck and again stressed to Vogen that we needed to interview Arnold now. In fact, we may have waited too long and our last chance may be lost. Vogen agreed and mentioned that city lawyer Kim Carswell had suggested the interview be done soon. He also told me that City lawyers would do everything they could to keep Legge and I from testifying at the Inquiry, labeling us as "tainted".

In reality, my revelation on how easy it was to learn of Sophonow's innocence by simply reading the report may have added to his compensation. Coupled with this, my knowledge of the effects of prisonization would be equally damning testimony.

Oddly enough, when I spoke with Sophonow a few weeks ago, he confided that his lawyer wanted to call Legge and I to the stand. Somehow, we were kept out because we "were too busy with the pursuit of the real killer." Where would they get that idea? We were bored to death. Thinking back, if I had testified in 2001 there would be no need to have written this book.

He also let me know that his lawyer Paul Bennett bragged after our interview in Vancouver about telling Legge to fetch them coffees. This and his exclusion from the interview bothered Legge for years. I could tell Sophonow had something else on his mind.

"Karma is a beautiful thing," he said. He wasn't impressed with how Legge was treated and quite frankly, he wasn't going to have it go unpunished. He decided to have other lawyers represent him at the Inquiry leaving Bennett out of a considerable payday. He wanted me to pass this on to Legge which I did within minutes - that albatross was finally removed. Sophonow believed that Bennett had me speak with his common-law wife Rebecca on speakerphone to show he was doing his job. He wanted to be counsel at the Inquiry.

On Jan. 17, 2001, the New Year was bringing in nothing but bad news, which we had predicted. I received information from Suzanne Wilton that Arnold had been very apprehensive prior to Christmas about our investigation. He now believed, through his lawyer, that he would be getting a new trial and could soon be released. The timing for an interview could not be worse.

The next day Ewatski and I went to Rick's house to update his family on the inquiry and the case itself. They appeared clearly frustrated with the investigation to date, with little confidence that there would be any satisfaction in the case. Ewatski told them that we knew that Arnold killed Barb, but we couldn't come out in public and say it. I could feel the mistrust in the room and could do nothing about it.

Shortly after we left, Rick phoned me and gave me even more disappointing news. His mother told him that she didn't believe a word that came out of Ewatski's mouth and regretted ever giving me her blood. She had clearly lost faith in us. I was embarrassed to be a part of the case and even more to be a member of the Service.

If ever there was a time I felt alone, this was it. Here I was not trusted by past investigators, ridiculed by lawyers at the Inquiry and constantly fighting internally to have the investigation get back on track. Now I felt I was letting this good family down. The very next day, it would only get worse.

Shortly after noon, I received a phone call from Rick Stoppel. By this time he was my source of information on what was going on in the Inquiry. While he and Jay Prober were going through an edited copy of the murder report, they found reference to Arnold, which should not have been there. He was also not impressed with an entry from Barb's autopsy where Biener described the size of his sister's breasts. They didn't deserve this.

I hung my head and told Vogen who in turn notified the city lawyers. Vogen also informed me that the executive had decided on a few options depending on several scenarios.

-If Arnold gets a new trial, then we will interview him that day and instruct B.C. Crown Peck NOT to advise Arnold's counsel

-If Arnold gets an appeal, then we will try to push off Inquiry

-If Calgary lays a charge, then we are to go with them to interview Arnold

*Detectives Brown and Allan will do the interview with Legge monitoring. I would not be going.

Brown and Allan were more than competent investigators, but we all felt a two-team approach was in order. Legge and I also knew Arnold more than anyone and should be involved in the interview as recommended by the FBI profilers.

On Feb. 2, 2001, I received another call from Suzanne Wilton in Calgary. She was putting a story together on Arnold in the next few weeks and had spoken with him on several occasions. She also indicated that he had told her he was being transferred to another prison. A few days later, he was taken to William Head Institution on Vancouver Island. She certainly proved to be an excellent inside source on everything happening with Arnold.

So here I was sitting in an office doing nothing day after day and being briefed by a crime reporter and the brother of our victim.

On Feb. 6, after spending the morning following up "mindless tips," Vogen gave us an update on the investigation.

- a) Calgary police cannot do a 1-1 comparison on the bite mark
- b) Ewatski may try to put off the Inquiry even if it takes a year.

I was then asked to provide my outline on evidence pertaining to Arnold's guilt. Vogen would then re-type it and forwarded it to Ewatski - What an archaic cycle. I had done the same thing earlier, putting together our reasons for believing Sophonow was innocent. Didn't anyone else read the report?

With the Inquiry proceeding and our investigation at a standstill, I still maintained one avenue of being involved. Suzanne Wilton and I began to share information about Arnold, his crimes and the path of victims he left behind. If I wasn't allowed to pursue his arrest, at least I could assist in exposing him.

After numerous phone interviews with Arnold, Wilton visited him in person at William Head Correctional Institution on Feb.12 and 13, 2001. During the two interviews she confronted him on many points concerning Barb's murder as well as Lapierre, Browne and the sexual assaults on numerous other victims. He maintained his innocence, declaring that he was wrongfully convicted and was a victim himself. She saw clear through his facade of deceit and told a guard as she left, "I think he may be one of the biggest liars I have ever met."

True to her word, she called me after the interviews and shared what she could recall. She now had enough to expose him for what he was, a psychopathic murderer and sex offender. She also knew our case had a massive issue concerning the destruction of exhibits and the damage it would cause if released. In the interest of justice she would not mention it. This was a person of high integrity.

I felt envious of her efforts, since we were forced to sit on the sidelines for months doing nothing more than following up tips and playing cards on our computers. I also had the arduous task of calling retired members who had contact with Sophonow and Arnold in the past and ask them for their police notebooks. Some notebooks had been lost in floods, misplaced or simply thrown out. Long before the Inquiry, I wrote another inter-office memo requesting that all members turn in their notebooks prior to retirement, since they are the property of the Winnipeg Police Service. It took years but that practice is now police policy. What a small victory.

For the next few weeks, McCaskill would update us several times that an interview with Arnold was on and then off again. He also maintained that it would be a one-team approach. Legge again stressed the merits of having two teams, which Crown Rick Saull supported fully. In fact, he called it an obvious decision backed up by information from courses he had recently taken in Ottawa.

On Feb. 26, 2001, I finally received a break in the monotony that only my shepherd, Gelert would have known, running figure 8's in my back yard as a kid. Burchill had received information that a friend of Arnold's aunt Lila may have been told that he killed Barb.

At 4:15 p.m., Paul Brown and I interviewed Charlene at the Public Safety Building. She recollected what Lila had told her.

"Thomas Sophonow didn't do it...the person who did it, my nephew, came over and told me the day of the murder." She believed that she was told this by Lila in her apartment. When he confessed to Lila, he said he had really screwed up and thought he had killed

a girl in a donut shop. He had come over late at night, before any news was in the paper and the nephew's name was Terry.

After this revelation, we had to ask her why Lila didn't come forward years ago. She asked Lila the same question and Lila replied: "He's crazy and I'm afraid he'll kill me." Detectives Brown and Allan later interviewed Lila, but she had no recollection of the event.

It is truly a sad commentary, that even if we were armed with a corroborating statement by Lila, we were still left with a confession case. To make matters worse, the front page headlines in the Winnipeg Free Press on Feb. 27, 2001, read:

"Stoppel killing suspect may never be charged"

"Chief admits police are struggling to gather evidence on Terry Arnold"

This was not what we needed and again the interview was put on and off again. A few days later, the Calgary Herald and Vancouver Sun published the first in a series of articles titled *In a Predator's Wake*. The three-part investigative series exposed Arnold publicly for the first time.

Crime reporters were freely interviewing and exposing him, while we sat at our desks. We had urged that a hard interview be done eight months earlier. In frustration, I recall making my own quote on what we were going through:

"Never have so many, done so little, for so long."

Chapter 14

William Head Warrant

Early in March 2001, we were notified that we would finally be allowed to interview Arnold. I recommended that the interview be done in conjunction with a warrant to obtain a palm print for him for comparison with the unidentified print located inside the Ideal Donut Shop. We knew he was wearing gloves at the time, but I felt the warrant would get our foot in the door for an interview.

Rick Saull again recommended a two-team approach as we had months earlier. In fact, it was he that was responsible for Legge and I being allowed to attend. Had it not been for Saull, I would not have been given the opportunity to get inside the mind of this animal and learn so much about him.

We had long been requesting to formally arrest and charge Arnold for the murder. By arresting him, we could remove him from prison and take him for a formal video recorded interview at a nearby RCMP station. He would be out of his element and more susceptible to a confession or possibly a deal. If we were unsuccessful, we would have him returned to William Head Institution and not proceed with charges. Our case would be concluded, but at least we would have given it our best attempt.

Neither the province nor the chief of police would authorize the arrest. As a result, I discussed the issue with Rick Saull who had a solution. We could write up a Spring Order for him to go with us to the RCMP station for a formal taped interview, but it would have to be done with his consent. Good luck with that.

I completed the impression warrant for Arnold's palm prints, the affidavit and notice of motion on March 8, 2001. I then attended to Queens Bench Court judge's chambers with Rick Saull. We were met there by Judge Nurgitz, who signed the paperwork for the Spring Order. We then went to Provincial Judge Bruce Miller's office to swear to the information. We were now authorized to execute the warrant between the dates of March 8 -16, 2001.

The summary of my 24-page information to obtain an impression warrant was documented as follows:

"After having reviewed the information provided to me and based on my own investigative research and personal knowledge of criminal deviancy, I am of the opinion that Terry Samuel Arnold murdered Barbara Stoppel.

Analysis of the crime scene at the time of the murder revealed an unidentified palm print on the crash bar inside the Ideal Donut Shop at the Dominion Shopping Centre.

I reasonably believe that information concerning the offence will be obtained through the use of a devise, investigative technique or procedure being:

Obtaining inked right and left palm impressions from Terry Samuel Arnold suitable for comparison purposes.

It is my intention of attending to William Head Institution on Vancouver Island accompanied by Detective Sergeants Murray Allan, Paul Brown and Robert Legge and to take custody of him to the identification facility of the institution and request inked right and left palm impressions. If he will not provide these impressions voluntarily then it is my intention to use as much force as is necessary to obtain them.

I believe obtaining the necessary palm print impression is a simple procedure involving at most minor, if any, discomfort and would not be considered as interfering with his bodily integrity. In fact, the taking of inked palm impressions is a routine procedure already carried out under the Identification of Criminals Act. However, there is presently no other provision in any act of Parliament that permits the use of this technique or procedure to be used or done without the suspect first being criminally charged.

Therefore, I request that an impression warrant, pursuant to Section 487.091 of the Criminal Code of Canada, be granted to use this investigative technique or procedure to obtain information concerning the offence."

On March 9, 2001, I dropped off Detective Sgts. Brown and Legge at the Winnipeg Airport. They were heading to Edmonton to interview Arnold's sister Tracey and her common-law husband. We believed that they may have some of Arnold's belongings, but I did not believe I had enough to swear to a Warrant.

The next day, I received information from Brown that they had spoken with Tracey's common law. He informed them of the following:

1. He has in his possession a box with Arnold's belongings
2. The box in question was not at Terry's mother residence when we executed our warrant months earlier
3. The box is at his residence in Edmonton, in his closet and he is willing to turn it over
4. There may be more possessions in his residence such as letters, photos and VHS tapes
5. Tracy Arnold may not agree to a turnover.

Brown then requested that I obtain a warrant for the house, garage and any vehicles on the premises. It was my day off, so I quickly drove to Winnipeg and arranged to meet with a magistrate after completing the necessary paperwork. I arrived at 120 Donald St. and met with the magistrate who signed the warrant. I then faxed the warrant to Edmonton where it was executed. After all this work I was called a few hours later and advised that there were no worthwhile seizures. You can't say we didn't try.

On March 12, 2001, Detective Sgt. Allan and I flew to Victoria and met with Westshore RCMP, Staff Sergeant Bruce Brown. We had made arrangements earlier to have an interview room available for us in the event that Arnold was willing to adhere to the Spring Order. After updating RCMP members, we drove to the court office in Calwood and had the court clerk Patricia Robinson endorse the warrant.

Later, we arrived at our hotel and met with Rick Saull. We candidly reviewed the case to date and what lay ahead of us the next day.

Brown and Legge then joined us from Edmonton and once again we dined at The Keg. This had been a tradition for Legge and I every time we went on a trip connected with the case. It always started the same, first we ordered a rusty nail, Keg size of course, followed by a fine bottle of Merlot.

The Keg was more than fine dining and a reward for our efforts, it also signalled something we had that Arnold didn't. The commercials of the Keg haven't really changed much over the years. Friends gather in the lounge waiting for everyone else to arrive and the next scene is eating at the table with nothing but laughs and smiles. Arnold could sit at his editor's desk in prison with his feet up drinking a coffee, but he couldn't have this and that meant a lot to us.

We were all upbeat and positive about the upcoming interview that we had waited so long for. By this point everything was against our success, but you wouldn't know it by looking at us. The show was about to begin.

On March 13, 2001, our entourage arrived at the gates of William Head Institution in the early morning. After clearing the security checkpoint we walked inside the compound that was bordering a picturesque view of the ocean that surrounded Vancouver Island. Totem poles were being made and erected by inmates, who were also allowed to fish for fresh salmon. The segregation unit was now visible on my left and on my right was a golf course with cottages for low-risk inmates.

It was mid-morning when Brown and Allan met with Arnold in the segregation interview room. It had large Plexiglass around it allowing us a clear view, but we could not hear what was happening inside. They sat around a rectangular table and looked sternly at the man most would consider a monster. He was still wearing that filthy white T-shirt.

A few moments later, they exited and advised us that he refused to be videotaped and was awaiting a call from his lawyer. He had also refused to leave the prison on the Spring Order. After speaking with his lawyer, Brown and Allan escorted him out of the interview room to obtain his palm prints.

Just before noon, Arnold was brought back to the segregation interview room and was questioned by Brown and Allan briefly. I had mentioned that he was emotionally underdeveloped, but I couldn't believe what I saw next. He appeared to be upset at

something that was said to him. He stood up from his chair and lay on the floor on his stomach much like he would have done at the Youth Centre. He was having a "time out." Their interview was over.

Perhaps now, the powers that be would agree that a two-team approach was in order. This initial attempt at an interview lasted only minutes before he shut it down. A single team approach that was recommended by "them" would have been another blunder in the case.

At 1:28 p.m. Legge and I finally got our chance to interview Arnold. Legge opened the door and was met by him standing in front of us complaining about his food being taken away. Legge calmed him down and asked him to sit and he agreed. Legge sat to my left, while I sat with Arnold in front of me.

Sitting across from him, I was full of conflicting emotions that I had to keep in check. On the one hand, I was in the same room as a man who had raped girls ranging in age from 8 - 17, most living, but some were dead. He was said to be void of any human side, thinking only of himself. I had mentioned earlier that he was the personification of evil. Evil in this general context is the absence or complete opposite of that which is ascribed as being good.

In order to understand Arnold, I had to step away from any moral compass. Trying to convince him that raping an 8-year-old girl was wrong would be the same as him trying to tell me that consensual heterosexual sex with a woman my age is wrong.

If you were to ask him or any other offenders of this type why they do what they do, the answer would be simple - because they can and they enjoy it.

Arnold had also been described as a serial killer. For the most part, serial killers commit murder for some sort of psychological benefit. Due to the fact that his murders are poorly planned, I maintained that they were the result of rage from rejection and, as he would tell me later - a way of keeping the victim silent.

I had been boxing for 27 years now and had all sorts of visions of what I could do to him if he made any move on me. This was a coward that outweighed me by 60 pounds, but would never become physical with a male. Although I knew that a direct approach would not work, I wanted to take control away from him in the interview. I needed to get inside his head.

There was much more turmoil going on inside me. I still didn't have good control of my blood pressure and my heart was pounding. The pressure was immense - after all the effort I made trying to come along for this trip, I couldn't fail. Yet here I sat trying to calm down inside, trying to slow down my heart. More important than my health, I needed to hide what was happening from everyone in the room.

I needed composure and gradually drifted into something I was quite comfortable at, being a feisty and at times irritating interrogator.

One thing that did strike me about Arnold, as he sat only feet away was the lack of slash marks on his body. A high percentage of sexual assault victims that I have encountered externalize their inner pain by slashing their arms with a knife or other sharp objects. If in fact Arnold was sexually assaulted during his youth, his externalization seemed to be focused on those around him. He was not the type to hurt himself, but he most certainly took it out on others.

Arnold had already taken control of our interview by demanding it not be recorded. Any notes on our part could be criticized later as not being verbatim, but we did the best we could. In fact, we were in the same position as Warywk and Paulishyn in their interview of Sophonow, although we had no choice in the matter. I then spoke the words I had been longing to say,

“You are being investigated for the murder of Barbara Stoppel in the City of Winnipeg on Dec. 23, 1981,” I said. Arnold indicated he understood and had spoken with his lawyer who advised him not to say anything. I told him that I fully expected his lawyer to recommend that he not talk but if he liked I would offer some of the information we had against him and he could answer if he liked. He agreed.

“I understand that you refused to voluntarily come with us to the Westshore RCMP station for an interview, is that correct,” I asked. “That’s correct,” he replied. I really wanted to get him out of there.

“The Spring Order gives me the authority to take you out of here for a taped interview, but it is voluntary. Why not take the opportunity to get out of here for a few hours. I’ll even make sure you get a burger, I’m sure it’s been a while,” I said, trying to convince him. “I appreciate the offer but there’s nothing in it for me,” Arnold said. “I’ll have to come back here and have a flashlight stuck up my ass.”

I then explained that we had executed a search warrant at his sister’s residence in Edmonton and outlined the reason for the palm print warrant. Arnold was more concerned about the articles Suzanne Wilton had released than what I had to say. He complained that she put words in his mouth. I again suggested that he come with us for a recorded interview so that would be prevented but he again turned me down. We weren’t going to get him out of the prison.

Arnold also said that he would not submit to a voluntary blood or hair sample. I could have obtained a warrant for this at anytime, but there was no evidentiary value for our case. There really wasn’t anything to test it against that would imply his guilt. I was only asking for a sample to make him think and be curious about what we had, but he didn’t know that.

I decided to use my information from my search warrant in a barrage of factual assertions to set the tone hammering him at every moment of deceit. I wanted him to know what we knew and diminish every excuse he could come up with. It also made it easier to document our verbatim conversation since I was reading off my warrant and adding his comments after each point. Having no luck with removing him on the Spring Order, we began to talk.

“I have reasonable and probable grounds for believing that you Terry Samuel Arnold, at the City of Winnipeg, on or about the 23rd day of December in the year of our Lord one Thousand nine hundred and eighty one, did unlawfully kill Barbara Gayle Stoppel, and did thereby commit murder in the first degree contrary to the provisions of the Criminal Code of Canada. Do you understand?”

“My grounds for believing this are as follows, On December 28th you attended to the St. Boniface Hospital and had a conversation with Barbara Stoppel’s mother Muriel. You identified yourself as a truck driver who frequented the Ideal Donut Shop and knew Barbara Stoppel. The fact is, Terry you went to the hospital to see if she was dead. You wanted to know if you would be identified,” I said confidently. “I didn’t do it. I wasn’t there,” he replied, looking at the floor.

“Not there? Two witnesses that knew you saw you bothering a waitress in the afternoon, inside the donut shop. You were even wearing a cowboy hat. You’re well aware, as I told you before that you have no alibi for the time when Barb was attacked. We flew Jackie in from England and she has given us a statement that you didn’t arrive in the Salisbury House until after 2 a.m. and you were wearing a cowboy hat.” I paused and waited for his response. “If I was in the donut shop, the very first thing I would have done is buried what I was wearing. I would have thrown it in one of those trash bins,” he reasoned.

Then he denied ever calling in a tip on the murder. This was too easy. “On December 31st, 1981, at 12:55 p.m., you called Winnipeg police from the McDonald’s restaurant at 79 Goulet, the same McDonald’s that you were sitting in on the day of the murder waiting for Barb to be alone,” I said. “Thats bullshit, bullshit, bullshit,” he shouted.

“You identified Robert Fournier as a possible suspect in Barb’s murder. On January 3rd, 1982, using the name Terry Barbe you reported to police that an acquaintance looked like the suspect in the Stoppel murder. Once again on January 22, you called police from the Dominion Shopping Centre saying you had information on the Stoppel murder. You had seen yet another person that looked like the person responsible for the murder,” I boldly asserted. There was no way out for him this time. “I don’t know why I did,” he confided, still staring at the floor.

I continued to pressure him on each point of the warrant exposing his guilt. He denied wearing a cowboy hat or cowboy boots and never wore a knife. In fact, he denied liking country music, eating pistachios, drinking coffee, working at the Red River Exhibition in the summer of 1981, and anything else that we knew was associated to the killer.

"You know Terry, the fact that you were wearing what your mother called your Indiana Jones hat, cowboy boots, knife, enjoyed pistachios as Victoria Spakowski told me in person, is no way near as damning for you as your denial, it implies guilt." How would he get out of these factual accusations? "That's bullshit, I wasn't there. I didn't do it," he replied.

"Keep in mind Terry, if you lose your appeal and go for Barb's murder it's a freebie," I said. "What do you mean," he asked looking up from the floor. "Your already doing time for murder, how much time do you thing they will add in this country? Nothing," I explained. Arnold seemed to reflect on this bit of information.

At this point, I felt I had pressed far enough and set the stage for an overwhelming amount of circumstantial evidence against him. I was taking up far too much of the dialogue. I needed him to play a game with me.

"Look through our eyes Terry; put yourself in our shoes with all the evidence I just gave you, what would you think," I asked. "It would give you cause to look at me, but I didn't do it," he replied.

"I mean, Terry you were in the donut shop on the day of the murder." This was a fact he had trouble escaping. "I did go there once. I saw my mom inside and borrowed some money from her. I wasn't there to leave my palm print," He said.

"And if that palm print is yours." I asked, smiling. "If the palm print is mine, it's a significant thing," he replied and then asked how long prints last. I told him not to worry too much because he was wearing gloves on the night of the murder. He needed to distance himself from the donut shop.

"I don't hang out in donut shops, I'm a McDonald's person." This was another easy opening for me. "I'd have to agree with you there, you were spotted in the McDonald's several times during the day she was murdered, you seemed to be looking at the donut shop," I said in a matter of fact manner. "That's bullshit!" He was getting agitated.

Now I wanted to attempt to get some sort of sympathy going for him. He had always made himself out to be a victim and perhaps I could use this angle to diminish his responsibility in the acts he had committed.

"As you know I executed search warrants at your mother's trailer, your sister's house, your cell and prison storage rooms. I have read your 1 1/2 page story on how you were abused by your step dad on the farm. I also understand that once you even woke up in your crib, wearing diapers with a freshly cut off pig's head." Arnold paused looked directly at me and then back at the floor. "It was a pig's leg and it was tied to me," he lamented.

"And how were you supposed to end up," I asked. "Pretty fucked up," he said solemnly.

As far as I was concerned, this was a massive shift in his demeanour. I had offered him an excuse for what he had done in the past and he could have gone even further. All he had to do was confirm the misinformation I had just told him. It wasn't a pig's head it was just a leg which was less offensive. He had actually told the truth, when a lie would have been more advantageous. The past seemed to open a door for me and I walked in.

Apparently his mother and stepfather tied the bloody pig's leg to him as he slept in his crib. Then they left the house and commenced tapping outside his window. The tapping noise woke him up and they stood back and laughed at his reaction when he realized he was covered in blood.

We now talked about the counsellor he had at the Klinik in Winnipeg and how when she went away things started messing up for him. He even admitted to running away from Seven Oaks Youth Facility to B.C. as a youth which he denied in earlier interviews.

I then handed him a photograph and asked if he could identify anyone in it. He identified the Pope and then Rev. Bernie Pinet who was shaking his hand. I told him that Bernie was a friend of mine for years and had spoken to me about him. Arnold remembered Bernie from the Manitoba Youth Centre. We had a connection.

"You know Terry the sick or funny part about all of this, if anything at all is funny, is that you should be out of jail right now." Arnold looked confused. "Our guys screwed up back in '81. They should have got you then. If they did you would be out of jail right now," I explained. "In fact, Denise and Christine would still be alive." Arnold lowered his head again staring at the floor.

Legge then showed Arnold the articles that Suzanne Wilton had been publishing on him. "We will meet again on my terms," Arnold snorted. I then tempted him to continue his story that he started about his abuse and show his side. He displayed some interest in the idea and asked if he would be compensated if he was the centre figure. I suggested that he might and again encouraged him to continue.

Again, Legge and I tried to convince him to have a video statement, either at the prison or at the RCMP office to which he replied,

"I don't want to hear anymore...it's more than I can handle."

After more than three hours in the room with him, I think we all were worn out. Legge and I left the room and we all headed back to our hotels. I didn't want to go back to Winnipeg without giving Arnold another interview. We decided that Detective Sgt. Paul Brown and I would speak with him again.

The next day Brown and I entered the same interview room and were once again locked in with Arnold. Brown gave him a copy of the impression warrant, while he again complained about the newspaper article about him. He was not impressed.

We again explained the difference between 1st and 2nd-degree murder and the concept of intent. I then reviewed what I believe happened the day he murdered Barb.

“In the summer of 1981 you and Barb worked at the Red River Exhibition and that is when you first met her. In all likelihood she was friendly with you as she was with everyone. In fact, for all I know she may have taken some of your clothes home for her mother to wash. You developed what you called a crush on her. Later In December you accidentally saw her working at the Ideal Donut Shop. You felt that there should be a relationship, but she wants no part of you. On the day of the murder, you are in her shop and offer to serve customers. She tells you to stop and asks you to leave. You become enraged and go to the McDonald’s facing her store waiting for her to be alone. That’s when you went in and strangled her in the bathroom out of rage.” Arnold appeared nervous and began twitching. “She was robbed, that’s what I heard on the news,” he replied.

Then I showed Arnold his arrest photos from 1981 and 1982 and he agreed that he looked like the composite. In fact he admitted that he had what Sophonow didn’t have, a “pizza” face scared with acne.

I then produced an aerial photograph of the area and point out the donut shop and its proximity to his apartment and where Barb lived.

“Where’s the McDonald’s,” he asked. “Cause I’m not a donut guy, I’m a McDonald’s guy you would see me there.”

“They did. Terry you were seen there just before the murder, you were watching the donut shop waiting for her to be alone.”

“I wasn’t there, I didn’t do it,” he replied.

Surprisingly Arnold now attempted to show empathy for the Stoppel family stating, “I would go for the murder to give closure to the family but there’s someone out there that did do it, (pause) he’s a living breathing human being and he has to be caught.”

I found it interesting that he knew that the killer was alive and more importantly referred to him as a “living breathing human being.”

At 1:55 p.m. Brown left the room and I spoke with Arnold alone. It seemed like the interview was becoming redundant and he had little or no incentive to confess. Much like he had done in the Youth Centre and Seven Oaks he was burning people out with his circular retort. He was certainly not someone you would want to speak with, unless you had a purpose.

Knowing that our interview was coming to an end, I reiterated the evidence that we had against him and confidently asserted them point by point:

- He wore a cowboy hat
- He wore cowboy boots
- He loved pistachios
- He wore a knife
- He knew Barb
- He worked at the Red River EX
- He phoned in numerous tips
- He had no alibi
- He had several tips called in on him
- He was seen in the donut shop bothering a waitress on the day of the murder
- He lived across the street
- He went to the hospital to see if had to leave the city
- He looked like the composite.

Most importantly he denied all of these points even though I could corroborate them with witnesses including his own family.

Arnold leaned forward and spoke in a quiet tone, "I want to speak off the record. I want to tell you something but I cannot share it with anyone else." He was acting like a child. "You know I can't do that," I replied.

"I've done some bad things in my life. I'm no angel." Arnold said quietly. "I know what you have done." I said.

"I want to give you information about me, clues that will make you feel better about your trip. I want to reveal something that you should be able to figure out." This was getting interesting. I said I was more than willing to listen but I would have to disclose anything he said to me.

"You have to understand I won't say I did any crime, but if things go as you say and I'm here then I can work on making things go away, to get them over with." He was opening the possibility of a plea bargain. "If I have to do life I'll do what I've done in the past, deal things away," he said.

He then explained that he wanted to wait for the appeal decision in May and then he would be willing to talk with me - but only me. Then, he would be willing to deal. He knew which cases against him were the strongest and which were the weakest.

"You are a smart man, you should know what I mean, you should know which ones," Arnold said almost in a whisper. "I'm willing to talk about some cases and I want to talk about them man-to-man. I respect you, but you have to understand I'll never admit I did any crime."

I then got up from my chair and walked towards the interview room door when suddenly Arnold walked in front of me and placed his hand on the intercom covering it so no one could hear. "I'll deal, but the Winnipeg, one I just can't do it."

"But you're not denying it," I replied with a smile. "Just keep your mind open Terry, wait until May, you might change your mind."

I left the room after shaking the hand of the bastard that murdered Barb, Christine Brown, Denise Lapierre, most likely Roberta Ferguson, and raped so many others. As investigators, we too often have to disguise our contempt and focus on the goal at hand. Being cordial to him, like so many other sex offenders I had interviewed left nothing but disgust in me.

I didn't get a confession, but I left open the possibility that a deal might be done in the future and he was willing to talk with me again.

During the course of our reinvestigation the common theme was to keep as much information about the case from the public eye. The series by Suzanne Wilton and her colleague in Vancouver had already exposed much of what Arnold had been up to over the years. As a result, I felt that there was no further need to keep requesting a sealing order for my warrants. The public was soon to learn officially why we believed Arnold murdered Barb. I was not going to allow them to keep this a secret like they did with that fire in St. Norbert.

On March 31, 2001, Nicholas Hirst wrote an editorial in the Winnipeg Free press entitled *Police Suddenly Open the Book* in response to my warrant being made accessible to the press. The question was, why would the police release such information when it is not in their nature to do so? One paragraph more than others hit the nail on the head:

"A somewhat Machiavellian explanation is that the publication of the information in the warrant serves as a public relations coup for the police. It shows their diligence in pursuing the new suspect and it casts light on what went wrong with the previous investigation into Sophonow. If Arnold can never be brought to trial, police have at least, been able, through the publication of the information in the warrant, to detail a case that might otherwise never have been presented to the public."

He went on further to write, *"The problem with the Machiavellian explanation is that it simply does not sound like police behaviour. They are not usually so devious in their public relations."*

In response, I can say that I am the only one of our team that has read Machiavelli's *The Prince* and Hirst was dead on with my intent with one exception. More important than the public rightfully knowing what had occurred, the families deserved to know. We could not charge Arnold for what he had done and soon he would even know that.

Chapter 15

3 1/2 hours into the Abyss

When I arrived back from Vancouver Island, I received a page from someone who was now a cohort in the pursuit of Arnold. In fact she had become a friend. I returned Suzanne Wilton's page with a phone call and learned that Arnold had called her. He was incensed at her article and said he would be writing a book titled *Death of a Reporter* and it would be a true story. She was in fear for her safety and I couldn't blame her. Now there was a more heightened need to lay whatever charges we could against him in the event he won his appeal.

It was also a possibility that Arnold would try to lure her back to prison for another interview and then assault her. I forwarded a report of the incident and my concerns to Scott Hobbs of the Calgary Police Service for his attention.

On March 22, 2001, we received information that Arnold had obtained documents pertinent to our case from his sister Tracy by mail. The document was part of past information to obtain a search warrant which had been sealed. As such, her actions may be seen as an obstruction of justice. The information itself had predominantly already been released through Suzanne Wilton's articles and my own unsealed palm print warrant. Although the document posed no harm to any of our cases, it nonetheless afforded us another opportunity to obtain a warrant to retrieve them.

Once again, I wrote a search warrant for Arnold's cell and back to Vancouver Island we flew.

On March 26, 2001, in the early afternoon, I went to the segregation unit at William Head Institution. Officials were expecting us and had already placed Arnold in an interview room and he had been searched. I walked in and he could see the determination in my eyes. He quickly got out of his chair and moved backwards claiming that I was intimidating him. He actually called for guards to keep me from him.

"I've got a warrant for your cell Terry, we are looking for the document Tracey sent you." I couldn't believe it, his back was actually against the wall. "I'll take you to it as a sign of trust," he pleaded. "Alright I'll give you a chance, but if you in any way try to destroy it, I will stop you, do you understand?" "I swear," he replied.

Arnold walked with me down the range to his cell and pointed out the area where his letters were kept. I told him I appreciated it and directed him back to the interview room to wait for me.

I completed the search at 2:40 p.m. after locating what I had come for. Sgt. Vogen and I then returned to the interview room. Vogen began questioning Arnold with his notebook and pen out causing him to adamantly protest. He now refused to speak with him demanding nothing be written down. Once again he wanted control.

I offered to come back the following day for a chat if he was willing. I figured since I was on the Island, I may as well try another interview. To my surprise he agreed and even offered to provide me with blood for a DNA sample, but he wanted to speak with me in private with no recordings and no one else around. I agreed.

The next day, I went back to the interview room in the segregation unit once again. Arnold came to the segregation window and apologized for keeping me waiting explaining that he was giving out lunch trays - this was not the kind of guy I'd like serving me meals.

As I waited, I knew this may be my last chance to get anything out of him. The Inquiry was progressing and Ken Biener would be testifying in a few days. If it came out that he destroyed exhibits our investigation would be for all intense purposes over. What did I have to lose?

I also thought about the man I would be facing in only a few moments. One on one with a "living breathing human being," as he put it, who had damaged so many lives. An offender with a superior range of intelligence and an uncontrollable lust for females between the ages of 5 - 19. And here I sat, a loyal husband and father of two who long ago contemplated the priesthood. The next three hours would haunt us both for quite some time.

In the silence before I entered that room for the last time, an old Cherokee proverb came to mind.

There is a battle of two wolves inside us all. One is Evil. It is anger, jealousy, greed, resentment, lies, inferiority and ego. The other is good. It is joy, peace, love, hope, humility, kindness, empathy and truth. The wolf that wins? The one you feed.

We had both been feeding very different wolves. In fact what Arnold had been feeding all these years wasn't a wolf at all - it was a pig.

I had already seen more stressful dynamic scenarios than most people would encounter in their lifetime. I had been shot at, assaulted numerous times, threatened, and the lives of my family threatened. I had also had the opportunity to work as an undercover drug officer for three years, frequently surrounding myself with drug dealers, Hells Angels,

and other deviants who would no doubt do me harm if my identity was known. I had become a very adaptive deceiver in an effort to survive.

This was going to be the last time the two of us would speak. This first, he still did not remember.

Arnold walked in to the room and I approached him and again shook his hand. His hair was unkempt as usual and in keeping with his nickname he was enamoured in his own body odour. The door locked behind him and there we were - just the two of us.

I told him to sit down, in an effort to take control of the interview from the onset and he complied. Now I needed to get his guard down and interact with him like no other person had before.

“Check this out, (I removed my jacket)I figured I’d wear my colours in here.” (I was wearing my last Drug Section Manitoba T-shirt that was so coveted by Sophonow’s lawyer Paul Bennett). “Shit that’s great,” Arnold said with keen interest.

“Ya it’s a takeoff of the real Hells Angels logo, look at the front, read it.” Arnold’s eyes appeared to squint. “We make house calls,” he read out loud. “You get it, house calls, search warrants, Terry,” I explained. Arnold started to laugh.

As requested, I did not write any notes until I left the room with the exception of documenting times. The interview was also not recorded, but I did my best to recall the conversation. He maintained that he wanted to talk with me “off the record” and he understood that he fully expected me to investigate what he said and act upon it.

During his life, Arnold had been interviewed by numerous other investigators with limited success. Much like he could read his victims, he also had a good working knowledge on police interviewing techniques. To take him off guard I needed to be more off the wall so he wouldn’t know where I was coming from or going.

Arnold was focused on giving me his blood and hair samples in an effort to see where he stood in our case. I wanted it to appear as though it was the furthest thing from my mind.

“Terry for the hell of it, do you want to do a bit of a psych test with me?” I asked. “It’s a psychological test that can tell me a bit about you. All you have to do is answer a few questions and I’ll analyze it later, it’s meant to measure extremes.” Arnold agreed.

“Ok, it’s broken down into four categories and won’t take long. Question one is a tough one, what’s your favourite colour?” Arnold laughed and replied, “blue.”

“Now Terry, I need you to give me four words, descriptive words that describe blue for you.” Arnold looked confused. “How do you mean,” he asked.

“Ok, for example if I said black, I might describe it as cold or hard,” I explained. “Got it... bright, interesting, common and useful,” he answered.

“Question number two, what is your favourite animal?” He reflected and paused briefly. “A cat,” he replied. (Interesting I thought)

“And can you give me four words that describe a cat for you?” I asked. “Comforting, cuddly, furry and gentle.” The answers didn't seem to make sense but I continued.

“The next one is I want you to think about the ocean, now give me four words that describe the ocean for you.” This was a question that had to have interesting insights, I hoped. “Wet, big, scary, and deep,” he answered.

“Last one Terry, imagine yourself waking up and you are in a room. There are no doors and no windows and no way out. It's completely dark and you have no idea how you got there. Give me four words that describe how you feel.” Arnold paused for a moment. “Lonely, scary, endless and overwhelming, overwhelmed,” were his final responses.

I told him that I would have to review his answers later and get back with the results. I was simply keeping the door open for another interview but I did find his answers interesting.

The primitive test is far from meeting any standards in the scientific method but can be useful in revealing extremes. The room for example is meant to uncover the subjects feelings towards death. Arnold's responses were relatively normal and did not suggest suicidal tendencies. Responses such as quiet, restful or peaceful however suggest a potential for suicide or an acceptance of death.

The words used to describe the ocean are suggested to be the subjects feelings towards sex. His answers do suggest past abuse and possibly his torment of others. I did the same test on numerous youths who had extensive sexual abuse and found word descriptors such as painful, wet, scary, dark, relentless to be more of a norm.

Arnold's answers to the first two sections really didn't seem to make any sense initially. The words that are chosen to describe the colour are indicative of how the subject feels about themselves. The word descriptors of the animal are how the person is viewed by others.

There seemed to be an enormous disconnect within Arnold. There was a void of any ability to see how he appeared to others and what he was inside. In essence there was a fragmented looking glass self.

Prior to reading the blood/hair request for a DNA sample I strongly recommended that he call his lawyer. He told me that he already had and was instructed NOT to give a sample but he was still willing. In fact the only condition he gave to providing a sample

was that I promise not to tell his lawyer. I thought it was a rather juvenile request but wholeheartedly agreed.

“So is there any hair or DNA to compare with mine,” he asked. “There are samples capable of being compared,” I replied.

“So if I give you my blood and hair will it clear me?” he pondered. I reflected as I smiled and responded, “Not necessarily.”

“You think about it, after Barb is attacked who had contact with her?” I asked. “Witnesses, the police, ambulance, doctors...OK now I understand,” he said, nodding his head.

Arnold now gave me a lecture on blood analysis and the difference between nuclear DNA and Mitochondrial DNA. If there was Mitochondrial DNA at the scene that matched his, it would not prove guilt because thousands of other people share it. Nuclear DNA however is unique to one individual. I had to admit, he knew his stuff which is likely why he shaved his genitalia to decrease the chances of leaving hair and DNA during rapes.

As he talked, I mulled over why he was feeling so confident in giving me the samples especially without a warrant and against his lawyer’s advice. The following rationale became evident:

1. Barb did not pull his hair; therefore no hair roots and no DNA
2. If he left any hair it would only be Mitochondrial DNA available
3. He didn’t bleed at the scene; therefore no DNA
4. He didn't sexually assault Barb; therefore no DNA.

I opened the kit I had been provided and prepared to take the samples when he stated in a slow inquisitive manner

“I don’t know if Barb was sexually assaulted, but if she was, I would not be giving you my DNA...do you understand what I mean?”

This comment implied knowledge that she was not sexually assaulted and was perhaps what he had promised me, a challenge from a hint. I was having trouble with the needle the RCMP had given me and to my surprise Arnold offered one of his lances that he used for his diabetes - this was unreal.

After taking his blood, I stood behind him with tweezers in my hand to remove hair samples complete with roots.

How vulnerable he was with his back to me, much like Barb was in the washroom. I yanked at his hair and withdrew my sample and sat down in front of him once again.

I now went into a well rehearsed summary of the murder and the others showing a consistent M.O. of uncontrollable rage caused by perceived rejection. In the middle of my oration Arnold stopped me.

“Okay, you want to get into my head?” he said looking straight at me. “That’s what I’m here for,” I responded.

Arnold continued, “You have to know how I think, for me it’s all in the head. That’s how I think. If I was to kill someone, it’s the head. The one I’m here for you know and the Calgary one. I hear there was severe trauma to the head, why would I use rope?” I knew I was getting close to whatever truth he would be willing to provide. “Perhaps your intention wasn’t to kill,” I replied hoping for him to give me the motive.

“The way I think about it, you attack the head because that’s where the knowledge is. It’s how you can be identified, take away the memory. For example a guy rapes a girl and cuts off her hands or arms, then she goes running for help (simulates swaying his arms around). I heard this story, she lives and her memories intact. Go for the head to be sure, that’s why the Winnipeg one makes no sense. I know not to use rope, it would take too long,” He explained. “I know Terry, you learned from it,” I said nodding my head.

“I remember someone being underwater for three hours and then they were OK and their memory was OK and they testified. If I was going to kill you, (pause) it would be the head.” He said looking straight at my eyes. “I’m not into guns they are too loud, and I’m not into knives, too much blood.”

“You were actually seen on the bridge that night and you had a knife. If you wanted to kill Barb you could have used the knife. Perhaps I made a mistake in my warrant,” I said. “What do you mean,” Arnold asked.

“I wrote 1st-degree murder, if you had that knife and you didn’t use it, perhaps you didn’t intend for her to die.” I was so desperately trying to set him up.

“I attack the head to be sure,” he proudly confessed. “That’s because of what you learned from Stoppel. You must have been going nuts waiting to see if she woke up,” I teased.

“I’m giving you clues about my head, what I’m about,” he said, implying that he was doing me a favour.

Arnold now talked about Jackie who saw him going into the Ideal Donut Shop with twine in his hands on the night of the murder. For some reason he appeared to be confusing witnesses.

“There’s no way anyone could see twine in my hands, it was snowing that night with near blizzard conditions,” he claimed.

I felt this was a challenge for me to see just how much I knew.

“Terry it was -13 C that night with an overcast sky, a slight breeze and NO recorded precipitation. I think it’s time we cut the bullshit, and besides, Jackie saw you with the twine days earlier.” Once again Arnold lowered his head and stared at the floor.

“I think it’s time for a bit of mutual respect. If I ask you a question don’t bullshit me, just remain silent if you can’t answer OK?” To my surprise he looked up and replied, “OK.”

“Let’s leave Barb’s murder alone for a while Terry. You’re in here convicted of the murder of Christine Browne, a murder you admitted to. Hell you even took them to the place you left her. I’ll admit there is a chance you could win your appeal, but that would be on a technicality and we both know you raped and murdered her. Denise Lapierre is another one you should be worried about. Just like you bit Peter Comply in the face and one of your youth workers in the hand, you bit Denise. We have your dental impressions and a comparison is being conducted by experts. Biting her was a mistake Terry, it’s like leaving behind a fingerprint. How are you going to explain it when we find her blood in the house you were living in?”

“I knew her, yes,” Arnold said. “She came over for coffee once and had a cut on her finger. I gave her a band aid, if there’s blood that would be why,” he said quivering ever so slightly as he spoke. “Careful now Terry, think about it. What if we find blood in the shower drain? You didn’t put her bandaid on in the shower did you?” I was getting to him.

Arnold sat in his chair looking confused trying to defend himself against fact. Then I brought up the eight-year old child he raped.

“That’s bullshit they say I fucked her up the ass, I would have broke her in half, I happen to be well-endowed.” (I had been long waiting for him to utter those words again to me)

“What did I say earlier about respect Terry. Your dad told me your cock was so small that if you didn’t tie a string to it you wouldn’t know it was there, and Victoria said you had a peanut dick so don’t bullshit me.”

This caught him off guard. Instead of being insulted by what I had said, he appeared impressed at how much I knew.

“Then there’s the weakest case against you, Roberta Ferguson. She was last seen talking to a male in a red sports car. You also had a sports car with cobras on the back at that time and you were living in the area. Circumstantial yes, but you seem to have dead bodies appearing everywhere you go.”

“People die every day and she’s missing, how can they tie that to me,” he asked. “Like I said, it’s the weakest, but I think you did it.” I said.

"It's not the thing I would do, give a ride to be honest. I don't like Indians, don't know why." Even he appeared confused by his own reasoning.

"In all the cases I've described, each murder is an impulsive act and shows a lack of planning." I asserted. "I'm not the kind of guy to go back to the scene of a crime," he responded.

"So why did you go to the hospital," I asked. "Why would I leave my name, my address, and phone number and my mom's name if I was responsible," he replied leaving me with a question and of course no answer.

He was now going to start being very revealing.

"Okay Terry, let's play a game. You be the detective here and look through my eyes, what do you see?" I asked.

He paused, leaned back in his chair and replied, **"If I was to go to the donut shop that night, it was not for some robbery. Look at my record there's no robbery, there was \$33 stolen but it's not my primary motive. The money is an afterthought. It would be incidental like not the primary reason."**

Arnold appeared genuinely upset that people would think it was a robbery gone wrong. It somehow offended him. On Jan. 2, 1982 an employee at the Winnipeg Free Press received a phone call from an unidentified man, with a husky voice. He wanted the paper to stop printing that the girl had been killed for \$33 and then stated, "I didn't do it for \$33." I neglected to confront him with this lead, but it may have been him who made the call. I found it interesting that he remembered the exact amount.

"And what Terry would be the reason?" I asked. **"If I was going to go there that night to Barb's shop it would be to sexually assault,"** he revealed.

"And that would explain the rope or twine. It was to tie her up. It's about the size of rope that is used in stampedes where cowboys tie up calves." (I recalled that during one interview he made a motion of tying a rope around the neck of a victim twice. It looked like steer wrestling and he imitated everything. He even had an Indiana Jones hat, the same year the movie was released)

Arnold again reiterated that his primary motive; if it was him going there, would be to sexually assault and robbery was an "after thought" while he was still there. He appeared to be getting a bit nervous and tried to change the subject. I then brought him back to the murders he had been involved in and how he changes appearances after each one and I showed him his photos.

"I do that out of a habit. I always change the way I look," he explained.

“Interesting, here Terry, have a look at these pictures, what can you tell me about them?”

(I placed several pictures on the table in front of him and he studied them with great interest)

“Do you know who they are Terry,” I asked. “No,” he said looking perplexed.

“They are all pictures of me Terry, and do you know why I change my appearance?” I asked. **“Because YOU’RE a serial killer?”** he replied curiously. I wasn’t expecting a response like that.

I was totally dumfounded by his comment but didn’t want to let him know. “No, for fuck’s sake Terry I was in Vice, I was undercover, I’m a biker here, a street alcoholic here and that’s me as an Indian.” (yes I said ‘Indian’ - I had to be on the same level as him)

“Okay let’s go back to your sexual assault theory. The twine was brought so you could tie her up and sexually assault her, but you went too far. You wrapped the twine twice around her neck making a knot and she passed out. When she passed out, she also lost control of her bowels. The mood is gone and it’s time for self-preservation. You cut the twine, left her on the floor and took some cash and left.”

He appeared very intense throughout my description and began to shake.

“I don’t have a history of tying people up. I can overpower them,” he said defensively.

“Barb was a strong 16-year-old girl who could fight back and don’t bullshit me about tying people up, Victoria told me.” I had to catch him on every lie.

“I’ve done a lot of bad things in the past...I’m no angel,” he said shaking his head.

“People can change Terry, It’s been 19 years since you murdered Barb, 13 since Denise and 9 since you murdered Christine.” I hid my sarcasm well.

“And I didn’t offend when I got out of Dorchester,” he stated, almost bragging. “What about that video Terry, with you filming the young girl while one cat rapes the other,” I asked.

“I thought it was funny. I was going to send it to America’s Funniest Home Videos, sorry about that part with me jerking off though.” I couldn’t believe that he actually thought this was funny. “Hey, that video gave me a look through the eyes of a killer,” I said.

I needed to give him an out. Something that would diminish his responsibility for what he had done. I knew he always presented himself as being the victim. It was time to exploit this claim.

“Terry I’ve read what you say you have gone through. I’m not here to pass judgment. If I went through what you did, I don’t know what I would become. Do you understand?” I asked.

“Like I said, I’m no Angel,” Arnold replied.

“And I wouldn’t be either. I’d be pissed off at this world for fucking me over. There would be a rage inside me.” I explained, hoping for him to follow my lead.

“That’s why I’m so fucked up,” he replied.

“There is no excuse for what you have done Terry, but there are reasons. You take a child and neglect them, torture them and have them wake up in a crib covered in blood, then throw in some sexual abuse from those who are supposed to help him and what the hell do you think you are going to get?” I asked.

“What you see,” he conceded in a soft voice, his head tilting down.

This was where I decided to bring up much of what I uncovered about his childhood. Perhaps this would be my way of explaining why he became a killer and a rapist. One story in particular seemed to hit home.

Arnold’s favourite possession as a child was a stuffed monkey that went everywhere with him. One day it went missing. As he walked with his mother across the farm, she pointed out to the top of a grain elevator and stated, “Look, that man up there has your monkey.” He cried uncontrollably and could not stop. When his stepfather arrived home he ordered him to “shut up” but he could not. In an effort to punish Arnold, he grabbed the young child and took him to the pig barn. Here he turned him upside down and hung him into the pen. It took only seconds for the pigs to come snorting and squealing around his face as he heard his stepfather’s voice threatening that they would eat him. The cries soon turned to screams as he was lifted out and put to bed.

“That’s no way to grow up Terry, and waking up with a bloody pigs leg tied to you? How where you supposed to end up? If it happened to me I have no idea what I would have become.” I tried to be as compassionate as I could while still holding back my contempt.

He now started to reflect on the Mr. Big sting the RCMP did on him. They had him convinced that they were all Hells Angels and he wanted to join them in whatever role he could.

“Money was great, they gave me \$40 to \$50 a day on top of food. They gave me \$900 one night and took me to a whorehouse. I paid \$70 at the door and another \$120 for a prostitute, it was the best sex I ever had,” he bragged.

“Terry that was an undercover police officer,” I couldn't resist. Arnold was shocked. “No fuck Terry, I'm kidding, just playing around, so it was good easy money eh?” I was leading him on a bit of a trap.

“It was great, easy money and great guys,” he smiled. “Sounds too good to be true,” I goaded.

“You were with another male when you did the murder, why didn't you tell them it was him?” I asked curiously. “The Angels don't like rats, and they don't like loose ends,” he stated.

Arnold now looked concerned. He had just told me that he had a great time with the undercover officers, making easy money and even got laid. He was blowing a hole in his defence and he knew it. He quickly changed his tone to how scared he was of them indicating that he, “shit his pants” when they pretended to kill a woman and her six-year-old child.

The beauty about talking to him about Christine Browne's murder was he had already been convicted so I didn't have to caution him. Anything he did say however, I could use against him if he won his appeal and got a new trial. If I couldn't get him for Barb's murder, perhaps exposing his friendship with the Hells Angels would destroy his defence in Browne's case.

Arnold changed the subject to the Sophonow Inquiry and what the witnesses were saying. I told him that the guy he was fighting with on the bridge admitted that he lied in court and couldn't identify Sophonow. I also told him that he wore glasses back then, but they were knocked off in the scuffle. Arnold smiled and put both hands behind his head and confidently stated

“He'll never be able to identify me.”

I then smiled back and he became defensive stating quickly, “because I wasn't there I didn't do it.” I told him that I knew differently.

“You are in the middle of one of the most infamous murders in Canadian history Terry. One preliminary hearing and three trials, a wrongful conviction, it's famous, fill in the gaps, you could write a book,” I said trying to lead him on.

“I'm not ready for that, I still have a chance of getting out of here,” he replied. “If your appeal fails, do you want to get together again and check out your options. It's in your interest to get everything over with all at once,” I said, hoping to keep the door open to speaking with him again.

He agreed and offered his hand to shake, which I accepted. We walked out of the interview room and he casually walked back towards his cell stating, “Have a safe flight back.” It was now 3:55 p.m, 3 1/2 hours since we started. I turned the corner and was

grabbed jokingly by a guard who commenced pouring isogel on my hands and stated, "Shit man, no one's lasted that long in there with him, not even his lawyer."

Thinking back, I could have made things interesting and just lied. I could have said he confessed everything to me, but that would make me no better than him. I did feel that I had learned what happened that night.

Arnold waited for Barb to be alone and planned to rape her. He locked the front door of the donut shop and waited for her to clean the woman's washroom. He then pushed her from behind and her head struck the sink knocking her out instantly. He quickly tied her up imitating what he had seen cowboys do to calves. This was his moment of revenge for being rejected.

Barb had lost control of her body functions, which even for him spoiled the mood. He needed to get out. He cut the string that bound her, but neglected to take it from around her throat. He didn't get what he came for that night, but decided not to leave empty-handed. He took \$33 from the till and calmly walked out the front door after turning the sign to closed. This was soon to be his first murder. As much as he would try to get the attention of police, he would get away with it.

We left the institution and headed back to our hotel. I was exhausted. It took me the next three days to stop thinking and talking like him. And Arnold? - he was put on suicide watch shortly after I left. Perhaps he felt uneasy after giving me his blood, his hair and telling me a bit too much. He also wrote his Last Will and Testament and sent it to his sister.

We arrived back in Winnipeg, armed with lots of incriminating comments, but still a confession case much like Calgary's. It was now March 29, 2001, and what we had feared for so long just became reality. Ken Biener admitted on the stand at the Public Inquiry that he destroyed exhibits and took some home. City lawyers were instructed to keep this out of the inquiry. The headlines would soon destroy us:

Key Information Missing

Sophonow Inquiry Told of Missing Evidence

The only information that we needed to be kept out of the inquiry was the destruction of exhibits. Our case was now lost.

I submitted my report on my final visit with Arnold, but I don't know if anyone read it. James Charles Kopp was arrested this same day and took much of the energy of Inspector McCaskill. He was heading the interprovincial investigation on Kopp who had shot several doctors for performing abortions. The Stoppel investigation was no longer "sexy," as some politicians would put it.

On May 1, 2001, Legge called me to let me know that I was being transferred to the Professional Standards Unit which I later dubbed the "Double Standards Unit." It was a unit no one wanted to work in. I had been scheduled to make a return to the Vice Division but it was not allowed.

Legge was also being transferred. He would take his knowledge of interviewing, interrogation and sexual profiling to St. James, where he would work as a uniform Patrol Sergeant doing shift work. The executive felt he needed some 'seasoning'. Our unit was disbanding and we were being discarded like yesterday's waste. To this day neither Legge or I were ever thanked by a representative of the police service for the work we did.

Disgruntled? Hell no, just disappointed.

To borrow from T.S. Eliot's poem *The Hollow Men* - this was the way the investigation ends, not with a bang but a whimper.

Chapter 16

Unleash the Pig

To say that my transfer and time in the Professional Standards Unit (PSU) was frustrating would be an understatement. Once again, I would be subjected to interference from above. I fittingly had a label on my briefcase that read "von Stauffenberg."

Contrary to popular opinion, only a small percentage of police officers are "dirty". Much like the rest of society however, we do have a number in our midst that need to be investigated. The vast majority of cases that crossed my desk during this time were false allegations - and just like I did for Sophonow, I cleared them one by one.

Members of my new unit had been attempting to break a code between two workers on our email system that they regularly monitored. Imagine that - we were trusted with carrying guns yet they didn't trust us with emails.

One of my coworkers jeered me over morning coffee "you're the hot shot investigator, you break it," which I did in 30 seconds. This was the most inexperienced bunch of officers I had ever been around. One senior member asked openly during a pre-arrest meeting what a "take down" was. Don't get me wrong, they were good people, but their experience in front-line policing was lacking.

I was only in PSU for a few months, when the staff sgt. and inspector conducted an internal audit. They went to our office when it was closed on a weekend and went through all our files. They learned that some members were being very tardy in their efforts, to say the least. I was dubbed as being the most thorough and up to date. The result was two members being kicked out of the unit.

I was lucky in one respect. I was teamed with Detective Sgt. Ron Trakalo, known as Trak, who I worked with when I was in vice. Together we were credited with getting more guys off than Marilyn Chambers.

We endured our time with occasional visits to Taco Bell for a bean burrito and of course my relentless practical jokes. If I wasn't taping down phone lines or strategically placing fart vials on chairs, I was placing cups of water on the top of doorways. On one occasion, I hid in our office while Trak walked in with his coffee. I popped out and scared him half to death, prompting him to spill hot coffee on his hands. I probably should have remembered that he was also a member of our Tactical Unit and I was several floors above the ground. Thank god he showed mercy.

I believe that next to murder the most severe and potentially damaging crime a person can inflict on another is sexual assault. Any time a sexual assault investigation was

initiated in general patrol, I would volunteer. I continued this interest and conviction in PSU.

I had followed the trial of a Winnipeg police officer named Rick Dow. He had allegedly fondled a young woman as he was doing guard duty in St. Norbert during the flood of the Century in 1997. I decided to read the file and several other cases involving odd behaviour he was involved in.

Dow was not convicted of the crime, due to it being one person's word against the other. The young woman's statement however, came across to me as being truthful. After reviewing other information on file and learning that he had a photography studio, I decided to investigate further.

The results were very disturbing. He seemed to have a keen interest in females that were predominantly young. I requested that an undercover investigation be conducted, with an officer going to his studio, in the role of a potential model. I truly believed that he was presenting himself as a serial sex offender and would gradually become more aggressive. All my requests were of course turned down.

This was 2001. Five years later, he was placed on administrative leave after he was charged with sexually assaulting several women and teenage girls. The offences occurred between 2001-2005. Thirteen more women stepped forward in 2007 to make complaints against him. In total, there were seventeen women and five girls under age 18 who were victimized. The ages ranged from 15-24. He was later convicted and died in jail.

The service was guilty of nothing less than "condonation" - The act of condoning, especially the implied forgiveness of an offence by ignoring it.

Profiling him as a sex offender wasn't rocket science. It was just what I do. By not being proactive, he was allowed to sexually assault victims for years. None of them should have suffered because we should have done something. As for the victim in the flood of the century, if I could say something to her, it would be - you were courageous in coming forward and yes I believe you.

It was also during this time that I maintained there was more than one serial killer in Manitoba murdering Indigenous women. My assertions were once again ignored, even though I provided them with the name of a prime suspect. He is a psychopath, a sexual deviant, who is prone to violence and his choice of victims - Indigenous women. Knowledge of my assertions goes all the way up to the chief's office. Perhaps one day, they will follow up on the lead. He is still out there.

When I wasn't pointing fingers at alleged sex offenders, I was also doing my share of questioning in regard to some of the unit's arrests. Patrol Sgt. John Scott Allingham was charged with possessing child pornography and I was assigned to the case. A year earlier he was policeman of the year.

I reviewed the allegations against him and the entire file. I believed that the likelihood of a conviction was negligible. There was no exclusive opportunity for him and him alone to have made the one time download on his computer. My opinion was again dismissed and for three years he waited for court proceedings. While involved in another case, I spoke with his lawyer, Richard Wolson and candidly told him of my opinion. He smiled and nodded his head.

When the case finally made it to court Wolson rightfully brought up the issue of exclusive opportunity. The judge agreed and the charge was dropped.

I still shake my head wondering why we went after an officer when there was no likelihood of success, yet we allowed another to continue to commit offences.

Police officers are supposed to be in possession of a higher moral code. We are supposed to know that taking \$5 from a drunk's pocket is wrong. We should also know that spending that \$5 on your breakfast right afterwards, is also wrong.

Hell, we should know that having an affair with a "crack whore" with freshly purchased breasts is immoral, especially when your wife and daughter are waiting for you at home. It is even more compounded when she is an active drug dealer and yet the officer sees nothing wrong in his actions.

Apart from these miniscule examples of disgusting human behaviour the general membership of the Winnipeg Police Service is above reproach. Yet, this was a unit I wanted no part of. I was growing more and more allergic to poor decision-making and supervisors that some would say were suffering from Hexamita. I made a formal request to leave the unit and much like my request to properly conduct investigations I was turned down.

Sgt. Gary Simpson jokingly recorded a song when he heard of my request being denied using Queen's Bohemian Rhapsody;

Easy come, easy go, will you let Miko go?
 Bismillah! No, we will not let Miko go. (Let him go!)
 Bismillah! We will not let Miko go. (Let him go!)
 Bismillah! We will not let Miko go. (Let me go!)
 Will not let Miko go. (Let me go!)
 Never, never let you go
 Never let me go, oh.
 No, no, no, no, no, no, no.

At least I was surrounded by some pretty decent co-workers just as frustrated as me. In fact, on one occasion we all requested an immediate transfer due to more dumbfounded interference. We had obtained a search warrant for an officer's locker and house in relation to another sexual assault. Someone in the executive didn't believe the

allegation. This disbelief wasn't based on statement analysis, but rather on the looks of the victim. She was simply "too ugly" for anyone to have sexually assaulted her.

A decision was made to not have us execute the signed search warrant (sound familiar)? We demanded to be allowed to do our jobs and threatened to take the matter up with the Justice Minister. After several hours of delay, the warrant was executed and key exhibits were seized. I was working for a service that appeared void of any common sense.

I wanted to be as far removed from the upper chambers of the Winnipeg Police Service which had too frequently presented itself as a self-centred, incestuous Roman senate. One deputy chief summed up his role in the service quite candidly, "our job is to make them, (city hall) think we are doing our job."

More frustration was yet to come.

While I was going about my work, I was labeled a rat by other colleagues and of course not listened to by those above me. How refreshing it was, when I heard from Const. Gary Appleton, of the Kelowna RCMP on August 29, 2001.

He had reviewed my report on Arnold and was 80 per cent sure that I would be required to testify in the Christine Browne murder case. A new trial would possibly be set for early next year, in New Westminster, B.C. and it would likely take two months.

Arnold's defence would hinge on the assertion that he was so afraid of the "Hells Angels" in the Mr. Big sting that he would have confessed to anything. I could testify that this was not the case. He had bragged to me that they were "great guys" and it was "easy money."

On Sept. 5, 2001, I inadvertently met with Rick Saull in the Woodsworth Cafeteria on Broadway. He had not heard about my last interview with Arnold or the developments in the Browne murder case.

The Inquiry into Sophonow's wrongful conviction had finished in June, 2001. The cost of the Inquiry was \$4,056,797. Sophonow would soon receive \$2.6 million in compensation. Saull and I lamented on how all of this could have been avoided if someone had simply reviewed the file years ago.

As we chased down our coffees, we also discussed the issue of our exhibits and why I was not allowed to get a warrant. He again recalled the chief's comments when I suggested we get a warrant for Biener's residence. Without going over all the times I brought up the subject, they are documented on pages 43, 57, 62, 78, 79, 82, and 87 in my 2nd notebook and page 29, 79, 80 and 81 of my 4th and final one.

The failings of our investigation were tempered by the possibility that I would be able to testify against Arnold and keep him behind bars.

On Oct. 16, 2001, I was contacted by lead Crown Attorney Verne Frolick in Penticton, B.C. Frolick believed that the following information obtained during our investigation was of key importance to Arnold's prosecution;

1. During one of the interviews I had with Arnold alone, he confided that he would be willing to make a deal on some charges, if his appeal did not come through
2. During my last interview, he made numerous comments that damaged his defence in the Christine Browne murder including how he would commit a murder and his role with undercover RCMP who were disguised as Hells Angels.

Frolick also said that I would be required to testify in the new trial. He formally requested that copies of hundreds of pages of interviews, and notebooks be forwarded to him prior to November 2001.

He had inherited a complex case with inherent historic problems and new dilemmas which were not present at the first trial.

I told him that our investigative team had been disbanded for several months, but I would forward his request to Sergeant Vogen.

Although, I was not assigned to the case, in fact, no one was, I received another call from Frolick on November 1, 2001. He advised that Arnold, through his lawyer, had rejected an offer from Winnipeg on the Stoppel murder. Apparently, we offered a life sentence.

The B.C. Crown's office had also offered a deal in the Christine Browne case. It was for manslaughter, ten years with no dangerous offender designation and the time to start now. His lawyer had given indication, that he would recommend the offer to him.

I called Sgt. Vogen to update him on what I had just learned. He said that Chief Ewatski, Deputy Chief Thompson and Senior Crown Rob Finlayson had agreed to go with "life" for Arnold and sent the deal to B.C. where it was rejected. Oddly enough no one had contacted the Stoppel family.

Only a week later, I learned from Frolick, that Arnold had rejected B.C.'s offer. He also advised that I would not be required to testify. They didn't want to have anything to do with the Sophonow case in their trial as it would confuse the issue of wrongful convictions.

On March 29, 2002, at 1:00 p.m. I received a phone call from Bob Legge. I could not believe what I was hearing. He had just spoken with Arnold's father Sam. Terry had called him collect and told him that his charges were dropped and he had been released. Since there was no one working on the case, we weren't sure how to confirm the information.

I was on holidays, but I felt I needed to notify the Stoppel family if the report was true. I drove to the Professional Standards Unit and contacted authorities on Vancouver Island. Arnold had been released with a stay of proceedings on all charges. He was out of jail.

No one contacted the Winnipeg Police Service with the information. No one could, the phone lines to our "re-investigation" unit were not in service for months.

I spent most of the night making notifications, but my first was the hardest. Barb's family had been through enough and I was about to give them one more dagger of pain. I called Rick Stoppel and let him know the news. We had screwed up the first investigation, then the second and now the murderer was a free man. Rick took the news better than I did, perhaps being used to disappointment over the years. No one else from the service bothered to update him on the release - and you wonder why victims and their families feel so alone.

I then called Legge, Burchill, Inspector McCaskill and Suzanne Wilton. This was a day we had all feared, but it was nonetheless reality. Arnold was last seen in Victoria, but we had no idea where he would be staying.

A few days later, I picked up Rick and his wife Bess and took them for coffee. Rick and his family were incensed that they were being lied to. Ewatski was quoted in the Free Press as saying that the murder investigation was "ongoing" and yet there was no one working on the case.

Rick was also concerned that Arnold may learn where he and his family lived since police failed to black out his address for the Inquiry. Once again, I was taking the brunt of other people's mistakes. He also recalled that Ewatski told him at his house that Arnold was the killer, but they needed a confession in front of a judge to convict. If that was the case, why say it's ongoing?

I told Rick that Arnold was in Victoria and I would do everything I could to keep up to date on his whereabouts. I also told him that McCaskill had requested that I call the B.C. Crown's office and find out what happened to their case.

After coffee, I contacted Jeff Gaul of the Penticton Crown's Office. He apologized for not notifying other agencies, but once the stay of proceedings was entered they had no choice, but to release. They had completed a file review with several Crowns and come to the conclusion that they could not proceed with any likelihood of success. Instead of risking an acquittal in the case at a re-trial they decided to stay the charges and possibly charge him later.

Something had to be salvaged from this mess. I strongly recommended that a section 8-10 order be placed on Arnold so that he could be monitored constantly. Apparently, Penticton RCMP Staff Sgt. Felner had already been assigned to do just that. I contacted

him on April 3, 2002, to review Arnold's history and the urgency of monitoring him. He was also taken off guard with Arnold's release and had to notify Christine Browne's parents by phone and later flew to see them in person.

I received yet another call from Rick Stoppel. Something had now occurred that upset him more than the frustrations of all the trials and lack of success in the re-investigation.

He had been listening to CJOB on the radio and heard Ewatski state that our investigative team "is still working together for over two years, working on it on a daily basis and nothing else." Unfortunately, I told him that there was no one working on the case and hadn't been for months.

This was a public relations nightmare for the Winnipeg Police Service. Rick went to the media resulting in the following headings in the Winnipeg Free Press April 4, 2002:

*Murder Victim's Brother Fears Case Has Stalled.
Stoppel Wants To Meet Investigator*

Ewatski was quoted as saying, "This case is certainly not closed; it still continues to be an active investigation." Rick learned differently when he found that the phone line for the alleged ongoing investigation was no longer in service. "I feel Jack (Ewatski) is not working in the best interest of Barb and Manitobans...If somebody, if the RCMP could supervise, to ensure the Winnipeg Police is indeed doing its best for Barb," Stoppel told the media.

In response, possibly to the news article, I was requested to attend a hastily called meeting at the Public Safety Building Crime Office. Present were McCaskill, John Burchill, Paul Brown, Blair Vogen, Bob Legge, and Constables Bruce Huynen and Jeff Conway.

We reviewed the concerns of Stoppel in the media and the release of Arnold. We all agreed that there was no ongoing investigation and nothing more to investigate. I recommend that we should come clean with the family and that all they wanted was the truth. In fact, after what they had been through they deserved nothing less. The words of Chief Joseph seem appropriate here;

"It does not require many words to speak the truth"

Then, I couldn't believe what I heard. The conversation actually turned to who we could say was the lead investigator. Rick Stoppel had been told previously it was Blair Vogen, then McCaskill and now we were debating if we could say it was Paul Brown. Was this some pathetic comedy routine? I was adamant that we should just tell the truth...the case is done. Finally, it was agreed that there was no lead investigator.

It was beyond me that they just didn't get it. They still hadn't learned that it is better to be slapped with the truth than kissed with a lie.

Perhaps it was all a massive communication breakdown - where was all this misinformation coming from?

I received a phone call from McCaskill later in the day after he spoke with Ewatski. We could now say that there are only part-time investigators working on the case and no one full-time. Ewatski would arrange for a meeting with the Stoppel family to address their concerns and I would most likely be required to attend as well. I wanted no part of it, and declined.

With several fresh fires burning in the investigation, I now turned my attention to Manitoba Justice. Rob Finlayson had requested I set up a conference call with B.C. and his Crown attorneys Rick Saull and Dale Schille to learn what happened to their case.

On April 12 I did just that with the following participants:

Verne Frolick, Crown, Penticton
 Brad Chapman, Crown, Kelowna
 Geoff Gaull, Crown, Victoria
 David Winkler, Crown, B.C.

Dale Schille, Crown, Winnipeg
 Rick Saull, Crown, Winnipeg
 Miko - human being (my late friend Chris Brock would like this)

We discussed the case at length and all came to the same conclusion. We all believed that Arnold was guilty of murdering Christine Browne, but the stay of proceedings was appropriate under the law.

The rationale for the decision was due to several problematic issues that could not be overcome at a new trial. They may be best summarized as follows:

1. In the first trial the confession to Mr. Big undercover officers was the case. The jury accepted the confession and convicted Arnold where a judge would likely not have
2. Disclosure issue of evidence was entered late
3. Arnold's claim that he was afraid for his life may open the possibility of him making a false admission. This has long been an issue with Mr. Big operations
4. Even though Arnold took undercover officers to the scene of the crime, he would later say it was his friend Robin Douglas that did the murder
5. The body of Christine Browne was found months after her death and there was a lack of forensic evidence

6. Douglas gave police numerous statements, each conflicting with the other
7. Recently a graveyard specialist determined that Christine's pants and panties were both on and not torn off. Douglas stated that Arnold raped her and threw her panties away which could not be true
8. When Douglas was asked in his last statement how much of it was true he replied, "about 90 per cent."

I still maintained that if Douglas had done the murder, Arnold would have implicated him during the Mr. Big operation. After all, he had no problem telling police that Sophonow confessed to him.

I also brought up an article from the weekly criminal bulletin referring to section 47. Charter of Rights-Fundamental Justice-Police trickery and instilling fear in suspects. The case was R v. Riley (Oct. 12 2001 in New Westminster) where it was determined that *"Instilling fear in an accused is not necessarily coercion resulting in an abuse of process - the actions of the officers here would not shock the conscience of the community so as to warrant a stay of proceedings."*

This led us all to a rather somber note. Had the RCMP's Mr. Big operators known about Arnold being a suspect in the Stoppel murder or the murder of Denise Lapierre in Calgary, he may have admitted it to them as well. Unfortunately, we didn't bother to review the file until 1999.

With regard to the life sentence offer from Winnipeg, we were informed that it was not an offer, simply an inquiry which was rejected. Arnold's lawyer did indicate that his client would never deal with the Stoppel case, but may with Browne and Lapierre.

Our conference call lasted over an hour. All the lawyers involved were dejected yet honourable in their decision to stay the charges.

And what about Arnold? While we were all scrambling, he was a free man living in Victoria. Still angered by our sabotaging his jailhouse romance, he sent an email to his former fiancée. The unedited contents exemplify his emotional stagnation.

"Darlene, I don't care if you read this or not as I am going to say it! I'll not let you do the asshole control thing over me once again. I am not in jail now you ungrateful cow and don't think I am just some idiot like you're stupid brainless friends.

You have being a thief of my time, my heart and my doings for far too long. You are hurtful and hateful bitch who will forever be alone in this world.

You are ugly and your eyes are too close. Your friends are idiots and morons and no wonder serge told you to take a hike.

You have fucked me over twice now and I'll not ever give you the opportunity to do it again. You need to get a life! Don't even attempt to contact me,EVER, or any member of my family or extended family.

Thank you by the way. I won 50 bucks from my mom as she didn't believe you would be like such a cow once again. You really take the cake.

Everything I told you about me has been a total lie since I started calling a few days ago. I now know how you can be so do you really think I would give you any of me personal information about what I do or where I go. You fucked me once, I'd not to let you have the opportunity to do it to me again you dumb moron.

My mom hates your guts and my sister would tear your eyes out if she ever met you.

As for me, good riddance to bad trash I say. You are not worth my time or energy to ever come to Ontario, and if I did come there, It would be to see my lying skunk rat of a father. You are a waste of skin and a total loss as a human being. You should do the world a favour and go hang yourself.

So, thanks for playing the dumb games with me, and thinking I was falling for your crap once again you loser. This is my last letter to you and I really hope you are paying attention and do not respond to now or in the future, or try to use someone I know to do your little message thing. End of story, this ride is over.

I still have the email where you said I could email you and I will keep that in case you try you're funny Little bullshit games with me. Keep the pics you conned out of me because you can just go fuck yourself with them. I hate you. Forever! All feelings are "ICE COLD" where are you are concerned.

This is it, no more and you'll not hear from me ever again so make certain you follow the letter of your last email and don't ever contact me or my family again. I hope this is perfectly clear to you! I don't know how to make it any clearer, but you are so fucking dense you probably still don't get it, do you.

Good bye."

The pig most definitely had been released, but the challenge remained, to keep him leashed.

Chapter 17

In Freedom Chains

Several months had already passed since Arnold walked out of the gates at William Head Institution. What awaited him was a gorgeous spring on Vancouver Island and a smorgasbord of potential victims he would soon encounter.

Much like he had done in between his murders and rapes, Arnold focused on easy prey. Just a few months after his release, he had approached a mentally handicapped female at the Glad Tidings Church in Victoria. He persuaded her to open a joint bank account and was planning on marrying her. Victoria police soon intervened and began investigating him for harassment.

He was now living in a seedy apartment on Pendergast Street in Victoria. It was apparently being paid for by an unknown person, who was assisting him in writing a book on his life.

I was also busy writing. After enduring well over a year in the Professional Standards Unit, I had toiled for months deciding whether or not to formally address numerous credibility issues within the unit and the service as a whole. One of those issues was how we handled this case.

I was cautioned by those around me that if I submitted the report, my career path would end and it was likely I would never be assigned to a specialty unit again. All I had to do was keep my mouth shut and I would most likely continue being promoted.

Prior to submitting the report, I had all police members involved in the observations read it thoroughly. Each officer corroborated every word written and vowed to say the same when they were interviewed - they never were.

The report was submitted on October 16, 2002, and was later posted on the internet under the heading "The Mikolajewski Report".

Stoppel is not only the title of this book - in many ways it was my turning point. Core values of the WPS were just words. I took too many layers off the onion and was left with a bitter taste. I decided to do what I could for my fellow officers and citizens of Winnipeg without having anything to do with the circle talkers.

I submitted the report to Staff Sgt. James Poole on Oct. 17, 2002. I walked into his office as he sat in front of his computer and placed it on his desk. He looked up at me and I said, "I think you should read this...this is not going to be a good day." I walked out and within seconds he got to his feet and shut his office door for several hours.

Other members in the PSU office encouraged me stating that I had done the right thing and all confided once again that my career was over.

On October 21, 2002, at 9:05 a.m. I received a phone call from Poole as I sat in my office in PSU. He asked me to stick around the office as one of the D/Chiefs wanted to speak with me. A short time later, I was told to attend to the executive board room at the PSB. Gord Hudson, my new partner, offered to go with me, but I didn't want anyone else taking a hit for what I had done.

I got off the elevator at the PSB and walked down the cold hallway leading to the offices of the WPS executive. I was asked to wait by the clerk and was eventually summoned into the same boardroom where I had provided all the details of failing to obtain a warrant for Ken Biener's residence.

I was asked to sit down with Deputy Chiefs Menno Zacharias and Jim Thompson. Oddly enough, I still had an image of Zacharias laying on the floor in his office down the hall. Several months earlier he was promoted and Sgt. Vogen and I had some business with the Chief. We walked by his office and Vogen stepped in to congratulate him. As he got off his chair he slipped and fell to the floor. It just shows that we are all human.

Zacharias told me that I was going to be transferred immediately to uniform duties in District 2 (St. James) as a result of the report I had written.

It was a very brief meeting, with little else being said except by me. I candidly told them that I had debated the merits of submitting the report for months and that I believed it had to be done. My only request was to be given a few days to clear up some unfinished paperwork. He said that I could work that out with Poole.

It wasn't very long before the news spread in the service and subsequently the media about the report I submitted. I was described in the newspaper as an officer of great potential and "brimming with integrity."

My last day in the unit was Friday, Oct. 25, 2002. I went out for breakfast at a downtown restaurant with my co-workers. As we moved to our table, two constables approached me and shook my hand stating "thanks for standing up for us."

It was a somber meal, but in many ways a relief. We went back to our office and I began packing up.

As I walked out of the PSU later that day the admin assistant, Sue McDonald reflected "I guess it's true Miko, good guys do finish last." On that note, I turned in my keys and walked out of the 9th floor PSU office at the Confederation Building 457 Main St. with a garbage bag of personal effects over my shoulder. An officer with an exemplary work history and no blemishes on my career.

An external investigation was conducted, but I still have no idea what their mandate was. Not one of the officers that could corroborate everything I had documented, was ever spoken to or interviewed. Interesting how some things just never change.

I still maintain that submitting the report was the right thing to do. It also set in motion several challenges of the executive by front-line members. This resulted in cash settlement after cash settlement for officers who had been wronged. It is a process that continues today.

I also recommended the creation of a police commission, in an effort to create a checks and balances for the police executive. Several years later, it was created, but I'm not sure its mandate is allowed to oversee the service the way I had envisioned - and it appears to be far too political.

My career was over but I took solace in the following saying:

“Every man is guilty of all the good he did not do.”

- Voltaire

As for Arnold, I continued to correspond with authorities on Vancouver Island and kept tabs on his whereabouts. I managed to track down one female acquaintance, who claimed he admitted to killing 19 girls in Canada and the U.S. He went as far as to boast that his first murder was Barb Stoppel in Winnipeg.

During the numerous search warrants I executed, I was able to read many of the letters sent to and from Arnold. In one of the most revealing, he divulged his greatest fear - to be in the middle of the ocean surrounded by sharks.

I had done everything legally possible to effectively prosecute Arnold and had come up short in each avenue. My responsibility didn't end with a failed investigation. I believed I had the obligation to expose him for what he was and ensure the public was protected as much as possible - I still could not give up.

The FBI had recommended that we form an army against him. Unfortunately, our service simply folded its tents.

I requested that the RCMP and Victoria police maintain surveillance on him whenever possible. His anonymity was his strength, allowing him to get away with much of the offences in the past. Utilizing police authorities and the media Arnold soon became a frustrated sex offender in the middle of the ocean surrounded by sharks - they did a great job and all within the law.

By 2004, an RCMP task force had been set up to focus on Arnold and potentially charge him once again with the murder of Christine Browne. They contacted John Burchill and asked if I was still on the job. They had reviewed my interviews with Arnold and were

hoping to lay a charge in the near future with me being called to testify. Perhaps once again I could be of use.

I remember sitting with RCMP Major Crimes investigators and all sorts of WPS top brass in a PSB boardroom. Our high-ranked senior officers seem to salivate offering the RCMP investigators anything they could provide. The room became silent when they revealed that all they wanted was my notes and my reports - it felt good to have an outside agency recognize the work I had done.

Slowly Arnold found himself not being able to do anything without the police or the media watching or reporting on him. Some may ask how he could exist for a few years without offending. The answer is the local police had him under a microscope. In fact in early 2005 he was seen talking with a young girl on a secluded road. Central Saanich police interrupted what would have been his next crime.

His lust for sex was also getting out of control and he was being investigated for producing child pornography. Victoria police notified him on March 25, 2005 that they would be back for a DNA warrant the next day.

He also knew there was the possibility that the RCMP task force would be charging him again for the murder of Christine Browne and may have been afforded a copy of my interview notes. Arnold did not want to go back to the boredom of prison, yet freedom had also brought him chains.

He was now in the shoes of his stepbrother, seeing police and the media every time he opened his eyes.

Perhaps he also remembered the promise I made to him when I left the segregation unit at William Head, "I'll be back for you Terry...count on it."

Chapter 18

To Wake No More

Behind Blue Eyes (The Who)

“No one knows what it's like
To be the bad man, to be the sad man
Behind blue eyes

No one knows what it's like
To be hated, to be fated
To telling only lies

But my dreams, they aren't as empty
As my conscience seems to be
I have hours, only lonely
My love is vengeance that's never free

No one knows what it's like
To feel these feelings like I do
And I blame you

No one bites back as hard
On their anger, none of my pain and woe
Can show through

But my dreams, they aren't as empty
As my conscience seems to be
I have hours, only lonely
My love is vengeance that's never free

When my fist clenches, crack it open
Before I use it and lose my cool
When I smile, tell me some bad news
Before I laugh and act like a fool

And if I swallow anything evil
Put your finger down my throat
And if I shiver, please give me a blanket
Keep me warm, let me wear your coat

No one knows what it's like
To be the bad man, to be the sad man
Behind blue eyes”

I wasn't much of a church-goer anymore, but that didn't mean I stopped believing. Every day or night on the commute to work from Stonewall I made time to pray. There were the usual well wishes for my family, the Hail Mary and of course, Our Father, but the one that was most vehement was my begging for Arnold to die.

It was far more than a prayer - it was a daily curse.

I don't recall a day that I didn't make that passionate plea. My faith was shaking. I challenged God, pleading that if he truly existed how could he let this man live after so many had suffered. Years went by and I continued to curse. I guess, I wouldn't have been much of a priest. This was a soul only God could forgive.

In answer to my father's question...yes, this was one life I could take. Out of the blue, the day finally arrived.

On March 27, 2005, I received a phone call at work from Scott Hobbs of the Calgary Police Service. His words were slow and deliberate and oh so calming: "Terry Arnold committed suicide yesterday, he's dead."

I was elated - finally he's dead and his list of victims ends.

The first person I called was Rick Stoppel. Although he was relieved to some extent, there would be no full closure. Arnold had avoided being brought to justice for murdering his sister.

Next I called Suzanne Wilton and let her know the news. She immediately went to work on another story, perhaps this time, bringing some peace to the families of so many of his victims.

I then contacted Inspector McCaskill so that someone from the service could advise the media. McCaskill politely informed me that he was not part of the investigation any longer and that I should pass the information on to John Burchill. I called Burchill and he said he would forward the information on to whoever was in charge, but there was really no one to tell. It was not an ongoing investigation at all and hadn't been for years.

My elation at Arnold's death was tempered after a quick phone call home to my wife. I wanted to give her the news, but was stopped halfway through my first sentence. She had just put our Golden Lab Bo down after 12 years being with our family. I should have been there for her, but once again, I was wrapped up in this case.

I continued to make notifications and would soon learn more about his death. He had taken a large amount of pills and swallowed them down with a 40-ounce bottle of rum. He had also left a three-page handwritten suicide note.

The suicide note and its contents have never been released to the media or to his family. In fact it has never been shared with the other police agencies investigating him. I have not seen the note, but I do have knowledge of its content.

At no time in Arnold's life has he ever taken responsibility for his actions. He would continue this denial even in death.

"I didn't kill anybody," he wrote much in the same dull fashion as he so many times before denied any wrongdoing. There was, of course, no confession, no dying declaration and most certainly no admission of any kind.

There was however, the usual self portrait of him being the victim. The media and police had brought undue attention to him, he wrote, and made it hard for him to have a normal life. How unfortunate that a man who had raped and murdered so many could not be afforded the chance to live a "normal life."

Arnold also wrote that he stayed on the Vancouver Island to avoid a Winnipeg policeman who had been investigating him. It was he and the media that he blamed for all his troubles and ultimately his demise. If I had anything to do with his decision to end his life, I won't miss a second of sleep. No matter how damaged he was he could not be left to offend ever again.

As for his death, Arnold was found in his cesspool of an apartment after someone called Victoria police to check on his wellbeing. When they walked in they found him wearing nothing but his underwear and covered in vomit as porn was playing on his T.V. After consuming both the pills and alcohol he had crawled around on his hands and knees for hours enduring a slow and painful death.

Arnold had made many botched suicide attempts in the past. They were all seen as efforts to portray himself as the tragic hero, the victim, the one in need of pity. I have always maintained that he was far too self-centred and cowardly to ever harm himself.

There is no doubt that he took the pills and alcohol. I can see him overdosing, but he was the type of person that would have called someone to let them know what he had done. Then whoever he called would call police and he would be saved. Whoever he called didn't take the bait.

Later that night, I arrived home and comforted my wife and family on the passing of our dog. Then I retrieved my 4th notebook from the case and turned to the last page. I wrote the time and date of Arnold's suicide and summed up the investigation with 3 words...
END OF CASE.

Epilogue

(i) Keepers of the truth

Police integrity is determined by three factors: ethics, discretion and professionalism. Police ethics refers to a system of moral values that are generally accepted as professional standards in policing. In order to foster trust and respect, officers must make wise ethical choices. Too often we have been guilty of words and no action.

At the very outset of the review, the Winnipeg Police Service boasted that we were “seekers of the truth”. Unfortunately we also became “keepers” of it.

It seemed like the more we uncovered the more hardened the service as an organization became.

I have relayed the truth about the original and subsequent investigations. I believe that there was more than enough information at the time to have established reasonable grounds that Terry Arnold murdered Barbara Stoppel. Instead he “slipped through the cracks” and police focussed on Sophonow.

The initial investigation was wrought with human errors including

- Not testing the murder weapon
- Not tracking the phone call to the donut shop from the “friend” in Texas
- Destruction and improper storing of exhibits
- Tunnel vision
- Photo line-up procedures
- Police interrogation issues
- Missing police notebooks.

As damaging as these errors were, they were fleeting in comparison to the most significant. The information necessary to pursue the killer was present long before Arnold would kill again and yet no one acted. All they had to do was read the report. Instead of having me do marching drills every morning in 1986, they could have had me review the file for a few hours. In fact, any one of us in that class could have done it.

I believe that this case represents one of the most disturbing acts of omission by a police service in the history of Canada.

And what was the result of the combination of a questionable investigation coupled with the unwillingness to simply read the report? Numerous murdered and raped women across Canada and an innocent man wrongfully labelled a murderer for so long. Oh yes, once again I forgot about the Stoppel family, who year after year suffered with no closure.

Perhaps there are some who would argue that hindsight is 20/20. Tell that to what's left of the 8-year-old girl who was sexually assaulted every way imaginable well over 100 times. See if those words give her any comfort.

The challenge now is for the WPS to admit it and apologize to all the unnecessary victims and their families. Ethically, it is the right thing to do. Can they admit now that the case is closed or will they hide behind the illusion that it is an "ongoing investigation"?

I gave a presentation to the Winnipeg police Cold Case Unit before I retired. It lasted a few hours and I didn't need any notes, it was all still so clear in my mind. At the end we all agreed that there was nothing further to do on the case.

How interesting that even in his death Arnold refused to be accountable for what he had done, much like the Winnipeg Police Service today - are they both embedded in psychopathy?

This isn't much of a courageous recommendation by me. If they come clean and admit that the case is done and apologize for the needless suffering of other victims, I will be proven right. If they continue to lie, deny and act surprised, then I will once again be vindicated. If they remain silent, then perhaps things are worse than I thought.

This wasn't the only murder case that was riddled with errors. Perhaps they will open the books on the others and let the families know that they too are closed because of missing exhibits and police errors. They could start with a 1982 murder File #82-3-8026. I trust you will let Gavin's family know that many of the exhibits are missing. In fact most of the report is as well. I confirmed this as recently as last year (2016).

Keep in mind that I was privy to a host of cold cases that have similar issues. The onus is on the leaders of this police service to tell all the families the truth.

"Time is a flat circle. Everything we have done or will do we will do over and over and over again—*forever*."

Friedrich Nietzsche

This is Nietzsche's doctrine of eternal recurrence. Can we learn from this case and all the others and break away from this pessimistic mentality?

There have been many changes in policing in Winnipeg over the years that I have witnessed. We went from black and white cruisers, to blue and white, from being called "Department" to "Service", and of course changes in the colours of our uniforms. We have changed our logo from "Community Commitment" to "Building Relationships" but perhaps "Better Late Than Never" is more appropriate at times.

Forensic science has come a long way since 1981. Many safeguards are in place to prevent mistakes that happened in the Stoppel case from happening again. Nevertheless policing is still a human process and as such subject to all the frailties of the human mind.

Winnipeg police saved \$100 by not testing the twine in 1981. I would like to tell you that they have learned not to cut corners in investigations, but I cannot.

Right up until I retired, there were numerous examples of duty inspectors trying to cut overtime expenses with potentially damning consequences. Can you imagine being a police officer less than a block away from a high priority call being told not to take it because you are at the end of your shift?

I still recall being at the scene of a sexual assault in the North End of Winnipeg. A young woman was attacked in her house and I had one car sitting with her at the hospital. I had another car guarding the house to preserve evidence until our IDENT officers could attend in the morning. It was a rather busy night and I received a phone call from the Duty Inspector. He wanted me to put a lock and hasp on the doors of the house and have the unit return to the station to cut overtime costs.

I knew the phone line was taped, so I tricked him to change his mind. "So should I also go to the hospital and let our victim know that potentially, crime scene exhibits will be rendered useless, due to continuity issues, but she can have solace in the fact that we saved a few overtime dollars?" I said. Needless to say the team at the scene remained all night.

Just because someone has been promoted to the rank of Inspector and above doesn't mean they have the experience to always make the right call. In fact, the system almost ensures that by the time one reaches that rank and above they have been removed from front-line policing for many years.

When I was working in detectives, we had just made an arrest for a robbery suspect who wore a gorilla mask for a disguise. Our Inspector came into our office and congratulated us for our work. Then he picked up the mask, put it on and jumped up and down acting like a monkey in front of the prisoner's window. I had to tell him we were going to be sending the mask away for prints and DNA which was now obviously compromised.

I remember taking a prisoner from our vice office in 1995. We were in the parking lot at 55 Princess and just about to put him into an unmarked car when the Deputy Chief of Police shouted "WHAT'S THE CODE TO GET INTO THIS DOOR?" He had forgotten the code to enter our secure building and didn't have the common sense to realize that if I shouted the code back our prisoner and everyone in ear shot would know it too.

You probably won't believe this next example of cost-cutting. Just before I retired, the Inspector in our district came up this brilliant idea. He wanted us to reuse the blankets

we carry in our cruisers and in our station. So in essence the blankets would go from one drunk to another and perhaps end up days later on a victim - and this was to save a few hundred dollars a month? This was modern-day policing? We certainly hadn't learned.

And what about our justice system as a whole? With the advent of full disclosure, wrongful convictions have a much less likelihood of occurring. But what about the ingredients for tragic crimes occurring in the first place? I'm afraid we have learned very little.

Arnold was labelled by many to be a danger to society. Year after year, murder after murder, we read the same headlines.

A recent one comes to mind, she was one year younger than Barb.

"Before Tina Fontaine's death, judge called Cormier 'a danger to society.' Raymond Cormier, the man police say murdered 15-year-old Tina Fontaine, has more than 90 criminal convictions and has spent his entire adult life in and out of prison, court records show." - Winnipeg Sun 2015

And the headlines bring up this point every day. It's April 26, 2017 as I write this and what do I see on the CJOB website? "Violent sex offender may be headed to Winnipeg." I started to make a list of all the headlines but had to give up - there are just too many.

As my running mate Patrick back in prison taught me in 1986, many offenders can turn their lives around if given a chance. Others however do not and we continue to release them into the public knowing full well they will reoffend.

Its like releasing a shark into a wadding pool and standing back wondering why it's attacking children.

If we are ever visited by beings from another planet what would they think of us placing such little importance on victims?

Unfortunately, it seems that the day the people directly involved in the "Justice" system lose money is the day the system changes and the day the flat circle is broken.

"Veritas Aequitas" is Latin for truth and justice and is a motto that stands for personal honour and truth in actions and justice, regardless of the circumstances. Living these two words comes at a price.

Can you imagine a carpenter being told by an owner of a building company how to place reinforcing beams in the structure being built knowing it is wrong? Try doing that day after day, and when the structure falls down the owner shakes his head in disbelief while you knew all along it had to happen. The same occurred with this case.

Over and over we recommended the best options for any likelihood of success and each time we were turned down. Perhaps the tools we were given made us destined to fail, but we had a better chance if we had been left alone to do it. The emotional toll on all of us was heavy. Enduring a year and a half of being hated by fellow officers, court officials, politicians, while all along ignoring our own families in the pursuit of justice.

If a cold case like this has the potential to become political, it should be handled by an outside agency that has nothing to gain or lose by the findings.

My partner Bob Legge started planning for retirement the day we were both shown the door from this case. He works now as a part-time teaching assistant at a junior high school in Winnipeg.

And what became of me? I was blocked from specialty units and promotion for the rest of my career. Oh don't think I wasn't asked. Supervisors in the Sex Crimes Unit asked me almost every year if I was interested in transferring. In fact, I was scheduled to attend a course in the United States to prepare me.

My name was the only name given by the unit's supervisor that year. And what was he told by a member of the executive? "If that's the only person you have on your list, your unit will run short."

Yes, it hurt not to be able to use the talent I thought I possessed. This sentiment was shared by lawyers, magistrates, high-ranking officers and my peers who often repeated the same words - "what a waste."

I learned a long time ago to squeeze whatever good I could out of every situation put before me. My father risked his life feeding Jews in Warsaw, Poland. How fitting it was for me to do the same for the poor in the North End of Winnipeg. The biggest difference was I would not be shot at for doing it.

Const. Clare Sutherland and I would drive around the area and give food to families in need. Our only stipulation was for us to remain anonymous. Can you imagine what they felt like being stopped by the police and asked if they wanted some bannock? Their eyes lit up expecting a spot check and instead receiving something warm to eat.

A chance meeting with another former ward from Marymount was another prime example of what I would have missed if I hadn't been blacklisted.

She was 15 when I first met her. A young Indigenous girl with straight black hair, usually adorned with a flower in admiration of Buffy Sainte-Marie. In fact, she looked a lot like her. Barb would sit on my lap after school and tell me about her day and her aspirations. I could never undo what was done to her, but I tried to be a brother-type figure.

She had burn scars running from her ankles to just under her neck. As a child lying in her crib, a family friend had doused her with a flammable liquid and set her on fire. The pain of the fire was magnified year after year as her body grew and the scars stretched.

All these memories came back this Christmas evening as I drove down Selkirk Avenue near Parr Street and saw her standing on the corner. She was all grown up now and showed the effects of living in this lower-income neighbourhood. It was late at night and this area was frequented by young prostitutes and the parasites known on the street as "Johns".

I thought I had seen her the day earlier and had already run her name on the police computer. She was wanted on several warrants - nothing serious, just theft and property offences. I pulled up in my cruiser with my window down and called out "Barb."

She didn't recognize me initially and kept denying that her name was Barb. Finally, I stated "Barb, it's me Andrew from Marymount. I know you have three warrants but don't worry, I'm not taking you anywhere."

She was stunned - her expression changed from being apprehensive to putting on that smile I had seen so long ago. She almost cried as she said my name and leaned into my car to give me a long hug. "I was thinking about you the other day, it was your birthday, Beethoven's birthday," she said. She hadn't forgotten, that's what I bragged about over 30 years ago.

We chatted for a bit and I could tell she was getting uneasy. The uniform I was wearing seemed to make a barrier between us. It wasn't the healthiest idea to be friendly with the "Po-Po" in this area. I understood, but it didn't make saying goodnight any easier.

She promised to turn herself in after Christmas and true to her word she did just that. I'll never forget that hug.

Far from being a disgruntled employee, I kept my head up and maintained the highest standards possible in every dimension of our performance evaluations. It was a far cry from the pathetic report cards I had in St. John's Ravenscourt.

This evaluation was completed by Sgt. Gary Platt one of the longest serving and well-respected members of the WPS. His comments were as follows;

"It is the opinion of the primary evaluator that this member's abilities and potential are not being utilized to the police services best advantage by having him in general patrol. This officer would excel in a specialty unit."

My last evaluation was written by Sergeant Malcolm Dawson.

"Andrew you are a valuable resource of the Winnipeg Police Service. You can be relied on to handle any investigation or problem encountered by the service."

Your behavioural and technical skills exceed all expectations. I observe that you genuinely care about the development of your subordinates and consistently set goals for their development. All members find you easy to approach with any issue and you guild them to the highest standard of the service.

You deal effectively with senior managers in District #2 and always lay out a positive solution to all events encountered.

You are a trusted employee.

On behalf of the Service I would like to thank you for all your efforts. You are a professional Police officer, and an ideal supervisor.

Your talents of teaching and motivating officers are the best I've ever seen. I recommend and encourage you to consider a full time teaching position at the Winnipeg Police Academy."

With these glowing evaluations in mind, I was still not allowed to be assigned to specialty units year after year. Perhaps, that is why so many decide to do nothing. For the last six years of my employment I did not receive any evaluations - I guess there was simply no point.

I was later awarded the Police Exemplary Service Medal on behalf of the Government of Canada and I felt like giving it to Rick Stoppel. I think he and his family deserved it more than I did.

I would later be elected to the WPA (Winnipeg Police Association) as a representative of District 2 and was the co-chair of the Workplace Health and Safety Committee.

Many of my co-workers were amazed that no matter what they did to me or where they sent me, I seemed to have fun. Front-line policing was the punishment they dished out for telling the truth and taking a stand.

But rest assured my shadow was not the only one to walk beside me.

Times certainly seemed to have changed. Remember that beating of the handcuffed Indigenous man that I witnessed in 1986? Well, fast forward to just before I retired as I watched one of my constables go into action.

We called him "Bobby" because he looks like Bobby Hill from the cartoon series "King of the Hill". There were lots of other characters like "Homer," "Jig," "Tek," "Fly," "Toots" and "J-bone" - almost sounds like a bunch of bikers. This particular summer afternoon he was working with Brad Mederski - now that's a cop's name.

I was trying to coordinate a search for a group of men on bikes robbing people at knife point in the area of north Main Street. Over the radio, I heard that they had struck again. This time the victim, a young Indigenous man, was stabbed in the chest. He managed to stagger about 80 yards to the front doorway of his house and into his mother's arms.

I pulled up right behind Bobby and his partner. He rushed to the front door and started compressions on the young man lying on his back trying to keep him alive until the ambulance arrived. More and more units came on scene as we cordoned off the area with police tape and cruiser cars.

Bobby's efforts were not enough - the knife had entered the young man's heart. He died moments later. Standing there covered in blood, he maintained his composure and did what he could to comfort the young man's grieving mother.

This was the type of officer I was surrounded by now.

On my last day of work in 2014, before I retired, my shift arranged for 30 pounds of flour to be dumped on my head from the roof of our station. It was my just reward for all the pranks I had done to them.

We lined up afterwards in the back lane on Hartford Ave and had a group picture taken. Looking back on that photo I realized that I had the honour of being in the company of heroes - and that is something "they" can never take away from me.



(ii) Thomas Sophonow

I completed a rough copy of this book in early May 2016. It was my intention to have both the Stoppel and Sophonow families read it before I went any further. If they had any objection to it becoming public I would not publish it. Rick Stoppel and his family had already encouraged me to get the truth out but I still needed to speak with Sophonow.

I texted Tom's wife Rebecca, who graciously gave me his phone number. I wondered how receptive he would be to speaking with me. The call began awkwardly enough with Tom responding to whatever I said with one word answers, perhaps trying to feel me out. As our conversation continued he became more and more interested in the idea of a book, especially as I started to fill in the gaps.

It was so hard for him to fathom that all it took to discover his innocence was to read the report. If someone had just reviewed the report for two hours he would not have lost almost four years of his life in prison. And then there was the issue of all the other murders and sexual assaults that need not have happened.

He still had the misguided impression that we had stumbled over new evidence which was totally false.

All I wanted to do during this call was open the door to the truth. And why not - he had been waiting 34 years for it.

In short order I sent both Tom and Rebecca my unedited version of the book. They both encouraged me to make it public.

In the summer of 2017 Tom came to Vancouver Island to visit some friends. We decided to get together for a coffee and catch up on the last 17 years since we saw each other. We met at Coyote's coffee in Parksville - best coffee on the Island. I bought Tom a piping hot latte and then drove him to Rathtrevor Park.

There we stood looking out at Craig Bay with the serenity of miles of sand beach and the occasional eagle flying by. We walked for over an hour and a half and believe it or not we didn't really bring up the case. When we got back to the parking lot he asked if he could take me and my wife Cathy out for supper.

My father used to tell me that you could tell a lot about someone by how they ate their meals. I was the type of person that would eat the least pleasant part of the meal first.

Then I would savour the part I liked the most. Perhaps that meant I was willing to put up with negatives to get to a positive.

Well, I certainly learned a lot about Tom during this meal. All three of us ordered the plank salmon and we were hungry. Following an awesome entree of mushroom caps our main course arrived. Cathy and I started to eat our fillets but couldn't help but notice they were way overcooked. "You're not going to eat that are you?" Tom said. I don't recall a time when I have ever sent meal back at a restaurant.

The waitress walked by to see how our meals were and Tom asked her to have the Chef try again. "I bet they come back raw." I laughed. Well the laughter stopped when our main course arrived for the second time. It wasn't just raw, I think it had a pulse.

On to the third attempt which came back partly cooked. By this time Cathy and I gave up and just ate the part of the fillet that were bearable while Tom went for a fourth try.

The bottom line is Tom really doesn't put up with anything. As for the meals, they were free of charge.

Far from being upset, we spent several hours talking and were in great spirits.

Tom is not your average wrongfully convicted person. He still suffers from PTSD but has succeeded in many parts of his life. After the inquiry he wanted to go back to work and try to lead a normal life. Unfortunately others would not allow this to happen.

One day at work he took his overalls off to go to the washroom. When he returned he noticed a tag clip on the back of his work clothes that he had not seen before. There was one word on it - murderer. He had just been exonerated and yet some co-worker wouldn't let it go.

What bothered Tom the most about the incident was he had no idea how long he had been walking around with the tag on his back. One person placed it there but so many other coworkers must have seen it and said nothing.

Tom quit work and bought a 9,000 square foot home in New Westminster for \$585,000. He has spent the last 16 years restoring it and you can well imagine what it is worth today.

He reflected about his friend David Milgaard who was another wrongfully-convicted person. David had been given millions in compensation but had no end of family and friends with itchy palms. He now survives on an allowance from what is left over.

After supper we continued talking in the parking lot. His next destination was to visit James Driskell. He too had people looking for handouts from the compensation he was awarded. After visiting with Driskell he was going to see his old bridge partner from prison.

Prior to going our separate ways Cathy took a picture of us that really demonstrates how tall Tom is. He had to sit on the hood of his car so I wouldn't be dwarfed.



As we drove home Cathy asked, "How tall was the real killer?" "About 5-foot eleven," I replied. "That's ridiculous, Tom is a giant," she said as we both wondered why his defence lawyers didn't have him stand in the donut shop doorway with a cowboy hat on. It would have shown just how implausible the whole scenario was.

This wouldn't be our last visit on his tour of the Island. A few days later he called asking to go for coffee as he headed back to the mainland. I could tell there was something on his mind.

This time we met at Taste Cafe in Parksville. It was my turn to buy so I ordered up two more lattes. As I opened my wallet Tom stood behind me laughing and letting out a loud creaking noise. There I was exposed as being the cheapest man on earth.

We sat down by the rear of the restaurant overlooking Resort Drive. It didn't take him long to let me know why he wanted to meet again. "I wanted to thank you for everything you did for me," he stated, looking straight into my eyes. Then he confided that right after our first interview in Vancouver was over all he wanted to do was leave the room. He just couldn't feel comfortable in the same room as police.

This was something that never really filtered into my mind. He explained that he sat in court through all his trials and watched as he believed police officers lied on the stand. It wasn't enough to hear the same testimony at all three trials but it continued during the inquiry. All he wanted was for them to tell the truth.

Only Tom and the officers involved know the truth concerning the testimony. I will only add this. If anyone did lie in the trials, they most definitely caused this man to suffer needlessly for far too many years. Moreover, if they lied, they contributed to every crime committed by the real killer since 1981. Yes, if they lied, they wear it!

Tom had a deep-seeded mistrust of the police which was very hard to break. This was why he needed to meet again. Now he trusted and he wanted to say thanks. We spoke for well over three hours before once again shaking hands in the parking lot.

A few days later Tom drove all the way to Winnipeg and had coffee with Bob Legge. He needed to tell Legge how much he appreciated his work in exonerating him.

I never really knew how much honesty meant to Tom until I asked him what he would like to mention in the book. It was a memory from one of the days at the Inquiry. Tom walked into the elevator followed by Inspector Roy Smith of the Winnipeg Police Service. Smith had been giving testimony on the improper line-up procedures that were used.

Their eyes locked up as Smith reached out his hand and explained how sorry he was for all that happened. They shook hands and parted ways as the elevator door opened.

This above all else was what Tom wanted me to add. It was a genuine apology from a high-principled man. It meant everything to him.

(iii) Barb



(On the day of her sister Roxanne's wedding)

If I had the honour of speaking with Barb Stoppel this is what I would say:

You may wonder why I am writing this now. It has been a few years since I retired, but I promised your brother I would wait.

Your mother endured your loss that cold December night and relived it during the preliminary hearing and all three trials. She lived eighteen years of her life thinking that Tom was your killer and he had gotten away with murder. The only thing they received during these trials was parking ticket after parking ticket. Then in 1999 our review stirred tragic memories up all over again.

The Inquiry that soon followed our review was all she could take. Rick made me promise to keep what I have written to myself until her memory faded.

Year after year your mother would post the following in the Winnipeg Free Press,

“BARBARA GAYLE STOPPEL December 23, 1981 Lovingly remembered, Mom, Roxanne, George and boys, Rick, Bess and girls. In God's Care” (2008)

In 2016 I spoke with Rick on the phone. He had just visited your mother at the home where she has been placed. He brought a picture with him of a young girl and he asked her if she knew who it was. “No,” she replied.

It was you Barb.

Your mother no longer reads the paper or watches the news and staff have been instructed not to bring up your murder.

So now is the time, and looking back on what I have written, I can see such a void. So much of what I have put on paper and documented steers far away from you.

I was taught in recruit class you were supposed to be the most important person. Yet we lost sight of you, the longer we worked on it and the more we were pushed away from police work. It became a battle of political agendas with people scampering to protect reputations.

Like a ship slowly sinking in the ocean, so many of the passengers tried to remain dry no matter whom they had to stand on.

I often could visualize the following analogy playing out as the investigation went on. I could see you lying on that bathroom floor and one by one I watched as retired policemen and their lawyers, retired Crowns and their lawyers, and politicians filled the room with their backs to you eventually making it hard if not impossible for you to be seen.

The night of Dec. 23, 1981, is best described as a domino effect of tragedy. Each event preyed on the other leading to the perfect storm of inept investigation, creating an unsolvable murder. So many of the characters involved wished that they had acted differently. Could eyewitnesses have intervened earlier? Upon discovering your body could someone have removed the twine from your neck instead of waiting for an ambulance? Could witnesses driving by have assisted Doerksen fighting with your killer on the bridge? What if that downtown cruiser car just over the bridge was allowed to go?

I mentioned at the beginning that I would tell everything and asked for forgiveness if I could have done more. Perhaps this is the best time to relate that I may have also had a part in this storm. It is something I have not shared with anyone.

I was 21 years old and working on my Honours Degree of Bachelor of Arts. Some university friends and I had just finished a night of pub crawling that ended up at the once famous Club Morocco on Portage Avenue. After last call we ended up going to the Salisbury House on Broadway and Sherbrook in need of a cheese nip to absorb some of the booze we had consumed.

It was an average Winnipeg night with a white blanket of snow already on the ground. The restaurant was fairly busy but I noticed three young Indigenous girls in a booth that appeared to be in some distress. I walked over and asked if there was anything wrong. They told me that they were "creeped out" by some guy who wouldn't leave them alone. They were afraid to leave and were waiting for one of their brothers to arrive to walk them home. As chance would have it, the man was still in the restaurant and staring at them only ten feet away.

He was a white man about 5'10, 180 pounds and looked about 20 years old with a disheveled look and rough complexion, noticeable acne and a graveyard tan darkened only by filth. He was not wearing a hat and had several layers of dark clothing. The one thing that stuck out for me about him was his eyes behind those large rimmed glasses. I walked over to him at the prodding of the young women I had just met and saw nothing but lifeless blue eyes, like a dolls eyes (as Quint would say in the movie Jaws). His teeth were clenched tighter than his fists as he remained focused on the girls in the booth.

He was incensed as he heard them taunt him feeling confident that I would now protect them. I ordered him to leave them alone in an authoritarian manner, leaving no room for misunderstanding. The only other option I offered him was to settle the issue with me instead of them. He became more enraged, but it was not directed at me, but rather the girls.

Yes, I had been drinking, but I was more than capable of destroying this guy. All I did at this time in my life was work out and go to university. My hands were incredibly fast and I was in great shape.

I taunted louder now and patrons were taking notice. An acquaintance of this deviant came over to our confrontation and asked if I had any issues. I explained the situation and told him to control his friend or I would. He was an older male in his early 30's and seemed out of place associating with what I had encountered. He spoke with his friend and the two walked away. I was more than prepared to take on both of them.

A short time later the girl's brother and a few friends arrived and escorted them home. As for me, I returned to my parents' house in River Heights and called it a night. This all occurred a week or two before you were attacked. It was not until I located his Polaroid photo in police archives in 1999 that I learned this male was - Terry Samuel Arnold.

I didn't mention my ability to fight earlier just to brag. I could have sent Terry to hospital that night, except for two factors. I was not a bully and he was a coward. If ever there was a time for me to just be an asshole that was it. I truly regret not fighting him that night. It is something that haunts me to this day.

In reality, no one but Terry Arnold was to blame for your death, but good people wished they could have done more.

One of your nieces, Maya, asked Rick recently if he had any wish in the world what would it be. He said he would go back in time and save you. If he had a second wish it would be that all people tell the truth.

You should be enjoying your life right now with your brother Rick, and sister Roxanne and all your nieces and nephews. You should be visiting your mother at the home she has been placed in. You should be enjoying your own children.

Instead your life was taken away at the young age of 16 by a man that far too many knew was a danger.

A few months ago, I connected with an old friend of yours - Dianne. She had recently gone through a box of belongings with her daughter and came across an old scrapbook. What caught their eyes was a letter you had written to her in 1981. Her daughter asked if she could read the letter and Dianne nodded with a smile.

It was the usual girl talk between friends that may have been the precursor to what texting is today. At the end of the letter you wrote, "gotta go for now, Magnum P.I. is on and he is more important than you."

Dianne still remembers going to the Chocolate Shop on Portage Avenue with you only months before you were murdered. The two of you went there for lunch and had your "tea leaves" read by an elderly Chinese woman.

You confided that you wanted to one day become an actress and asked if you would succeed. The gentle fortune teller looked you in the eyes and stated "Your face will become popular."

In the end you were just that - but mired in tragedy and your body buried in the cold Winnipeg ground. It is my hope that bringing the truth to light has somehow given closure to the many who suffered. Your story, the truth, needed to be told.

I listened to Bette Midler sing this song as I typed these last words for you.

The Rose(1980)

“Some say love, it is a river, that drowns the tender reed
Some say love, it is a razor, that leaves your soul to bleed
Some say love, it is a hunger, an endless aching need
I say love, it is a flower, and you, it's only seed

It's the heart afraid of breaking, that never learns to dance
It's the dream afraid of waking, that never takes the chance
It's the one who won't be taken, who cannot seem to give
And the soul afraid of dying, that never learns to live

When the night has been too lonely and the road has been too long
And you think that love is only for the lucky and the strong
Just remember in the winter, far beneath the bitter snow
Lies the seed, that with the sun's love in the spring becomes the rose.”

Rest in Peace Barb

In nomine Patris et Filii, et Spiritus Sancti



Acknowledgements

This book would not have been written without the support of both the Stoppel and Sophonow families. It has been an honour to know them.

Telling the truth about this case seemed simple enough when I started years ago. The biggest challenge that I faced was to somehow shed the police writing style I had become so used to. Dan Lett of the Winnipeg Free Press and Suzanne Wilton formerly of the Calgary Herald provided me with a foundation to tell the story in what I hope was an acceptable manner. Thank you both for your patience.

Although I have a masters degree I do not have the best grasp of the english language and all the rules that accompany it. James Turner edited my chapters free of charge on a weekly basis and gave me insights that I should have learned long before grade 12.

Lastly I want to thank my wife Cathy, and our sons Mark and Sean for putting up with me over the years. Having met both Tom Sophonow and Rick Stoppel, Cathy knows it was worth it.