

MARSHALL, DONALD JOHN JR. SPRINGHILL MEDIUM INST. DEC DATE: 26-6-78. DAY PAROLE TO PARTICIPATE IN THE ATLANTIC CHALLENGE PROGRAM. USUAL DAY PAROLE COND PLUS THOSE IN ACCORDANCE WITH INSTITUTION REGULATIONS. FILE: UNKNOWN. FPS: 410491A
 COMMENTS READ AS FOLLOWS: SUBJECT HAS BEEN IN SPRINGHILL INSTITUTION FOR THE PAST FOUR YEARS. HIS FILE INDICATES DETERIORATION IN BEHAVIOUR AND ATTITUDE DURING THE LAST YEAR. HE HAS SHOWN FRUSTRATION AND TENSION. THESE CONDITIONS APPEAR TO CENTRE AROUND HIS PROTESTS OF INNOCENCE AND A DENIAL OF CERTAIN PRIVILEGES, SUCH AS T.A. HE WAS INVOLVED IN AN INSTITUTIONAL FIGHT IN MARCH 1978 AND ENDED UP IN DISCXXX DISSOCIATION. INSTITUTION WORKERS DREW UP A PLAN OF CONDUCT FOR HIM TO FOLLOW, WHICH HE HAS DONE. HIS CONDUCT HAS IMPROVED IN THE LAST TWO MONTHS AND HIS EMOTIONS APPEAR ON A MORE EVEN KEEL. SUBJECT WAS QUITE CALM DURING THE INTERVIEW, BUT CONTINUED TO CLAIM INNOCENCE OF THE CRIME FOR WHICH HE IS SERVING TIME. CLAIMS TO BE GETTING HIS EMOTIONS UNDER CONTROL AND FEELS THA PARTICIPATION IN THE ATLANTIC CHALLENGE PROGRAM WILL GREATLY ASSIST HIM IN THIS REGARD. STATES LONG RANGE PLANS ARE TO LEAVE MARITIMES, ALTHOUGH HE HAS NO CONTACTS OR CONNECTIONS IN ANY OTHER AREA OF THE COUNTRY. WILLING TO TAKE A CHANCE ON HIS PARTICIPATION IN ATLANTIC CHALLENGE. VOTE IN FAVOUR OF DAY PAROLE FOR THIS REASON. PROGRAM TO BE AWAY FROM CAPE BRETON AREA. (WE UNDERSTAND MINISTER OF JUSTICE HAS ASKED FOR TRANSCRIPT OF THE TRIAL, FOR WHAT REASON, WE DO NOT KNOW). SUBJECT DENIES GUILT AND THERE MAY BE SOME TRUTH TO THIS, HOWEVER, NEVERTHELESS, HE MUST FACE REALITY THAT HE HAS BEEN CONVICTED. IF HIS RECENT MISHXXX MISBEHAVIOUR IS INDICATIVE OF FRUSTRATION, THERE IS A DANGER OF REVENGE, WHETHER HE IS GUILTY OR INNOCENT. BEARING IN MIND HIS RECENT GOOD BEHAVIOUR HAS BEEN FOR A RELATIVELY SHORT PERIOD OF TIME, I AM VOTING AGAINST APPLICATION AS I FEEL POSITIVE ACTION FOR THE INMATE MUST BE FOR A LONGER PERIOD OF THXXX TIME.

MISS CASEY, MRM. LYNCH, MR. GALLANT, MR. WALL, DR. HUTSON, MR. MACCAGNO, MR. BUNGAY VOTED ON THE CASE.

H. CHEVALIER-BOURBONNIERE
 REGISTRAR
 NPB

SOLGEN OTT

JMC
20.7.78

V

♦
PAROLE BD TRRO

PAROLE RO MCTN

JULY 28 1978 325PM

ATTENTION: ANN MACDONALD

RE: CASES FOR ATLANTIC CHALLENGE AS PRESENTED TODAY:

1. MARSHALL 410491A
2. MURRAY 471169A
3. LAFFORD 953871A
4. BROOKS 975692A
5. PRINCE 350434A

THE ABOVE ARE ACCEPTABLE TO THE REGIONAL BOARD. KINDLY
OBSERVE COMMENTS AT TIME OF DECISION. ACCEPTABILITY OF
BROOKS DEPENDS UPON ACCOMMODATION.

IS THIS COMING TO YOU CLEAR ?

YES THANKS

HOW ABOUT THE DECISIONS I SENT YOU WERE THOSE OK?

WE SEEM TO BE ABLE TO WORK THEM OUT OK. IF WE HAVE A PROBLEM
WE SHALL CONTACT YOU FOR CONFIRMATION

THANK YOU VERY MUCH I APPRECIATE THE FACT THAT I DONT HAVE
TO SEND THEM AGAIN FOR THE TIME BEING AT LA LEAST VERY BUSY

AGAIN THANKS

♦
PAROLE BD TRRO

PAROLE RO MCTN

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Solicitor General
Canada

113
(
S) eur général
Canada

Parole
Atlantic Div.

Libération conditionnelle
Division de l'Atlantique

P.O. Box 1370,
Moncton, N.B.
EIC 8T6
June 30, 1978

Inst. No. 1997
FPS 410491A

Mr. Donald Marshall, Jr.,
Springhill Institution,
P.O. Box 2140,
Springhill, N.S.

Dear Sir:

This is to inform you that the National Parole Board has carefully reviewed your case and its decision is Day Parole to participate in the Atlantic Challenge Program.

Yours truly,

B. M. Dick

B.M. Dick,
Senior Notification Clerk,
National Parole Board

c.c. Director - Springhill Inst.
N.P.S. - Truro, N.S.

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/01



Parole

Libération conditionnelle

CUMULATIVE SUMMARY - SYNTHÈSE DU CAS

LIFERS PROJECT REPORT

Name/Nom: MARSHALL, Donald John Jr. Institution: Springhill Medium

On July 11, 1978, the writer, along with Marshall's L.U.D.O., Kim Thompson, and his Range Officer, Chuck Sonehouse, interviewed Marshall. The purpose of this interview was to go over with Marshall the results of the community assessment, to discuss with him the upcoming Atlantic Challenge Program, and to discuss where we will go from here in terms of managing the case.

Marshall was asked to speculate what he expected the community assessment would say and, in fact, himself drew a fairly accurate picture of the community situation. Marshall agreed with the writer that any release planned for him in the future must be away from the Cape Breton area.

In response to a question from the writer, Marshall agreed that he had been a troublemaker in the community of Sydney although he had not presented many problems on the Reserve itself. However, Marshall pointed out that he was only one of a group of troublemakers. He describes himself and his associates at the time as a group of dropouts who were going nowhere and were frustrated.

As could be expected, the issue of Marshall's guilt or innocence was again raised. Marshall was informed by the writer and by Institutional staff that, from our point of view, whether or not he actually committed the offence was no longer important. What was important, was the fact that the picture presented of him in the community assessment as well as his behaviour in the Institution earlier this spring, had led us to the conclusion that Marshall was the sort of individual who could have committed a murder. Somewhat surprisingly, Marshall agreed that this was the case. Feelings were expressed by staff that Marshall, in fact, was still the same sort of person and Marshall, himself, did not contradict this impression although he did not explicitly agree either.

The Atlantic Challenge Program, which Marshall has been approved for, was discussed with him at some length. It was pointed out to Marshall that, although there is a good deal of fun involved, there is also a good deal of hard work in battling nature and the elements. It was pointed out to Marshall that some of his pent up feelings of anger, hostility, and bitterness may well come to the surface when he is in that sort of setting. The fact that other individuals on the boat would be relying on him was stressed to Marshall and various methods of handling his negative feelings were discussed with him. It was also pointed out to Marshall that he should not regard this day parole to take part in Atlantic Challenge as part of a continual release program for him.

In view of the feelings of the writer and of Institutional personnel that Marshall is still the same sort of individual who could commit murder or another violent offence, considerable discussion centered on what Marshall would have to do in order to change this situation. Marshall was informed that not only would he have to change his behaviour, but that he would also have to change his personality, his attitudes, and his responses to situations and people. As an example, it was pointed out to Marshall that not only would he have to not express the bitterness and hatred that he has inside himself but that he would also have to get rid of these feelings completely. It was

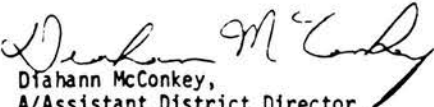
CA 11/24 10:10

pointed out to Marshall that we realized that we were asking a great deal of him and were requesting him to work on a lot but that this was the only way for him to work himself out on to T.A.'s, day parole, and eventually on to parole. It was stressed that none of these releases were foreseen as being in the immediate future for him.

At the same time, Marshall was also informed that we recognized the efforts he has been making in recent months in terms of strictly following the plan drawn up for him by institutional personnel. It was in fact, in large part because of these positive efforts on his part, that Marshall was recommended for Atlantic Challenge.

Unlike previous interviews, Marshall did not appear to become unduly frustrated or angry. Although it is not felt, by the writer at least, that Marshall totally grasped what we were saying, it is felt that the import of our words will come to him when he reflects on the interview. Marshall was also informed that, in the future, we will be having other sessions with him similar to this one.

Marshall appeared, on the whole, to be satisfied with the results of this most recent interview.


Diahann McConkey,
A/Assistant District Director.

DMcC/gb

c.c. H.P.B., Moncton
Springhill Institution.
N.P.S., Truro.

Dictated: July 18, 1978
Typed: July 20, 1978.

200 3 100 100
100 100 100 100

01 5 07 PZ PT HJ.

Day
CONDITIONS DE PAROLE
CONDITIONS DE LA LIBERATION CONDITIONNELLE

The parolee shall abide by the conditions of his parole and all instructions which may be given by his supervisor from time to time:

Le libéré conditionnel doit se conformer aux conditions de sa libération et à toutes les directives que peut lui donner à l'occasion son surveillant:

and shall abide by this special condition.
et il doit se conformer à cette condition spéciale:

I understand that if I do not return to the institution at the required time, or if I escape, my day parole may be terminated or suspended-revoked and I may be charged with being unlawful escape.

July 31, 1978
Date
Signature-Parolee/Libéré

Day
PAROLE CERTIFICATE
CERTIFICAT DE LIBERATION
CONDITIONNELLE
410491A
FPS-SED
NATIONAL PAROLE BOARD
COMMISSION NATIONALE DES
LIBERATIONS
CONDITIONNELLES
DOB: 13/09/53
S.B.C. 1970 c. P-2

This is to certify that MARSHALL, Donald John Jr. who was serving a term of imprisonment in Springhill Institution was granted day parole June 26, 1978

Parole Act - Loi sur la libération conditionnelle de détenus
a été accordée une libération conditionnelle provided parole is not suspended, revoked or terminated. à condition que cette libération conditionnelle ne soit pas suspendue, révoquée ou terminée, elle prendra fin le August 18, 1978

July 31, 1978
Issued on - Délivré le
A. MacDonald
Registrar - Greffier

INSTRUCTIONS

Pursuant to the conditions of your parole you must obey these instructions. Failure to do so may result in suspension and revocation of parole.

En conformité avec les conditions de votre libération, ces instructions doivent être suivies. Tout manquement peut amener la suspension et la révocation du certificat.

You must proceed directly to Atlantic Challenge Program
Vous devez vous rendre directement à
and report to your Parole Supervisor John Unroe, Parole Officer, National Parole Service,
et vous rapporter à votre surveillant
At 2006 Gottingen St., Halifax, N.S. - Phone 426-7050

District Director: V. B. MacDonald

Parole Supervisor - Surveillant John Unroe

ACKNOWLEDGEMENT - RECONNAISSANCE

I understand that the parole certificate is the property of the National Parole Board and must be delivered on demand of the National Parole Board or of my supervisor. I also understand that I am still serving my term of imprisonment and that parole has been granted to allow me to resume my activities as a citizen at large in the community under supervision.

I fully understand and accept all the conditions (including the conditions printed overleaf), regulations and restrictions governing my release on parole. I will abide by and conform to them strictly. I also understand that if I violate them I may be recommitted.

Je comprends que le certificat de libération conditionnelle appartient à la Commission nationale des libérations conditionnelles et doit être retourné sur demande de la Commission nationale des libérations conditionnelles ou de mon surveillant. Je comprends aussi que je continue de purger ma sentence mais que je suis libéré conditionnellement et sous surveillance afin de me permettre de poursuivre dans la société mes activités de citoyen.

Je comprends parfaitement et j'accepte toutes les conditions (y compris les conditions imprimées au verso), les règles et les restrictions auxquelles est assujettie ma libération conditionnelle. Je m'y conformerai complètement. Je comprends également que si je ne les respecte pas, je puis être réincarcéré.

Marshall 1997

Certificate Dated Date du certificat	Released on - Date libéré	Paroled Inmate - Libéré
July 31, 1978	August 8, 1978.	

Witness - Témoin
Date
M. Keltan
Aug 11 1978

DAY
CONDITIONS OF PAROLE
CONDITIONS DE LA LIBÉRATION CONDITIONNELLE

Day PAROLE CERTIFICATE
CERTIFICAT DE LIBÉRATION
CONDITIONNELLE
FPS-SED: 410491A
NATIONAL PAROLE BOARD
COMMISSION NATIONALE DES
LIBÉRATIONS
CONDITIONNELLES
DOR: 13/09/53
Parole Act - Loi sur la libération conditionnelle de détenus

01921

The parolee shall abide by the conditions of his parole and all instructions which may be given by his supervisor from time to time.
Le libéré conditionnel doit se conformer aux conditions de sa libération et à toutes les directives que peut lui donner à l'occasion son surveillant:
and shall abide by this special condition:
et il doit se conformer à cette condition spéciale:

I understand that if I do not return to the institution at the required time, or if I escape, my day parole may be terminated or suspended-revoked, and I may be charged with being unlawfully at large.

13/9/79 *Marshall Junior*
Date Signature - Parolés/Libéré

This is to certify that **MARSHALL, Donald Jr.**
who was serving a term of imprisonment in **SPRINGHILL**
INSTITUTION was granted Day parole effective on **September 15, 1979** commencing le **September 15, 1979**
Provided parole is not suspended, revoked or terminated.
A condition que cette libération conditionnelle ne soit pas suspendue, révoquée ou terminée, elle prendra fin le **September 24, 1979**
Sept. 11, 1979 Issued on - Délivré le
John D. Macneil Registrar - Greffier

INSTRUCTIONS

Pursuant to the conditions of your parole you must obey these instructions. Failure to do so may result in suspension and revocation of parole.

En conformité avec les conditions de votre libération, ces instructions doivent être suivies. Tout manquement peut amener la suspension et la révocation du certificat.

You must proceed directly to **ATLANTIC CHALLENGE PROGRAM**

and report to your Parole Supervisor **Steve Carew, A.D.D., The Correctional Service of Canada**

At **2006 Göttingen Street, Halifax, N.S.**

TELEPHONE: 426-7050

DISTRICT DIRECTOR: V. B. MacDONALD
Director - Directeur

Parole Supervisor - Surveillant **Steve Carew**

ACKNOWLEDGEMENT - RECONNAISSANCE

I understand that the parole certificate is the property of the National Parole Board and must be delivered on demand of the National Parole Board or of my supervisor. I also understand that I am still serving my term of imprisonment and that parole has been granted to allow me to resume my activities as a citizen at large in the community under supervision.

I fully understand and accept all the conditions (including the conditions printed overleaf), regulations and restrictions governing my release on parole. I will abide by and conform to them strictly. I also understand that if I violate them I may be recommitted.

Je comprends que le certificat de libération conditionnelle appartient à la Commission nationale des libérations conditionnelles et doit être retourné sur demande de la Commission nationale des libérations conditionnelles ou de mon surveillant. Je comprends aussi que je continue de purger ma sentence mais que je suis libéré conditionnellement et sous surveillance afin de me permettre de poursuivre dans la société mes activités de citoyen.

Je comprends parfaitement et j'accepte toutes les conditions (y compris les conditions imprimées au verso), les règles et les restrictions auxquelles est assujettie ma libération conditionnelle. Je m'y conformerai complètement. Je comprends également que si je ne les respecte pas, je puis être réincarcéré.

DISTRICT OFFICE
TRURO, N.S.

Certificate Dated Date du certificat	Released on - Date libéré	Paroled Inmate - Libéré	
September 11, 1979	September 15, 1979	<i>Marshall Junior</i>	
		Witness - Témoin	Date
		<i>J. Marthur</i>	13/9/79

TO ABIDE BY RULES AND REGULATIONS
CONDITIONS OF PAROLE (day)
OF CARLTON CENTRE

The parolee described in this certificate shall abide by the terms and all instructions which may be given by his supervisor:

Le libéré conditionnel décrit dans ce certificat doit se conformer aux termes et aux conditions de sa libération et à toutes les directives que peut lui donner à l'occasion son surveillant.

and shall abide by this special condition:
et il doit se conformer à cette condition spéciale:

I understand that if I do not return to the institution at the required time, or if I escape, my day parole may be terminated, or suspended / revoked, and I may be charged with being unlawfully at large.

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Date

[Signature]
Signature - Parolee / Libéré

PAROLE CERTIFICATE
CERTIFICAT DE LIBÉRATION
CONDITIONNELLE
FPS-SED: 410491A

NATIONAL PAROLE BOARD
COMMISSION NATIONALE DES
LIBÉRATIONS
CONDITIONNELLES
DOB: 13SEP53



Parole Act - Loi sur la libération conditionnelle de détenus
S.R.C. 1970 c. P-2

This is to certify that **Donald MARSHALL**
Le présent certificat atteste que
who was serving a term of imprisonment in **Dorchester**
qui purgeait une sentence d'emprisonnement à
Penitentiary was granted **day**
à obtenu une libération

parole effective on **29MAR82**
conditionnelle commençant le
Provided parole is not suspended, revoked or terminated.
A condition que cette libération conditionnelle ne soit pas suspendue,

it will expire on **29JUL82**
révoquée ou terminée, elle prendra fin le

26MAR82
Issued on - Délivré le

[Signature]
Secretary to the Board
Secrétaire de la Commission

INSTRUCTIONS

Pursuant to the conditions of your parole you must obey these instructions. Failure to do so may result in suspension and revocation of parole.

En conformité avec les conditions de votre libération, ces instructions doivent être suivies. Tout manquement peut amener la suspension et la révocation du certificat.

You must proceed directly to **Carlton Centre, Halifax, N.S.**

and report to your Parole Supervisor **J. Stewart, A/Superintendent, Carlton Centre,**

At **853 Collingwood Street, Halifax, N.S. Tel: 854-2601 (B3H 1X5).**

I acknowledge receipt of my parole/mandatory supervision identification card and understand that I am responsible for carrying this card with me at all times and presenting it to any peace officer on request.

J. Stewart
Director - Directeur

Garth Wagner
Parole Supervisor - Surveillant

ACKNOWLEDGEMENT - RECONNAISSANCE

I understand that the parole certificate is the property of the National Parole Board and must be delivered on demand of the National Parole Board or of my supervisor. I also understand that I am still serving my term of imprisonment and that parole has been granted to allow me to resume my activities as a citizen at large in the community under supervision.

I fully understand and accept all the conditions (including the conditions printed overleaf), regulations and restrictions governing my release on parole. I will abide by and conform to them strictly. I also understand that if I violate them I may be recommitted.

Je comprends que le certificat de libération conditionnelle appartient à la Commission nationale des libérations conditionnelles et doit être retourné sur demande de la Commission nationale des libérations conditionnelles ou de mon surveillant. Je comprends aussi que je continue de purger ma sentence mais que je suis libéré conditionnellement et sous surveillance afin de me permettre de poursuivre dans la société mes activités de citoyen.

Je comprends parfaitement et j'accepte toutes les conditions (y compris les conditions imprimées au verso), les règles et les restrictions auxquelles est assujettie ma libération conditionnelle. Je n'y conformerai complètement. Je comprends également que si je ne les respecte pas, je puis être réincarcéré.

Certificate Dated Date du certificat 26MAR82	Released on - Date libéré <i>[Signature]</i>	Paroled Inmate - Libéré <i>[Signature]</i>
NPB, Dor., MCI, Carlton Centre, Plimsy		Witness - Témoin <i>[Signature]</i> Date <i>[Signature]</i>

(5&2) CONDITIONS OF PAROLE (DAY) (DAY)
CONDITIONS DE LA LIBERATION CONDITIONNELLE

PAROLE CERTIFICATE
CERTIFICAT DE LIBERATION
CONDITIONNELLE
FPS-SED: 410491A

NATIONAL PAROLE BOARD
COMMISSION NATIONALE DES
LIBERATIONS
CONDITIONNELLES
DOB: 13SEPT53

I understand that if I do not return to the institution at the time, or if I escape, my day parole may be terminated or suspended/revoked, and I may be charged with being unlawfully at large.
REPORTING: TUESDAYS AND WEDS.

Parole Act - Loi sur la libération conditionnelle de détenus
This is to certify that MARSHALL, DONALD Carlton Centre was granted Day Parole effective on July 27, 1982 commencing the provided parole is not suspended, revoked or terminated. A condition que cette libération conditionnelle ne soit pas suspendue, it will expire on November 27, 1982 révoquée ou terminée, elle prendra fin le July 27, 1982

27 July 1982
Date Signature - Parole/Libéré

Issued on - Délivré le
Secretary to the Board
Secrétaire de la Commission

INSTRUCTIONS

Pursuant to the conditions of your parole you must obey these instructions. Failure to do so may result in suspension and revocation of parole.

En conformité avec les conditions de votre libération, ces instructions doivent être suivies. Tout manquement peut amener la suspension et la révocation du certificat.

You must proceed directly to CARLTON CENTRE, HALIFAX N.S.
Vous devez vous rendre directement à JOHN A. STEWART, SUPERINTENDENT, CARLTON CENTRE and report to your Parole Supervisor et vous rapporter à votre surveillant
At 5853 College Street, Halifax N.S. TELEPHONE: 426-2601

SUPERINTENDENT: John A. Stewart

JOHN T. HATCHER

XXXXXXXXXX
Director - Directeur
XXXXXXXXXX

Parole Supervisor - Surveillant

ACKNOWLEDGEMENT - RECONNAISSANCE

I understand that the parole certificate is the property of the National Parole Board and must be delivered on demand of the National Parole Board or of my supervisor. I also understand that I am still serving my term of imprisonment and that parole has been granted to allow me to resume my activities as a citizen at large in the community under supervision.

I fully understand and accept all the conditions (including the conditions printed overleaf), regulations and restrictions governing my release on parole. I will abide by and conform to them strictly. I also understand that if I violate them I may be recommitted.

Je comprends que le certificat de libération conditionnelle appartient à la Commission nationale des libérations conditionnelles et doit être retourné sur demande de la Commission nationale des libérations conditionnelles ou de mon surveillant. Je comprends aussi que je continue de purger ma sentence mais que je suis libéré conditionnellement et sous surveillance afin de me permettre de poursuivre dans la société mes activités de citoyen.

Je comprends parfaitement et j'accepte toutes les conditions (y compris les conditions imprimées au verso), les règles et les restrictions auxquelles est assujettie ma libération conditionnelle. Je m'y conformerai complètement. Je comprends également que si je ne les respecte pas, je puis être réincarcéré.

Certificate Dated Date du certificat	Released on - Date libéré	Paroled Inmate - Libéré	Date
July 27, 1982	July 27, 1982	D. Marshall Jr.	27 July 1982
cc - NPB Moncton, HCIS, HPD File # 14		Witness / Témoin J. J. J.	

SPECIAL SUBMISSION TO THE BOARDFOR THOSE INMATES TO WHOM SECTION 3.1(2) OF THE PAROLE ACT APPLIESBasic Identifying Data & Eligibility Status:

Name: MARSIIALL, Donald John Jr.
 Date of Birth: September 13, 1953
 Institution: Springill Medium
 Date of Arrest: June 4, 1971
 Offence: Non-capital Murder
 Sentence: Life Imprisonment
 Date of Eligibility for:

(a) Temporary Absence: June 20, 1975
 (b) Day Parole: June 4, 1970
 (c) Full Parole: June 4, 1981.

Legal Events Ending with Incarceration:

On November 5, 1971, following a trial by judge and jury in Sydney, Nova Scotia, Donald Marshall Jr. was convicted of non-capital murder for the killing by stabbing of Sanford Seale, a 17-year-old Negro individual. Marshall was sentenced by Judge L. Dubinsky of the Nova Scotia Supreme Court to the mandatory sentence of life imprisonment. An appeal against the conviction was subsequently dismissed. There were no accomplices in the crime.

Antecedent & Precipitating Circumstances:

Donald Marshall Jr. was born on September 13, 1953, in Sydney, Nova Scotia, the third eldest of twelve children born to Donald and Rita Marshall. The father, Donald Marshall, is the Honorary Chief of the Mic Mac Tribe in Nova Scotia and has been employed as a plasterer for most of his adult life. The mother, Rita Marshall, has generally been employed outside the home doing maintenance work. Marshall describes his childhood as an average one although noting that he was generally brought up by babysitters. He began school at the age of six and for the first two years attended school on the Indian Reserve. However, from grade three on, Marshall attended a school in town where the majority of the other students were Caucasians. From this time on he began to have trouble in school and this eventually culminated in his being expelled in grade seven after having assaulted his teacher. During the period between his leaving school and his present

incarceration, Marshall held a variety of short term jobs in the labour field but was generally employed as a plasterer's helper with his father.

Marshall describes himself as a child as a shy, sneaky, organizer type who enjoyed getting into pranks such as petty theft and smashing things. He also notes that he was kicked out of Air Cadets at the age of thirteen for stealing. Marshall further admits to a juvenile criminal record for assault. Marshall's involvement in criminal activity continued after his turning sixteen and included theft, supplying liquor to a minor, robbery with violence, and a number of charges for fighting or creating a disturbance.

On May 28, 1971, there had been a dance at a local hall which both Marshall and the victim, Sandy Seale, had attended. Marshall and Seale were well known to each other and had played hockey together in the past. According to evidence presented, Marshall and Seale left the dance together and became involved in an argument while walking down the street. During the course of this argument, Marshall apparently removed a knife from his pocket and plunged it into the stomach of Seale. Seale was alive when taken to the hospital but died the following afternoon. Marshall was arrested approximately a week later.

It should be noted that, with one exception, Marshall has consistently denied that he is guilty of the offence. He maintains that he was present at the scene but that the offence was committed by an unknown assailant. Marshall states that his only part in the incident was to attempt to get medical help for the victim. Marshall also states that he himself was stabbed in the arm.

Marshall was admitted to Dorchester Penitentiary on June 20, 1972. He was nineteen years of age at the time.

Profile of Presenting Problems upon Admission to Custody:

The Classification Reception Report described Marshall as a cooperative young Indian lad who was defensive during interviews and showed some signs of hostility when describing the offence. It was suggested that Marshall be retained in maximum security institution until such time as he was prepared to accept his lengthy sentence or until all appeals had been exhausted.

Initial psychological testing completed by J. G. Leger noted that Marshall had an average I.Q. and revealed him to be an egocentric, non-empathic, antisocial type of individual who showed signs of aggressivity and hostility along with a high level of frustration. It was further felt that he was suspicious, irritable, impatient, and tended to blame others for his present difficulties. It was recommended that Marshall should remain in Dorchester Penitentiary and should become involved in individual counselling.

Discernible Phases or Trends in Inmate's Behaviour & Attitude:

Admitted to Dorchester Penitentiary in June, 1972, Marshall remained there for close to two and a half years. He was known as a good inmate who got along well with the other inmates and received average work assessments from his placement as a cleaner in the kitchen and subsequently while upgrading his education to the grade ten level. At no time, did Marshall present any difficulties of a behavioural nature and consequently, in November, 1974, he was transferred to Springhill Institution.

For the first two and a half years of his period in Springhill Institution, Marshall's performance continued to be as positive as it had been in Dorchester. He was variously employed as a cleaner, in maintenance plumbing, as the unit canteen operator, and in vocational plumbing, and consistently received above average work assessments. In addition, Marshall continued to be a most cooperative inmate who incurred no offence reports. During his leisure time, Marshall was involved with the Native Brotherhood Organization, the institutional sports program, and with the Inmate Committee. The chief problem area seen was Marshall's continued protestations of innocence.

Psychological testing completed shortly after Marshall's arrival in Springhill in November, 1974 and repeated in April, 1975 was invalid but suggested the possibility that Marshall had serious personality problems. This testing, completed by G. J. Cyr, revealed Marshall to be an immature individual lacking adequate control over his impulses and who under conditions of stress, could act out in a hostile manner. It was felt that he showed features typical of a character disorder but also revealed some obsessive-compulsive features indicating that he could easily become tense and anxious in specific conflict situations. The Institutional psychiatrist, Dr. Ryan, saw Marshall in May of 1975 at which time medication to assist Marshall in sleeping was provided. Dr. Ryan noted that Marshall appeared to have a lot of obsessive thoughts. A psychiatric case conference was held with Dr. Ryan in August, 1975 and revealed Marshall to be very defensive, somewhat isolated, somewhat obsessive-compulsive in his pattern, and possibly suffering from a personality disorder. Dr. Ryan recommended that his Range Officer try to establish a relationship with Marshall in order to get him to work through some of his frustrations and rages and look at his own feelings. At the same time, Dr. Ryan expressed the opinion that Marshall did not represent too great a risk for escorted T.L.A.'s.

Marshall first applied for escorted T.L.A.'s in October, 1975 and between the period January, 1976 and June, 1977 received four or five such passes. A subsequent case conference with Dr. Ryan held in November, 1976 indicated that there had been no significant changes in Marshall's behaviour or assessment in the previous year.

MARSHALL, Donald John Jr.
Special Submission to the Board

Page 2.

Parole Officer Diahann McConkey in a report dated November 10, 1977, recommending to the Parole Board that Marshall be approved for escorted T.A.'s noted that, although Marshall's behaviour and progress in the Institution were certainly positive, he could represent a security risk in terms of his insistence that he is innocent, feeling that he can't do much more time, and ambivalence about being released on T.L.A.'s.

The period July, 1977 until March, 1978 was a fairly unsettled one for Marshall. He appeared to have been backed into a corner whereby he was still unwilling to admit guilt for the offence but was beginning to realize that if he did not do so he would be unlikely to obtain the release privileges accorded to other individuals. Tension and pressure appeared to mount steadily in Marshall and as a result he was termed a security risk by the institutional director and his T.A. program was curtailed. This action, although necessary, only served to increase Marshall's tension and frustration and several fiery exchanges occurred between him and his caseworkers at the Institution and between him and his Parole Officer. In January, 1978, Marshall began to incur offence reports in the Institution. Initially, these were fairly minor and involved Marshall being in another unit without permission. However, the deterioration in Marshall's behaviour eventually culminated in him being placed in dissociation in March, 1978 after having assaulted another inmate. In view of his mounting tension, Marshall had seen Dr. Ryan in February, 1978. Dr. Ryan, in his report, expressed the opinion that Marshall was an extremely anxious, tense young man who was in a particularly difficult situation and was having difficulty in coping with this. Marshall was provided with some medication to help with his anxiety and loss of sleep.

After the incident resulting in Marshall's placement in dissociation, his caseworker, Kim Thompson, sat down with Marshall and drew up a new institutional plan which Marshall agreed to follow. Under this plan, Marshall was to receive favourable work reports, to avoid incurring any further offence reports, to continue his participation in the institutional sports program but to use restraint, to improve his attitude in the units, and to totally dissociate himself from any muscling activities. Since his release from dissociation in April, 1978 Marshall has stuck to this plan faithfully.

Parole Officer, Diahann McConkey, in a Part IV dated June 1, 1978 recommended Marshall for day parole to participate in the Atlantic Challenge Program. Ms. McConkey expressed the opinion that, although Marshall was a high risk case, participation in Atlantic Challenge would reinforce the positive efforts Marshall had made in the previous two months, help him to believe that there was some possibility for eventual release in his case, and allow him the opportunity to work out some of his anger and frustration in a struggle against the elements. The Parole Board members who considered his case were not unanimous in their opinion. However, Marshall was subsequently granted the day parole and participated in the Atlantic Challenge Program

MARSHALL, Donald John Jr.
Special Submission to the Board

Page 5.

from August 9 to 18, 1978. As best as can be determined, Marshall caused no problems during his day parole.

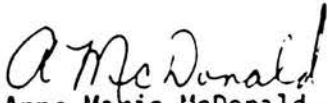
In the summer of 1978, the Parole Service and institutional personnel again sat down with Marshall in an attempt to draw up long range plans for and with him. It was stressed to Marshall that, although it was not necessary that he admit to the crime, it was necessary that he recognize that there were and still are certain elements in his personality and attitudes that make him capable of committing murder and that these must change if he hopes to eventually be released.

At the present time, Marshall is once again doing very well in the Institution and faithfully following his revised plan. At the same time, he is presently in the process of developing a T.A. plan that will include unescorted T.L.A.'s. It is anticipated that this plan will be presented to the Parole Board early in 1979.

DMcC/gb

c.c. N.P.B., Moncton
Springhill Inst.
File


Diahann McConkey,
Parole Officer.


Anne Marie McDonald,
Assistant District Director.

Dictated: Nov. 15/78
Typed: Nov. 16/78

1-25

CUMULATIVE SUMMARY PART IV SYNTHÈSE DU CAS

Parole: Libération conditionnelle

ID	FPS - SED	NAME - NOM		DATE COMPLETED-DATE DE CONSIGNATION			
1-2	3-8	10	FAMILY - FAMILLE	GIVEN - PRÉNOM	D-J	M	Y-A
06	4 1 0 4 9 1 A		MARSHALL, Donald John Jr.		2	9	12 7 8
CURRENT INSTITUTION - ÉTABLISSEMENT ACTUEL		NPS OFFICE - BUREAU DE SMLC		CASE PREPARED FOR - CAS PRÉPARÉ EN VUE DE			
Specify - précisez		Specify - précisez		Specify - précisez			
Springhill		Truro		8 4			
OCCUPATION BEFORE ADMISSION PROFESSION EXERCÉE AVANT L'INCARC.		EMPLOYMENT AT TIME OF OFFENCE - EMPLOI OCCUPÉ LORS DE L'INFRACTION				JUV. OFFENCES INFRACTIONS JUVENILES	
Specify - précisez		Specify - précisez				Specify - précisez	
Plasterer						4	
TRAINING IN INSTITUTION FORMATION À L'ÉTABLISSEMENT		EDUCATION COMPLETED - ÉTUDES COMPLÉTÉES			CURRENT MARITAL STATUS - ÉTAT CIVIL ACTUEL		
Specify - précisez		Specify - précisez			Specify - précisez		
Plumbing		10			1		
ALCOHOL ABUSE - ABUS D'ALCOOL		ILLICIT DRUG USE - USAGE ILLICITE DE DROGUES					
Specify - précisez		Specify - précisez				Specify - précisez	
3		2				2	
ACCOMMODATION PLANS - PROJET DE LOGEMENT		JOB PLANS - PROJETS RELATIFS À L'EMPLOI					
Specify - précisez		Specify - précisez				Specify - précisez	
3		3				37	

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RECOMMENDATION

I recommend Day Parole Granted to participate in the Atlantic Challenge Winter Survival Program.

BASIC DATA REVIEW

The Parole Board first reviewed Marshall's case in June, 1977 at which point they indicated that they had no objection to Marshall's participation in an escorted T.A. program.

On June 14, 1978, Marshall appeared before the Parole Board in regards to his application for day parole to participate in Atlantic Challenge and subsequently received a decision of Day Parole Granted (A78-01108.) At that point, the Board specified that Marshall was to participate in an Atlantic Challenge Program away from the Cape Breton area. Marshall subsequently participated in the Atlantic Challenge from August 8 to 18, 1978 and the writer was informed in a recent discussion with Lin Jensen that there were no problems with Marshall on that program.

APPRAISAL

Donald Marshall is a 25-year-old Native inmate presently serving a life sentence. He was eligible for day parole on June 4, 1978 and will be eligible for full parole on June 4, 1981. Marshall's life sentence represents his only significant period of incarceration. However, he does have a previous record having been convicted of assault as a juvenile and of theft under and supplying liquor to a minor at the age of sixteen.

Since Marshall's appearance before the Parole Board in June, 1978, he has continued the positive performance and behaviour he had begun following his release from dissociation in April, 1978. At this point, Marshall has recently completed the vocational plumbing trade where he was described as a quiet and good worker. According to Marshall, he passed two of the examinations but will have to write the third one, dealing with math, again in about six months time. At the present time, Marshall

is working in plumbing maintenance. He has incurred no further offence reports since his release from dissociation last spring. In addition, Marshall has again renewed his involvement with the Native Brotherhood organization and has once again been approved by the institutional director for escorted T.A.'s.

Institutional and Parole Service thinking in this case had been geared towards participation in the winter survival program for Marshall. Were it not for the fact that this program is to take place in Cape Breton Highlands National Park and the Parole Board have previously indicated that they did not wish Marshall to participate in an Atlantic Challenge Program in Cape Breton, the writer would have no hesitation whatsoever in recommending Marshall for this program.

On December 14, 1978, the writer interviewed Marshall in regards to the upcoming winter survival program. Much of the writer's discussion with Marshall centered around the fact that this program was to take place in the Cape Breton area and the Parole Board's previously expressed feelings in this regard. In response to a question from the writer, Marshall expressed the opinion that the Board's position in his case was probably because they were afraid that if he were released to the Cape Breton area he would try to go to Sydney and stir up his case again. Marshall states, unequivocally, however, that he would not do this as it would do him much more harm than good. In elaboration, Marshall expressed the opinion that he feels that he is now definitely beginning to make progress in terms of hopefully acquiring an eventual release from the Institution and that were he to pull a stunt such as going to Sydney, he would undo all of the progress he has made. Marshall also noted that even if he were to go to Sydney, there would be nothing he could do regarding his case in any case.

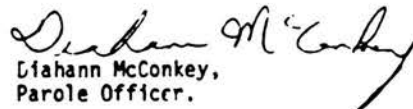
The writer also discussed this specific area with Lin Jensen, the Co-ordinator for the Atlantic Challenge Program, who indicated that he had no problems whatsoever with Marshall on the previous Atlantic Challenge expedition and had no hesitation in taking him along on the proposed program to the Cape Breton National Highlands Park.

At this point, it is the writer's feeling that Marshall should be positively considered for this winter survival program despite the fact that the program is to take place in the Cape Breton area. Marshall's situation would appear to be much more positive at the present time than it was at the time of the Board's previous review in June, 1978. Whereas, at that time, Marshall's positive progress in the Institution and improved behaviour had only been of two months duration, at this time, Marshall now has eight months of positive progress behind him. In addition, Marshall has now been released on an Atlantic Challenge Program and has by all appearances performed quite acceptably. Furthermore, Marshall's outlook now appears to be much more positive in that he can see that he is making progress and can see some hope for possible eventual release. Consequently, the risk of releasing him to the Cape Breton area would appear to have been diminished. For these reasons, then, a positive recommendation is being submitted.

DMcC/go

Distribution:

- #1 - N.P.B., Moncton
- #2 - C.C.S., Truro
- #3 - #4 - Statistics
- #5 - Springhill Inst.
- #6 - Extra copy.


Diahann McConkey,
Parole Officer.


Wayne Struthers,
Assistant District Director.

Dictated: 28/12/78
Typed: 29/12/78

410491A

127
LH
Carrick

1113-MONCTON

APPLICATION FOR PAROLE

Name: Marshall

Number: 1997

Institution: Springhill M.S.

Give reasons for making this application:

I am requesting a day parole to the Springhill Golf Club for the period from the month of May 1979 to approx Oct 1979

Give your plans for the future, stating where and with whom you will live (give name and address) and how you will care for your dependents, if any:

I hope to complete my apprenticeship in plumbing and also already taken the "voc" training in the institution

What is your trade or occupation? State briefly your experience, and give names of previous employers:

Plumber

Give names and addresses of anyone willing and able to employ you:

Give names and addresses of any relatives, friends or organizations willing and able to assist you following your release:

Date: Feb 21/79 Signature: J. Marshall



Solicitor General
Canada

Solliciteur général
Canada

128 (

Parole
Atlantic Div.

Libération conditionnelle
Division de l'Atlantique

P.O. Box 1370,
Moncton, N.B.
EIC 8T6
February 12, 1979

Inst. No. 1997
FPS 410491A

Mr. Donald Marshall,
Springhill Institution,
P.O. Box 2140,
Springhill, N.S.

Dear Sir:

This is to inform you that the National Parole Board has carefully reviewed your case and the decision is Parole granted for Atlantic Challenge Project.

Yours truly,

B. Dick

E. Williams
Regional Secretary
National Parole Board

c.c. Director - Springhill Inst.
C.C.S. - Truro, N.S.

/s/



Solicitor General
Canada

129
Soliciteur général
Canada

Parole
Atlantic Div.

Libération conditionnelle
Division de l'Atlantique

P.O. Box 1370,
Moncton, N.B.
EIC 8T6
February 15, 1979

Mr. J.C. MacDonald,
39 Centre Street,
Chatham, N.B.
EIN 1K5

Dear Mr. MacDonald:

Re: Marshall, Donald John, Springhill Institution

Following your review of above mentioned case, the file was forwarded to Ottawa for the additional votes required.

The final decision is Day Parole Granted for Atlantic Challenge Program.

Yours truly,

A.M. Kowalchuk,
Correspondence and
Information Officer,
National Parole Board

AMK/sl



Solicitor General
Canada

130
Soliciteur général
Canada

Parole
Atlantic Div.

Libération conditionnelle
Division de l'Atlantique

P.O. Box 1370,
Moncton, N.B.
EIC 8T6
February 15, 1979

Mr. E.W. Larracey,
3 Madison Ave.,
Moncton, N.B.

Dear Mr. Larracey:

Re: Marshall, Donald John, Springhill Institution

Following your review of above mentioned case, the file was forwarded to Ottawa for the additional votes required.

The final decision is Day Parole Granted for Atlantic Challenge Program.

Yours truly, .

A.M. Kowalchuk

A.M. Kowalchuk,
Correspondence and
Information Officer,
National Parole Board

AMK/sl



Solicitor General
Canada

131
S...teur général
Canada

Parole
Atlantic Div.

Libération conditionnelle
Division de l'Atlantique

P.O. Box 1370,
Moncton, N.B.
EIC 8T6
March 7, 1979

Mr. Donald John Marshall Jr.,
P.O. Box 2140,
Springhill, N.S.

Dear Mr. Marshall:

The National Parole Board has carefully reviewed your case and the decision is Day Parole denied.

The denial was rendered because you cannot participate in the Atlantic Challenge Program due to injury.

Yours truly,

A.M. Kowalchuk,
Correspondence and
Information Officer,
National Parole Board

c.c. Director - Springhill Inst.
CSC - Truro, N.S.

/s/

CUMMULATIVE SUMMARY

NAME: MARSHALL, Donald, Jr. FOS: 410491A

(Please refer to attached cumulative summary prepared for day parole hearing.)

RELEASE PLANS:

Subject has applied for a day parole to the Labour Pool to work on the Springhill Golf.

INSTITUTION:

No recent report on file. P.O. states that he appears to experience considerable difficulty in sustaining positive behaviour and the rewards which go along with same. He appears to go along quite well for awhile, and then suddenly loses his privileges because of unacceptable behaviour. Originally approved for escorted T.A.'s two years ago and received several passes until he incurred a very serious offence in the institution and T.A.'s were curtailed. In summer of 1978 he succeeded in establishing credibility and was once more approved for a limited group T.A. program. In the fall of 1978 he was caught smoking marijuana and his T.A.'s were again cut off. His T.A. program was reinstated at the end of November 1978 and in December he was released on an escorted T.A. to the Mic Mac Friendship Centre where he apparently became very intoxicated. His T.A.'s were once again curtailed and he is not presently on a T.A. program. In view of his apparent inability to control his behavior on a regular basis, P.O. feels that he represents too high a risk for a regular day parole program.

NPS COMMENTS:

Subject is frustrated, tense and impulsive. He has completed plumbing course. There are many references to subject's claims of innocence of the offence on file. Apparently subject was involved in a fight in the institution, but there is no information on file (apparently he broke his hand and was therefore not allowed to participate in the Atlantic Challenge Program).

According to P.O. subject should have the cast removed prior to the proposed commencement of the day parole program, but he is to receive treatment for an old injury to his other wrist. This will possibly entail rebreaking and he will therefore be in a case for at least two months. These medical problems would cause him some definite difficulties in terms of doing the work required at the golf course.

P.O. states that one of the main problems - "the major problem in this case" - remains the fact that subject has been convicted of murder and throughout his close to eight years of imprisonment, he has persistently denied the offence.

Behaviour was acceptable on Atlantic Challenge day parole during 1978.

He appears to be in need of a gradual release such as that which would be available through day parole to the golf course.

A detailed and specific case plan was drawn up with subject by institutional official and to a very great extent, with the exception of his periodic episodes of unacceptable behaviour, he has stuck to the plan precisely and has made considerable progress.

Due to subject's apparent inability to control his behaviour on a long-term basis as evidenced by remarks in "Institution" block, P.O. is not recommending this day parole. Subject is aware of this recommendation and also that the institution may not be recommending this day parole.

RECOMMENDATION: DAY PAROLE DENIED (D. McConkey, P.O.)



Solicitor General
Canada

Solliciteur général
Canada

File: FPS 410491A
Dossier:

Parole

Libération conditionnelle

CUMULATIVE SUMMARY - SYNTHÈSE DU CAS
REVISED PART TWO - DAY PAROLE

Name/Nom:	MARSHALL, Donald Jr.	Institution:	Springhill Medium
Aggregate:	Life	Parole eligibility:	June 4, 1981
Peine totale:		Date d'éligibilité:	June 4, 1978
Effective date:	November 5, 1971	Day Parole Eligibility Date:	June 4, 1978
Sentence commence le:		Sentence commence le: M.S. Date:	N/A
Date of birth:	September 13, 1953	Sentence se termine:	
Date de naissance:		Age on admission:	18
		Age à l'admission:	
Offence(s) & Date(s)		Sentence(s):	
(1) Murder, CC 206(2)		(1) Life Imprisonment	

SIGNIFICANT REPORTS ON FILE SINCE LAST BOARD APPEARANCE IN JUNE, 1978

- (1) Board Comments - June 14, 1978
- (2) Lifers Project Report - July 18, 1978
- (3) Special Submission to the Board - November 15, 1978
- (4) Cumulative Summary, Part IV - December 29, 1978
- (5) Board Comments - January 9, 1979
- (6) Cumulative Summary, Part IV - February 20, 1979

RELEASE PLANS

- (1) Destination: - Oxford, Nova Scotia
- (2) Accommodation: - Springhill Medium Institution
- (3) Employment: - Springhill golf course through the Labour Pool Project.

INTERIM ASSESSMENT

As a community assessment is not required, the reader is referred to the Cumulative Summary, Part IV and the project description.

DMcC/gb

c.c. N.P.B., Moncton
Springhill Inst.
File.

Diahann McConkey,
Parole Officer.

Dictated & typed: March 27, 1979

1-54

CUMULATIVE SUMMARY PART IV SYNTHÈSE DU CAS

Canada Libération conditionnelle

ID	FPS - SED	NAME - NOM		DATE COMPLETED-DATE DE CONSIGNATION			
1-2	3-8	10	FAMILY - FAMILLE	GIVEN - PRÉNOM	D-J	M	Y-A
08	4 1 0 4 9 1 A		MARSHALL, Donald Jr.		2 7 0 3 7 8		
CURRENT INSTITUTION - ÉTABLISSEMENT ACTUEL		NPS OFFICE - BUREAU DE SNLC		CASE PREPARED FOR - CAS PRÉPARÉ EN VUE DE			
Specify - précisez		Specify - précisez		Specify - précisez			
Springhill		0 3 0 1 Truro		8 4			
OCCUPATION BEFORE ADMISSION PROFESSION EXERCÉE AVANT L'INCARC.		EMPLOYMENT AT TIME OF OFFENCE - EMPLOI OCCUPÉ LORS DE L'INFRACTION				JUV. OFFENCES INFRACCTIONS JUVENILES	
Specify - précisez		Specify - précisez				Specify - précisez	
Plasterer		Plasterer				Plasterer	
TRAINING IN INSTITUTION FORMATION À L'ÉTABLISSEMENT		EDUCATION COMPLETED - ÉTUDES COMPLÉTÉES				CURRENT MARITAL STATUS - ÉTAT CIVIL ACTUEL	
Specify - précisez		Specify - précisez				Specify - précisez	
Plumbing		Plumbing				Plumbing	
ALCOHOL ABUSE - ABUS D'ALCOOL		ILLICIT DRUG USE - USAGE ILLICITE DE DROGUES				ACCOMMODATION PLANS - PROJET DE LOGEMENT	
Specify - précisez		Specify - précisez				Specify - précisez	
3		3				3	
JOB PLANS - PROJETS RELATIFS À L'EMPLOI		JOB PLANS - PROJETS RELATIFS À L'EMPLOI				JOB PLANS - PROJETS RELATIFS À L'EMPLOI	
Specify - précisez		Specify - précisez				Specify - précisez	
2		2				2	

PLEASE REFER TO INSTRUCTIONS ON BACK
PRIÈRE DE VOUS RÉFÉRER AUX INSTRUCTIONS AU VERSO

RECOMMENDATION

I recommend Day Parole Denied.

BASIC DATA REVIEW

The Parole Board first reviewed Marshall's case in June, 1977, at which point they indicated they had no objection to Marshall's participation in an escorted T.A. program.

On June 14, 1978, Marshall appeared before the Parole Board in regards to his application for day parole to participate in Atlantic Challenge and subsequently received a decision of day parole granted (A-78-01108.) Marshall subsequently participated in the Atlantic Challenge Program from August 8 to 18, 1978 and apparently completed the program successfully.

Marshall subsequently applied for day parole to participate in the Atlantic Challenge Winter Project with the Native Brotherhood group. Initially the Board rendered a reserved decision (A-79-00023) as they required further information on the program. However, on February 7, 1979, the Board ultimately rendered a decision of Day Parole Granted (A-79-00230.) Marshall was scheduled to participate in the program from February 17 to 22, 1979. However, on February 12, 1979, Marshall broke his hand and as a result was unable to get medical clearance. Consequently, the Board subsequently rendered a decision of Day Parole Denied (A-79-00371.)

APPRAISAL

Problem Areas:

- (1) Marshall has thus far in his sentence received no unescorted T.A.'s and only a limited number of escorted T.A.'s. Marshall does not have an approved T.A. plan that was submitted to the Board. Over the past year, however, the institutional director has from time to time allowed Marshall to be released on group T.A.'s. However, at the present time,

- (1) continued . . .

because of his unacceptable behaviour on his last escorted T.A., Marshall is not approved by the Institution for T.A.'s.

In light of the fact that Marshall has received no unescorted passes and very few escorted ones, and is not at the present time even approved for escorted passes, an application for a daily return day parole would appear to be premature.

- (2) Marshall appears to experience considerable difficulty in sustaining positive behaviour and the rewards which go along with same. As has been pointed out to him on a number of occasions, he appears to go along quite well for a while and then suddenly loses his privileges because of unacceptable behaviour. Marshall's escorted T.A. program is a case in point. He was originally approved for escorted T.A.'s two years ago and received several such passes until he incurred a very serious offence report in the Institution and his T.A.'s were curtailed. In the summer of 1978 Marshall again succeeded in establishing credibility and was once more approved by the director for a limited group T.A. program. However, in the fall of 1978, Marshall was caught smoking marijuana and his T.A.'s were again cut off, this time for a period of two months. His T.A. program was reinstated at the end of November, 1978. However, in December, 1978, Marshall was released on an escorted T.A. to the Mic Mac Friendship Centre where he apparently became very intoxicated. As a result of this incident, Marshall's T.A.'s were once again curtailed and he is not presently on a T.A. program.

In view of Marshall's apparent inability to control his behaviour on a sustained basis, the writer feels that he represents too high risk a case for a regular day parole program.

- (3) At the present time, as a result of a fight he was involved in during a floor hockey game, Marshall's hand is in a cast. Although it is anticipated that this cast will be removed prior to the proposed commencement of the day parole to the golf course, it is also noted that Marshall is scheduled to have treatment for an old injury to his other wrist. This will apparently entail rebreaking the wrist and Marshall will be required to wear a cast for at least two months. These medical problems would cause Marshall some definite difficulties in terms of doing the work required at the golf course.
- (4) The major problem area in this case, and perhaps the one that is responsible for most of the above noted problems as well, remains the fact that Marshall has been convicted of murder and throughout the close to eight years of his incarceration has persistently denied the offence. The writer and institutional personnel, based on Marshall's behaviour and attitude, have come to the conclusion that the matter of his guilt or innocence is no longer relevant. Rather, it is felt that Marshall is the type of individual who potentially could have committed the offence and to a certain extent could still commit a similar offence. Work with Marshall in the past year has been directed towards trying to assist him to recognize this fact and work at changing those elements of his personality which are apparently at fault.

Strengths in Plan:

- (1) Marshall was released on a brief Atlantic Challenge day parole during the summer of 1978 and his behaviour was quite acceptable during that program.
- (2) As an individual serving a life sentence, Marshall would certainly appear to be in need of a gradual release such as that which would be available through day parole to the golf course.

- (3) After Marshall was placed in dissociation in March, 1978, a detailed and specific case plan was drawn up with him by institutional personnel. To a very great extent, with the exception of his periodic episodes of unacceptable behaviour, Marshall has stuck to this plan precisely and has made considerable progress. Thus, it would appear that he is definitely making positive efforts.

SUMMARY

In sum, Marshall presents the case of a 25-year-old individual serving a life sentence who has applied for day parole, daily return, to the golf course as the first step in a gradual release program. Although the writer feels that the proposed day parole program itself would be a good one for an individual such as Marshall who needs a gradual release, the writer cannot support Marshall for this day parole program at the present time in light of the limited number and types of releases Marshall has thus far had from the Institution and his apparent inability to control his impulsive behaviour on a sustained basis. Marshall is aware of the writer's recommendation in this case and the reasons for it. He is similarly aware that the Institution will also not be supporting his day parole application. Consequently, it remains possible that Marshall may withdraw his application prior to the panel hearing.

DMcC/gb

Diahann McConkey
Diahann McConkey,
Parole Officer.

Distribution:

- #1 - N.P.B., Moncton ✓
- #2 - C.S.C., Truro
- #3 - #4 - Statistics
- #5 - Springhill Inst.
- #6 - Extra copy.

Anne Marie McDonald
Anne Marie McDonald,
Assistant District Director.

Dictated & typed: March 27, 1979

157
 Solicitor General / Soliciteur général
 Canada / Canada
 Parole / Libération conditionnelle

CUMULATIVE SUMMARY PART IV SYNTHÈSE DU CAS

ID 1-2		FPS - SED 3-9		NAME - NOM FAMILY - FAMILLE GIVEN - PRÉNOM		DATE COMPLETED-DATE DE CONSIGNATION D-J M Y-A		
06		4 1 0 4 9 1 A		MARSHALL, Donald Jr.		0 3 0 7 7 9		
CURRENT INSTITUTION - ÉTABLISSEMENT ACTUEL Specify - précisez			NPS OFFICE - BUREAU DE SNLC Specify - précisez			CASE PREPARED FOR - CAS PRÉPARÉ EN VUE DE		
Springhill			17-20 0 3 0 1 Truro			21-22 8 4		
OCCUPATION BEFORE ADMISSION PROFESSION EXERCÉE AVANT L'INCARC.			EMPLOYMENT AT TIME OF OFFENCE - EMPLOI OCCUPÉ LORS DE L'INFRACTION			JUV. OFFENCES INFRACTIONS JUVENILES		
24-25 Plasterer			1. Student / étudiant 2. student & employed / étudiant et emploi 3. steady job / emploi permanent 4. casual employment / emploi temporaire 5. retired / à la retraite 6. ill / malade 7. not ill, on welfare / non-malade, assisté(e) social(e) 8. otherwise unemployed / sans emploi (autre motif) 9. other / autre			8-Unknown / Inconnu 9-Yes / Oui 10-No / Non		
TRAINING IN INSTITUTION FORMATION À L'ÉTABLISSEMENT			EDUCATION COMPLETED - ÉTUDES COMPLÉTÉES			CURRENT MARITAL STATUS - ÉTAT CIVIL ACTUEL		
28-29 Plumbing			Code as highest grade completed or - Inscrivez la dernière année d'étude terminée ou - 14. University educ / Les études univers 15. University degree / Diplôme univ. 16. Other post secondary / Autres études post-secondaires			1. Single / Célibataire 2. Common-law (less than 1 yr.) / Concubinage (moins d'un an) 3. Common-law (1 yr or more) / Concubinage (un an et plus)		
ALCOHOL ABUSE - ABUS D'ALCOOL			ILLICIT DRUG USE - USAGE ILLICITE DE DROGUES					
6. Unknown / inconnu 1. none / aucun			2. yes, but abuse not directly related to offences / oui, mais l'abus n'est pas une cause des infractions 3. abuse directly related to offences / abus directement liés aux infractions			0. unknown / inconnu 1. none / aucun		
ACCOMMODATION PLANS - PROJET DE LOGEMENT			JOB PLANS - PROJETS RELATIFS À L'EMPLOI					
0. no arrangements / aucun mesurés 1. CCC 2. otherwise in custody / autrement en détention (autre poss.) 3. half-way house / foyer de transition			4. with spouse / avec le conjoint 5. with parents / avec ses parents 6. with other relatives / avec d'autres parents 7. with friends / avec un ou des amis			0. no plans / aucun projets 1. student / étudiant 2. student & employed / étudiant et emploi		

PLEASE REFER TO INSTRUCTIONS ON BACK
PRIÈRE DE VOUS RÉFÉRER AUX INSTRUCTIONS AU VERSO

RECOMMENDATION

I recommend Day Parole Granted to Participate in the Atlantic Challenge Native Brotherhood Canoeing Expedition.

BASIC DATA REVIEW

The Parole Board first reviewed Marshall's case in June, 1977, at which point they indicated they had no objection to Marshall's participation in an escorted T.A. program.

On June 14, 1978, Marshall appeared before the Parole Board in regards to his application for day parole to participate in Atlantic Challenge and subsequently received a decision of Day Parole Granted (A-78-01108.) Marshall subsequently participated in the Atlantic Challenge Program from August 8 to 18, 1978 and the writer was informed by Lynn Jensen, Coordinator of the program, that Marshall completed the program quite successfully.

Marshall subsequently applied for day parole to participate in the Atlantic Challenge Winter Project with the Native Brotherhood and received a decision of Day Parole Granted (A-79-00230.) Marshall was scheduled to participate in the program from February 17 to 22, 1979 but on February 12, 1979, he broke his hand and as a result was unable to get medical clearance. Consequently, the Board subsequently rendered a decision of Day Parole Denied (A-79-00371.)

On April 19, 1979, Marshall once again appeared before the Parole Board, this time in regards to an application for day parole to work at the golf course. At this time, the Board rendered a decision of Day Parole Denied (A-79-00653) and expressed the opinion that the risk involved was too high in light of Marshall's unstable behaviour pattern and that his hand injury would make the work difficult even if other factors were favourable.

APPRAISAL

Junior Marshall is a 25-year-old Native inmate presently serving a life sentence. He was eligible for day parole on June 4, 1978 and will be eligible for full parole on June 4, 1981. Marshall's life sentence represents his only significant period of incarceration. However, he does have a previous record having been convicted of assault as a juvenile and of theft under and supplying liquor to a minor at the age of sixteen.

Since the writer's previous Part IV dated March 27, 1979, considerable changes have occurred in Marshall's situation. The most significant of these was his transfer from Unit 11 to Unit 10, the Therapeutic Community. A recent check with institutional personnel reveals that Marshall has been getting along very well in the more open and somewhat more confrontive environment of Unit 10. Danny Beaton, a range officer who had known Marshall in Unit 11, indicates that Marshall appears much more open and receptive to staff and on a number of occasions has initiated conversations. The writer too has noticed this same difference in Marshall.

Despite the somewhat more open environment of Unit 10, Marshall appears to be able to keep his behaviour on an even keel. He has incurred no offence reports and is not suspected of being involved in any unacceptable activities. Institutional personnel are in support of Marshall's request to participate in Atlantic Challenge.

The Atlantic Challenge Program itself, which will take place from August 13 to 22, 1979, has been designed to accommodate the Native Brotherhood Group. Consequently, this particular expedition will be a canoeing one and will also involve a certain amount of portaging. To the best of this writer's knowledge, full details of the program itself have already been forwarded to the Board by C.S.C., Halifax. Marshall's case in particular has been discussed with John Unroe of the Halifax office who indicates that he has no concern whatsoever about including Marshall in this program. As noted in one of the writer's earlier reports, Marshall is a regular member of the Native Brotherhood Group in Springhill Institution.

In this writer's opinion, Marshall would appear to be a good candidate for this program. His participation in Atlantic Challenge last summer was a successful one and appeared to be of benefit to Marshall. In addition, Marshall does appear to have been making more of an effort lately to control his periodic bouts of unacceptable behaviour. In fact, as a result of his efforts in this regard, Marshall has again been approved by the Institutional Director for participation in escorted group T.A.'s. Finally, it should be noted that the medical problems that prevented Marshall from participating in the previous Atlantic Challenge Program have now been cleared up. The cast has recently been removed from his arm and it is anticipated that within the next week or so Marshall should be cleared for resumption of normal work activities.

In summary, the writer is prepared to recommend Marshall for day parole to Atlantic Challenge as it is felt that this program has been in the past and could be in the future of benefit to him and Marshall has been making an effort to comply with the demands made of him by the Parole Board, Parole Service staff and institutional authorities.

DMcC/gb

Distribution:

- #1 - N.P.B., Moncton
- #2 - C.S.C., Truro
- #3 - #4 - Data Collect. Super.
- #5 - Springhill Inst.
- #6 - Extra copy

Diahann McConkey
Diahann McConkey,
Parole Officer.

A. M. McDonald
Anne Marie McDonald,
Assistant District Director.

Dictated: June 29, 1979
Typed: July 3, 1979.



Government of Canada / Gouvernement du Canada

National Parole Board / Commission nationale des libérations conditionnelles

TELEX - TELEGRAM

MESSAGE TÉLEX - TÉLÉGRAMME

For Telex use only / A l'usage exclusif de la section du Télex	Telex Dial Code / Indicateur du Télex	Via
	Message No. / N° du message	

TO / À (NAME OF PERSON AND OR TITLE) - (NOM OU TITRE DE LA PERSONNE)

NPS

ADDRESS / ADRESSE

D.D. TRURO SAME MESSAGE TO REGIONAL EXECUTIVE OFFICER OF MONCTON

TEXT / TEXTE (CAPITAL LETTERS AND DOUBLE SPACING) - (EN MAJUSCULES ET À DOUBLE INTERLIGNE)

MARSHALL, DONALD JUNIOR. SPRINGHILL INST. dec date: 2.8.79. DAY PAROLE
 GRANTED TO PARTICIPATE IN THE ATLANTIC CHALLENGE NATIVE BROTHERHOOD CANOEING EXPEDITION.
 EFF: 13.8.79. EXPIRY: 22.8.79. USUAL DAY PAROLE COND PLUS THOSE IN ACCORDANCE
 WITH INST REGULATIONS. FILE: UNKNOWN. F.P.S.: 410491A.

pc

FROM / DE	Signature	Date of signature / Date de la signature
Title / Titre	Agency / Agence	

Handwritten signature

UNCLAS
CONFIDENTIAL

US 114 MIL

PA

NATIONAL ARCHIVE SERVICE
COLLEGE PARK MARYLAND
1A
21

MARSHALL, DONALD JAMES. SPRINGHILL INST. DEC DATE:
2-2-79. BY PEOPLE CHANGED TO PARTICIPATE IN THE ATLANTIC
CHALLENGE IN THE CAROLINA EXPEDITION. EFF:
13-8-79. COPY: 22-1-79. USAL DAY PEOPLE COME PLUS
THOSE IN ACCORDANCE WITH INST REGULATIONS. FILE: UNKNOWN
FFS: 410491A

n. CHEVALIER-2011 DONALD
REGISTRAR
NPL

*
PEOPLE COME



Solicitor General
Canada

141
Soliciteur général
Canada

Parole
Atlantic Div.

Libération conditionnelle
Division de l'Atlantique

P.O. Box 1370,
Moncton, N.B.
EIC 8T6

August 8, 1979

Inst. No. 1997
FPS 410491A

Mr. Donald Marhsall,
Springhill Institution,
P.O. Box 2140,
Springhill, N. S.
BOM 1X0

Dear Sir:

This is to inform you that the National Parole Board has
carefully reviewed your case and the decision is Day
Parole Granted to Atlantic Challenge.

Yours truly,

B. Dick

for
E. Williams
Regional Secretary
National Parole Board

c.c. Director - Springhill Inst.
C.C.S. - Truro

PREVENTIVE SECURITY
UNUSUAL OCCURRENCE REPORT

Reporting Medium, Date and Time Telephone, 24 Sep 79, 1515 hrs

Originator of Report Linda Walsh, RHQ Atlantic
(Name, Position, Institution or Establishment)

DETAILS:

Type of Occurrence ESCAPE FROM GROUP ESCORT

Place, Date and Time of Occurrence Alma, N.S., 24 Sep 79, 1500 hrs.

Inmates Involved:

<u>Inmate No.</u>	<u>Name</u>	<u>FPS No.</u>	<u>D.O.E.</u>	<u>M.S.D.</u>
<u>1997</u>	<u>MARSHALL, Junior</u>	<u>410491A</u>	<u>13-09-53</u>	<u>Life</u>

Brief Description of Occurrence:

At 1500 hrs 24 Sep 79, inmate MARSHALL absconded from a group escort when the vehicle stopped for gas in Alma, N.S., on the return journey to Springhill. MARSHALL and two other native inmates had been granted a day parole for three days to participate in the Atlantic Challenge Program. MARSHALL has been declared unlawfully at large.

Police Notified Yes Media Notified _____

Current Situation _____

DISTRIBUTION LIST:

- Inmate File
- Security Inmate File
- Security Institution File
- Security Chronological File
- Security Analyst - Institution File
- Subject File

CARD/SIF

B. Noel - Sec. Ana.

Name, Position

UNLAWFULLY AT LARGE & RECAPTURE

CANADIAN PENITENTIARY SERVICE
DEPARTMENT OF THE SOLICITOR GENERAL

PRISONNIERS ABSENTS SANS PERMISSION ET RECAPTURÉS

SERVICE CANADIEN DES PÉNITENCIERS
MINISTÈRE DU SOLICITEUR GÉNÉRAL

PART I: Unlawfully at large - PARTIE 1: Absent sans permission

1. Family name - Nom de famille MARSHALL,		Given Name and Initials Prénoms et initiales Donald Jr.		2. FPS Number - Numéro de la SED C.O. 40. S.S. 410491A		3. Inmate Number Numéro du détenu 1997		4. Departure Date Date du départ D.-J. M.-M. Y.-A. 24 09 79											
5. Institution SPRINGHILL		Code: 210		2. Type of Unlawfully at large Genre d'absence sans permission <input type="checkbox"/> Escape Évasion <input type="checkbox"/> Walkaway Départ <input type="checkbox"/> U.S.L. Temporary Absence Temporaire <input checked="" type="checkbox"/> U.S.L. Day Parole Libération quotidienne				7. Statutory Remission forfeited (U.S.L.) Réduction stat. de peine annulée Days/Jours			8. Earned remission credit at time of U.S.L. Réd. de peine méritée au moment de son absence sans permission Days/Jours			9. Signature of Clerk Inmate Record's Officer Signature du commis préparé aux dossiers des détenus <i>D. Long</i>			Date D.-J. M.-M. Y.-A. 25 09 79		

PART II: Recapture - PARTIE 2: Recapture

10. Date of return to institution from which inmate escaped. Date du retour à l'institution du détenu s'est échappé. D.-J. M.-M. Y.-A. 26 09 79			11. Date of return to Date de la recapture D.-J. M.-M. Y.-A. 27 09 79			12. Signature of Clerk Inmate Records Officer Signature du commis préparé aux dossiers des détenus <i>D. Long</i>			Date D.-J. M.-M. Y.-A. 27 09 79		
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NOTE: 1. 1. If transfer warrant is issued on date 10, designate to which institution and complete form CP 901 as prescribed.

REMARQUES: 1. 1. Si le mandat de transfèrement est émis à la date inscrite dans la case 10, veuillez indiquer dans quelle institution et remplir la formule CP 901, comme il est exigé.

2. Distribution:

- Part 1 = 4 copies retained on Institutional Inmate File.
 - 1 copy to CPS HQ.
 - 1 copy to NFB HQ.
- Part 2. (Completed on the 4 copies retained on Institutional Inmate File)
 - 1 copy to CPS HQ.
 - 1 copy to NPB HQ.
 - 1 copy to NPB District Office.
 - 1 copy retained on Institutional Inmate File.

2. Distribution:

- Partie 1 = 4 copies conservées dans le dossier du détenu
 - 1 copie à l'Adm. centrale du SCP
 - 1 copie à l'adm. centr. de la Comm. nat. lib. cond.
- Partie 2. (Remplie sur les 4 copies conservées dans le dossier du détenu à l'institution)
 - 1 copie à l'Adm. centr. du SCP
 - 1 copie à l'Adm. centr. de la CNLC
 - 1 copie au Bureau de distr. de la CNLC
 - 1 copie conservée dans le dossier du détenu à l'institution.

3. For Instructions, see Section 3 of IDRIS Instruction Manual.

3. Pour plus d'instructions, consulter la section 3 du Manuel d'instructions IDRIS.

016/09/79 AS

Amendments Amendm. No. 1	Item Nos. Amended 30	Date 29/10/79	Issuing Institution (and code) Springhill (210)	Amending Officer's Signature <i>[Signature]</i>
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INMATE ADMISSION
CANADIAN PENITENTIARY SERVICE
DEPARTMENT OF THE SOLICITOR GENERAL

CONFIDENTIAL
THIS FORM IS ALSO AVAILABLE IN FRENCH

PERSONAL DATA—e) to be completed by Inmate Records Officer

1. Last or Family Name MARSHALL, Donald Jr.		First Name Don		3. Social Insurance No. 410491A	4. Inmate No. 1997
5. Aliases Used		6. Date Admitted		7. Receiving Institution (and code no.)	
8. Last Penitentiary Admission		Institution		9. Language Spoken <input type="checkbox"/> English Only <input type="checkbox"/> French Only <input type="checkbox"/> Both Eng. and French <input type="checkbox"/> Neither Eng. nor French	
10. Sex <input type="checkbox"/> Male <input type="checkbox"/> Female		11. Date of Birth D M Y		12. Place of Birth	
13. Citizenship		14. Apparent Major Medical Ailments <input type="checkbox"/> None <input type="checkbox"/> Heart <input type="checkbox"/> Diabetes <input type="checkbox"/> Epilepsy <input type="checkbox"/> Other:		15. Marital Status <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed <input type="checkbox"/> Common-Law	
16. Religion		17. Ethnic Origin <input type="checkbox"/> British Isles <input type="checkbox"/> N.A. Indian <input type="checkbox"/> Eskimo <input type="checkbox"/> Negro <input type="checkbox"/> Other European <input type="checkbox"/> French <input type="checkbox"/> Metis <input type="checkbox"/> Asiatic <input type="checkbox"/> Other:		18. Last Address	
19. Relationship		Address:			

PHYSICAL FEATURES—To be completed by Inmate Records Officer

20. Height	21. Weight	22. Colour of Eyes	23. Hair Colour	24. Complexion
25. Tattoos—Describe				26. Other peculiarities, marks, scars, etc.

SENTENCE AND OFFENCE DATA—To be completed by Inmate Records Officer

27. Type of Admission <input type="checkbox"/> (a) Warrant of Committal <input type="checkbox"/> (b) Transfer from a (ccc634(5) Prov. Institution <input type="checkbox"/> (c) Transfer (Provincial Contract Agreement) <input type="checkbox"/> (d) Lt. Governor's Warrant <input type="checkbox"/> (e) Parole Revocation <input type="checkbox"/> (f) Parole Forfeiture <input type="checkbox"/> (g) Mandatory Super. Revocation <input type="checkbox"/> (h) Mandatory Super. Forfeiture			28. Date Sentence Commenced D M Y		
29. Appeal Status <input type="checkbox"/> (a) Waiver not Signed, W. Period Lapsed. <input type="checkbox"/> (b) Waiver Signed (Date) <input type="checkbox"/> (c) Appeal Filed (Date)			D M Y		
30. Offence 2. U.A.L.	No. of 1	Statute 133(b) CC	Sentence 4 Mos. Consec.	Place Sentenced Springhill, NS	Date Sentenced 18/10/79

31. Sentence Credits (a) Stat. Rem. (b) Earned Rem. (c) Re-Credit of Earned Rem. (d) Parole Susp. Period.				32. Unexpired Prov. Term.	33. Single Term of Imprisonment Y M D Total Days	34. Release Due Date D M Y	35. Mandat. Superv. Release Date D M Y
36. Probl. Parole Eligib. Date M Y		37. Warrant Exp. Date D M Y		38. Sentencing Judge, & Type of Court		39. Investigating Police	
40. Inmate Records Officer: Signature <i>[Signature]</i>						D M Y	

[Handwritten signatures]

To the Escorting Officer:

THESE are to authorize and command you under and pursuant to the relevant statutes to require and take from the director of Dorchester Penitentiary New Brunswick delivery of

(Institution)

(Province)

FPS no.

Inmate no.

Surname and given names

410491A

1997

MARSHALL, Donald Junior

inmate(s) now undergoing sentence in the said institution together with copy(ies) attested by the said Director of his/her/their sentence(s) and the date of his/her/their conviction(s), and then with all convenient despatch, convey and deliver him/her/them, with such attested copy(ies) into the custody of the Head of Springhill Institution Nova Scotia taking his receipt therefore:

(Receiving institution)

(Province)

AND YOU ARE FURTHER COMMANDED, forthwith after the delivery of the said inmate(s) and such attested copy(ies) to the Head of the said institution, to return to the undersigned a receipt from the said Head for the said inmate(s) and such attested copy(ies).

GIVEN under my hand as directed by the Commissioner of Penitentiaries, at Moncton
New Brunswick in the 22nd day of April A.D. 1980

(Province)

(City)
80


(Signature)

A/Regional Manager Offender Programs
(Title)

- as an officer directed by the Commissioner of Penitentiaries, under sub-section 13(3) of the Penitentiary Act, OR
- as an officer designated by the Commissioner of Penitentiaries, under the agreement made pursuant to the Appropriation Act no. 4 1973 OR
- as an officer authorized by the Commissioner of Penitentiaries, under the agreement made pursuant to Section 19(1) of the Pen Act.



Government of Canada

Gouvernement du Canada

National Parole Board

Commission nationale des libérations conditionnelles

INMATE APPLICATION FOR TEMPORARY ABSENCE

DEMANDE DU DÉTENU POUR ABSENCE TEMPORAIRE

N.P.B. MONCTON

Decision Making Authority / autorité décisionnelle NPB - CNLC CPS - SCP		Inmate number / Numéro du détenu 1997	F.P.S. Number - Numéro SED
Cell location / Endroit de cellule E-12-#11	Surname - Nom de famille MARSHALL	First given name / Premier prénom Donald	Second given name / Deuxième prénom JR
Departure / Départ D-J M-M Y-A Time - Heure 24 10 80 1:00 P.M.	Return / Retour D-J M-M Y-A Time - Heure 27 10 80 1:00 P.M.		Institution Springhill N.S.

Full address - Adresse au complet 38 MIC MAW CRES. SYDNEY N.S.	Name - Nom DONALD MARSHALL JR.	Relationship - Parenté PARENTS	Telephone No. - N° de téléphone 539-5116
--	-----------------------------------	-----------------------------------	---

PURPOSE (Reason for applying for T.A.) - OBJET (Raisons pour la demande d'A.T.):

I am requesting this T.A. so that I can renew my relationship with my family by spending time with them at home, so that we can discuss my future plans, and especially so I can see my brother who is ill. I also want to see the Union of Nova Scotia Indians to discuss my appeal which is pending and has been on my mind a great deal; I feel I will be better able to deal with my future plans, once these things have been taken care of.

NEEDS - BESOINS

<input type="checkbox"/> Clothing / Vêtements	<input checked="" type="checkbox"/> Trust Fund / Fonds de fiduciaire	<input type="checkbox"/> Compulsory savings / Épargne obligatoire	<input type="checkbox"/> Canteen fund / Fonds de cantine	Transport	<input type="checkbox"/> Commercial	<input type="checkbox"/> Other / Autre
				<input checked="" type="checkbox"/> Private / Privé		

Specify - Préciser
Trust fund \$100.

Marshall 1997
Inmate's Signature - Signature du détenu

August 7-80
Date

RECEIVED BY / REÇU PAR: D. Rouyeux Signature

Date received / Date reçue D-J M-M Y-A 11 08 80	Status of application to be provided by / Des renseignements vis-à-vis la demande seront fournis le	Date D-J M-M Y-A
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FOR OFFICE USE ONLY - À L'USAGE EXCLUSIF DU BUREAU

PROGRESS SUMMARY

RAPPORT RÉCAPITULATIF SUR L'ÉVOLUTION DES CAS

147
CENTRAL REGISTRY - OTTAWA
CSC 37

1. Name - Nom MARSHALL Donald			2. Inmate No. - N° du détenu 410491A			3. Institution - Établissement Springhill											
5. Length of sentence Durée de la peine Life			6. Date of admission Date d'admission 72 06 20			7. T.A. orig. date Date d'admissibilité à l'A.T. 75 06 20			8. Parole orig. date Date d'admissibilité à la p.c. 81 06 04			9. M.S. date Date de S.O. N/A			10. W.E. date Date d'expiration du mandat N/A		
11. Purpose of report - But du rapport												12. Date completed Date de rédaction					
A. <input type="checkbox"/> Transfer Transfèrement			B. Temporary Absence Absence Temporaire			Escorted Sous escorte			Rehabilitative Resocialisation			Y-A M-M D-J					
C. Parole L.C.			D. Mandatory supervision Surveillance obligatoire			Unescorted Sans escorte			Humanitarian Humanitaire								
Day De jour			Full Ordinaire						Medical Médicale			13. Operations Unit Unité d'opérations Springhill					
14. Work location - Pay level Endroit de travail - niveau de paye Maintenance plumbing Grade 4				15. Date of last C.A. Date de dernière E.C. Sydney area 78 06 05				16. Med./Psych clearance required Certificat méd./psych. requis <input checked="" type="checkbox"/> No Non <input type="checkbox"/> Yes Oui				17. T.A. experience - A.T. précédente <input type="checkbox"/> No Non <input checked="" type="checkbox"/> Yes Oui					
18. Earned Remission during current sentence Réduction méritée de peine au cours de la peine actuelle						19. Institution Offence Convictions during current sentence Condamnation pour infraction institutionnelle au cours de la peine actuelle						Some minor. 15 Some serious Number - Nombre					
Earned remission Réduction de peine méritée						None Aucune						Yes Oui					
20. SUMMARY OF PROGRESS - RÉCAPITULATION DU PROGRÈS ATTEINT																	

1997 Marshall is applying for a 3-day UTA in October 1980 to visit his parents in Sydney, N.S. and also to see the Union of Nova Scotia Indians to discuss his appeal which he states is still pending and has been on his mind a great deal. He hopes to get the money from the union for this appeal.

Marshall has had his ups and downs since coming from Dorchester in 1974. He does well for periods of time and then has his setbacks, brought on mostly by himself through high levels of frustration. He has had 15 offences, some minor and some serious. He has spent time in disassociation and segregation.

From reading his file there isn't any TLA program set by himself. Although many plans were talked about nothing seemed to materialize up to this point.

He has had approximately 35 escorted TLA's, mostly around this area for sports programs.

He was out on day parole with Atlantic Challenge in August 1979 from which he escaped. His reason--he claims if he had the chance he was going to look into his appeal.

Marshall's work record has been satisfactory. He has completed a vocational plumbing course and has worked in different shops with no problems. He attends Native Brotherhood and is very active in the sports program.

If a TA is granted a community assessment will be needed.

The Chief of Police in Sydney stated in C.A. dated June 1978 he is against any 3-day passes Marshall might get as he feels there still might be reprisals from the black community.

I feel Marshall could become a high risk if the Union of Nova Scotia Indians deny his request for funds for his appeal. He could get frustrated if he sees his appeal is at a dead end.

K. Bourgeois
LU 1

/gb

Dictated Aug. 12, 1980
Typed: Aug. 26, 1980.

c.c. Inmate file
NPB Moncton
Central Registry, Ottawa
CSC Truro

CONFIDENTIAL

1997 MARSHALL

1997 MARSHALL is presently in Dissociation for the good order of the institution.

His case will be presented for transfer to Dorchester Penitentiary within two weeks at the Regional classification Board.

Not Recommended.

9. Recommendation -- Recommendation

Not Recommended.

Completed by / Complété par <i>F. Rudderham</i> F. Rudderham	Title / Titre C.M.O.I.	Date 1980-10-10
Offender's signature / Signature du délinquant <i>Marshall</i> 997 MARSHALL	Date 1980-10-10	Case Management Supervisor / Surveillant gestion des cas <i>R. E. Childs</i> R. E. Childs
		Date 1980-10-10

COMMUNITY ASSESSMENT / ENQUÊTE COMMUNAUTAIRE

I. IDENTIFYING DATA - DONNÉES SUR L'IDENTITÉ

1. Last name - Nom de famille MARSHALL	Given names - Prénoms Donald	2. F.P.S. - N° SED 410491A	3. Inmate no. - N° du détenu 1997	4. Institution - Établissement Springhill
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2. Purpose of C.A. - But de l'E.C.

A. <input type="checkbox"/> Penitentiary Placement Placement pénitentiaire	C. <input type="checkbox"/> Temporary Absence - Absence temporaire	E. <input type="checkbox"/> Parole
B. <input type="checkbox"/> Transfer - Transfert	<input type="checkbox"/> Escorted Sous escorte	<input type="checkbox"/> Day jour
<input type="checkbox"/> Institutional Institutionnel	<input checked="" type="checkbox"/> Unescorted Sans escorte	<input type="checkbox"/> Full Ordinaire
<input type="checkbox"/> Supervision Surveillance	D. <input type="checkbox"/> Mandatory supervision Surveillance obligatoire	F. <input type="checkbox"/> Other Autre

6. Special Instruction - Directives spéciales
Contact should be made with:

1. Mr. and Mrs. Donald Marshall, 38 Micmac St., Membertou, Sydney, N.S., to ascertain their feelings about their son possibly coming home on T.A.
2. Union of Nova Scotia Indians, Membertou, to ascertain the advisability and necessity of Marshall coming to Sydney to discuss with them funding for his appeal.
3. Relevant police department.

7. Originator's Name - Nom de l'initiateur Diahann McConkey	Title - Titre Parole Officer	District office/Institution Bureau de district/établissement Truro	8. Date requested Date demandée Aug. 26, 1980
---	--	---	--

II. RECEIPT AND REFERRAL DATA - DONNÉES AU SUJET DE LA RECEPTION ET DE LA RÉFÉRENCE

9. Date received - Date de réception Y-A M-M DJ	10. Receiving office - Bureau qui reçoit la demande Sydney	11. Name of Agency if referred Nom de l'agence à laquelle référé NATIONAL PAROLE SERVICE Service National Des Paroles Conditionnelles
11. Date referred (if applicable) Date référée (le cas échéant) Y-A M-M DJ	12. Date completed - Date achevée 1980 September 24	SEP 29 1980

SYDNEY, N.S.

SOURCES OF INFORMATION:

- Mr. & Mrs. Donald Marshall - Subject's Parents - Personal Interview
- Chief Alex Christmas - Chief, Membertou Reservation - Personal Interview
- Inspector William Urquhart - Sydney Police Department - Personal Interview

COMMUNITY FINDINGS:

Mr. & Mrs. Donald Marshall, the subject's parents, were contacted at their home on the Membertou Indian Reserve in Sydney, Nova Scotia. Initially, the Marshalls were informed of this writer's visit and the Marshalls were expecting a visit from a Parole Officer knowing that their son had applied for a 3 day pass from Springhill Institution. The Marshalls live in a spacious two-storey dwelling on the Membertou Reserve and according to Mr. & Mrs. Marshall, there will be adequate room for their son should he be granted a pass. Currently living in the Marshall home are the subject's parents, as well as his four brothers and 1 sister. The father, Donald Marshall, is the Grand Chief for the entire Micmac Nation. During our conversation, the offence for which the subject is currently incarcerated was brought up. The parents feel that their son may not be guilty of the offence as their son repeatedly informs his parents that he killed no one. This writer informed the subject's parents of the subject's reluctance to admit to the offence or speak about it. The parents response was that the subject will only speak to a lawyer about

MARSHALL, Donald
Springhill Institution

-2-

the circumstances surrounding the incident and to their knowledge the subject refuses to speak to anyone else about the incident. It is this writer's feeling that the mother is more of a firm believer in her son's innocence and that the father has more or less accepted the fact that his son has spent a great deal of his life in jail regardless of whether or not he is guilty of the offence. To this end, there appears to be some reinforcement in the Marshall home which may be providing the subject with the necessary motivation to pursue an appeal in his case. The subject's parents seem to think that one of the crown witnesses against the subject was coerced into making a false statement on the stand and in fact approached Donald Marshall, Sr., to inform him that what he had said on the stand was, in fact, not true. Although Mr. Marshall has not pursued this any further, he seems to believe that there was something fishy going on during his son's trial which eventually saw the subject receive a life sentence.

The subject's parents were questioned about their planned activities should Junior Marshall be successful in obtaining a 3 day pass. Mr. Marshall indicated that he and the rest of his family plan to spend every waking moment with their son, as they realize the three days will pass very quickly. There appears to be adequate family support available for the subject in the Marshall home providing the subject stays close to home during his 3 day pass. The Marshalls indicated to this writer their disappointment in their son's futile attempts in obtaining previous temporary absences and stress the importance of this visit by a Parole Officer to their home. The Marshalls were questioned about the possible rejection of their son's request for a temporary absence. The subject's parents indicated that they would of course be disappointed although they are used to this feeling. When questioned about the possible reaction of their son, the parents seemed to feel that the subject would take it in stride and would not show any extreme reaction as a result of the frustration he would experience as a result of a negative response to his temporary absence request. The Marshalls were questioned about the possible reaction by the black community with regard to a release for Junior, and Mr. Marshall responded that he does not feel there would be any negative reaction from the black community and, in fact, he felt that the majority of the blacks would support any release for the subject. Mr. Marshall went on to indicate that he does not feel that there is currently any hostility between the two races and at times seems to have mellowed any hostility which may have originally existed. Mr. Marshall went on to explain that there would be 100% support and co-operation from the Membertou Reserve for a temporary absence for Junior MARSHALL.


Mr. Alex Christmas, Chief of the Membertou Indian Reservation, was contacted in order to discuss the possibility of the subject receiving funds from the Union of Nova Scotia Indians with regard to his appeal. Mr. Christmas reported to this writer that he would not know if the Membertou Band Council would try to solicit funds for the subject's appeal until he has talked to the subject. Mr. Christmas thinks that about \$2000. is needed for the subject's appeal, and he would have to hear the subject's reasons for an appeal prior to soliciting for funds. Chief Christmas was somewhat confused about the subject's appeal at such a late date, as the subject has spent approximately 9 years in jail and is eligible for Parole in less than 1 year. This writer questioned Mr. Christmas about the possibility of interviewing the subject in the Institution as opposed to granting the subject a 3 day pass for the purpose of an interview to determine if the Band Council would solicit funds for the subject. Mr. Christmas thought that this could probably in fact be done although a pass would provide the subject with an opportunity to visit his parents as well as give the subject a chance to try to substantiate to Chief Christmas why the Membertou Band Council should try to support him with financial aid with regard to his appeal. Chief Christmas reported that he thinks Junior MARSHALL would receive complete support from

all members of the Membertou community and that there is no hostility between any person on that Reserve and the subject.

In summary, Chief Christmas is not certain at this particular point whether funds will be available to support the subject with his appeal. Chief Christmas will not be able to decide whether or not the subject's appeal will be supported by the Membertou Band Council until he has talked to the subject himself and discussed his reasons for an appeal at this late date. Chief Christmas does however support the subject's request for a 3 day pass as he feels the Marshall family is very highly thought of not only on the Micmac Reserve but throughout the Indian community in Nova Scotia. Chief Christmas went on to say that Mrs. Marshall has a tight rein over all of her family and whatever she says is law in the Marshall home.

Inspector William Urquhart of the Sydney Police Department was contacted in order to elicit his reaction to the subject's request for a 3 day temporary absence to return to the Membertou Reserve with hopes of gaining support for his appeal. As expected, the police reaction in this case is quite negative, as they are very concerned about the risk the subject presents should he return to the area. Inspector Urquhart feels that the subject is a high risk for re-offending and should not be given that opportunity to do so. As earlier stated, the reaction of the Sydney police to the subject's return to the Membertou Reserve is negative.


Robert W. MacDougall
Parole Service Officer


J. Bernard MacNeil, M.S.W.
Acting District Director

RWMD/dm

cc: Regional Secretary - Atl.
Data Collection Supv. - Ott.
D.D. Truro, N.S.
Springhill Institution
File

152

410491A

NYP12

APPLICATION FOR PAROLE DAY FULL

Name: Marshall

Inst. Number 1997

Institution: Dartmouth Pen

CO/LUDO: M. McWilliams

1. Outline your release plans in detail: (please print)

I am applying for a 3 day day parole to the Carleton Centre and will have an interview with the Carleton Centre Comm. I will contact Ronda Batt (Friendship Centre) (Employee Resource Worker) and she will set up interview with the Dartmouth Voc School. I will go to school and finish my plumbing course which I have 2 1/2 of experience in. I will stay at the centre until I get myself put on my feet to the street.

2. Name individuals in the community willing to assist you: (relatives, friends, employers, etc - with addresses)

Mrs. Ronda Batt - Friendship Centre
207 Brunswick St. Halifax, N.S.
Mr. Steve Aronson
Suite 305-277 Pleasant St
Dartmouth, N.S. B2Y-4B7

3. Why do you feel you deserve consideration for release?

I feel I deserve to get out after serving 11 yrs. Also by spending more time isn't going to make things better for me or my family. I think I put enough effort to show the Board; I want to get out to start life over again. I am asking the Board to give me a chance to prove myself.

4. Language of hearing preferred

English French

Date: January 31-81

Signature: Marshall 1997

Date application received by CO/LUDO

Inmate FPS

PROGRESS
SUMMARYRAPPORT RÉCAPITULATIF
SUR L'ÉVOLUTION DU CAS

1. Name - Nom MARSHALL Donald			2. FPS No. - N° S.E.D. 410491A			3. Inmate No. - N° du détenu 1997			4. Institution - Établissement Dorchester								
5. Length of sentence Durée de la peine LIFE			6. Date of admission Date d'admission 71 11 05			7. T.A. elig. date Date d'admissibilité à l'A.T. --			8. Parole elig. date Date d'admissibilité à la S.C. 81 06 04			9. M.S. date Date de S.O. -			10. W.E. date Date d'expiration du mandat -		
Y-A	M-M	D-J	Y-A	M-M	D-J	Y-A	M-M	D-J	Y-A	M-M	D-J	Y-A	M-M	D-J	Y-A	M-M	D-J
11. Purpose of report - But du rapport												12. Date completed Date de réaction 81 02 05					
A. <input type="checkbox"/> Transfer Transfèrement				B. Temporary Absence Absence Temporaire				<input type="checkbox"/> Escorted Sous escorte				<input type="checkbox"/> Rehabilitative Resocialisation					
								<input type="checkbox"/> Unescorted Sans escorte				<input type="checkbox"/> Humanitarian Humanitaire					
C. Parole L.C. <input type="checkbox"/> Day De jour				D. <input type="checkbox"/> Mandatory supervision Surveillance obligatoire								<input type="checkbox"/> Medical Médicale					
				<input checked="" type="checkbox"/> Full Ordinaire													
APR												CSC Dorchester					
14. Work location - Pay level Endroit de travail - niveau de paye Maintenance Plumbing						15. Date of last C.A. Date de dernière E.C. 80 09 24						16. Med./Psych clearance required Certificat méd./psych. requis <input checked="" type="checkbox"/> No Non <input type="checkbox"/> Yes Oui					
Y-A						M-M						D-J					
18. Earned Remission during current sentence Réduction méritée de peine au cours de la peine actuelle												19. Institution Offence Convictions during current sentence Condamnation pour infraction institutionnelle au cours de la peine actuelle					
Earned remission Réduction de peine méritée <input type="checkbox"/> Full Entière <input type="checkbox"/> Partial Partielle												None Aucune <input type="checkbox"/> Yes Oui <input type="checkbox"/>					
												Number - Nombre					
20. SUMMARY OF PROGRESS - RÉCAPITULATION DU PROGRÈS ATTEINT																	

Donald MARSHALL was returned from Springhill to Dorchester on October 31, 1980. He had previously that year been transferred from Springhill to Dorchester, but was then returned (April, 1980) when there seemed to be insufficient evidence to justify a previous emergency transfer. However, during the summer of 1980 his behavior at Springhill deteriorated. He was suspected of drug involvement, and had been very quick to become involved in fights. The reader is referred to the minutes of the Regional Classification Board (October 30, 1980) for details of this transfer.

Since that time, Mr. MARSHALL has been detained in Dorchester, where his behavior has improved a great deal. He is not suspected of drug involvement, and his only offence has been possession of a small container of honey, which he claims was for use in sweetening beverages. His work is satisfactory for the maintenance plumbers, and he appears to have settled into Dorchester to the extent of feeling that a return to Springhill would not be in his own best interest, especially after he was told that in Springhill he was simply taking up space. A Needs Analysis Profile and a Individual Program Plan have been prepared for Mr. MARSHALL. He agrees that his main problems have in the past involved the use of drugs and alcohol, compounded with his belligerence. He admits that in Springhill he was known as the person who was invariably ready for a fight, and states that he must devalue himself of this image before he can really improve. Admittedly a loner, he describes approaching other to discuss his problems, and seems well aware of the fact that if he is to succeed and return to life outside prison he must change in several important ways. This he is prepared to do, and expressed little resentment at the needs enumerated in the Needs Analysis Profile, merely mildly commenting that they seemed to be more negative than positive. It was explained to him that the program plan is the positive part of the work of the case management team, and that much would be expected from him in this respect.

It should be noted that Mr. MARSHALL has only recently given up hope of appealing his life sentence, but seems to have made this decision without any major upheaval, and is now prepared to look forward to the future without flinching.

RELEASE PLANS:

Mr. MARSHALL has signed form NPB 104, indicating that he does not at present have any release plans. However, in cooperation with his Case Management Team, he expects to derive release plans within the next year.

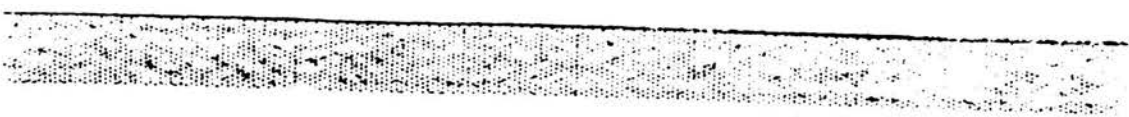
INTERIM ASSESSMENT:

Because no Community Assessment is being requested, the reader is advised to proceed directly with the second page of the Progress Summary.

Completed by: J. A. [Signature]

M. E. Flanagan
A/Case Management Supervisor

~~Offender's signature:~~





Solicitor General Canada / Solliciteur général Canada

Parole Atlantic Div. / Libération conditionnelle Division de l'Atlantique

P. O. Box 1370
Moncton, New Brunswick
E1C 8T6
March 9, 1981

Mr. Donald Marshall, Jr.,
P.O. Box A,
Dorchester, N.B.
EOA IMO

Dear Mr. Marshall:

In accordance with Section 8 (1) of the Parole Act,
your case was brought forward for review.

No decision was taken because you stated that you are
not interested in receiving full parole consideration at
this time.

A further review date of June 4, 1982 has
been set.

Yours truly,

[Signature]
E. Williams,
Regional Secretary
National Parole Board

cc- Director, Dorchester Pen.
District Director, C.C.S. - Moncton, N.B.

AMK/sl

1. Last name - Nom de famille MARSHALL	Given names - Prénoms Donald Jr.	2. P.P.S. No. - N° S.E.D. 410491A	3. Inmate no. - N° du détenu 1997	4. Date completed - Date de rédaction 1981 02 0 Y-A M-M D-D
5. Current institution or address - Établissement ou adresse actuelle Dorchester Penitentiary		6. Composing operational unit - Unité opérationnelle ayant rédigé rapport		
7. Type of report Genre de rapport <input type="checkbox"/> Initial Préliminaire <input type="checkbox"/> Revised Révisé	8. Documents used - Documents utilisés: <input type="checkbox"/> Verified P.P.S. R.P.P. vérifiés <input type="checkbox"/> C.A. E.C. <input type="checkbox"/> Police report Rapport de police <input type="checkbox"/> Diagnostic Assessment Évaluation diagnostique <input type="checkbox"/> M.A.B. approved Plan approved by C.N.L.C. <input type="checkbox"/> Psychological Psychological <input type="checkbox"/> Educational/Vocational Académique/Professionnelle			

NEEDS

Category - Groupe
Brief statement of needs and objectives - Court énoncé des besoins et des objectifs
Educational/Vocational Training - Formation académique/professionnelle

Has grade 10. No further requirement. Plumbing course twice. Has not yet written Department of Labor exam. Possible welding.

Employment - Emploi:

Doing maintenance plumbing; would like to continue.

Personal development - Perfectionnement personnel

Gets involved with drugs and fights. Needs to keep clear of such entanglements. Becomes easily upset. Intolerant of authority; embittered and resentful. Needs to accept sentence.

Family/Community - Famille/Communauté

No problems in this area.

Transfer/Release/Supervision - Transfert/Libération/Surveillance

Two transfers, Springhill to Dorchester.

Leisure - Loisirs:

Sports: hockey, ball hockey, street hockey, soccer, baseball, Christian Group.

Other - Autre:

Is a loner. Needs to learn to look for help, in religion or through others.

Completed by - Rédigé par: <i>[Signature]</i>	Title - Titre <i>[Signature]</i>	Date 11-03-81
Case management supervisor - Surveillant gestion des cas <i>[Signature]</i>	Title - Titre A/CMS	Date 11 March 1981
Offender's signature - Signature du délinquant		Date

1. Last name - Nom de famille MARSHALL	Given names - Prénoms Donald Jr.	2. P.P.S. No. - N° B.E.D. 410491A	3. Inmate no. - N° du délinq. 1997	4. Date completed - Date de rédaction 1981 02 06
5. Current institution or address - Établissement ou adresse actuelle Dorchester Penitentiary			6. Completing operational unit - Unité opérationnelle ayant rédigé rapport	
7. Type of report Genre de rapport <input type="checkbox"/> Initial Préliminaire <input type="checkbox"/> Revised Révisé		8. Documents used - Documents utilisés: <input type="checkbox"/> Verified P.P.R. R.P.P. vérifié <input type="checkbox"/> C.A. E.C. <input type="checkbox"/> Police Report Rapport de police <input type="checkbox"/> Diagnostic Assessment Évaluation diagnostique <input type="checkbox"/> N.P.S. approved plan Plan approuvé par C.N.L.C. <input type="checkbox"/> Psychological Psychologique <input type="checkbox"/> Educational/Vocational Académique/Professionnelle		

PLAN

Category - Brief statement of planned activities/services (include dates)
Groupe - Bref énoncé des activités prévues (fournir dates)

Educational/Vocational Training - Formation académique/professionnelle:

Prepare for, and succeed in Department of Labor plumbing exam.
Welding.

Employment - Emploi:

No plan.

Personal development - Perfectionnement personnel:

Counselling, encouragement. Interviews with psychologist.

Family/Community - Famille/communauté:

Nil.

Transfer/Release/Supervision - Transfert/Libération/Surveillance:

No transfer contemplated.

Leisure - Loisir:

Continue involvement. Avoid alcohol and drugs.

Other - Autre:

Should learn to overcome tendency to isolation, by personal effort
and with the advice of others.

Completed by - Rédigé par: <i>[Signature]</i>	Title - Titre CMAD	Date 11-03-81
Case Management Supervisor - Surveillant gestion des cas <i>[Signature]</i>	Title - Titre A/C.M.S.	Date 11 March 81
Offender's signature - Signature du délinquant		Date

Donald Marshall is serving a life sentence, which he incurred on November 5, 1971. Since that time, in 1979, he escaped from Springhill for which he was awarded four months consecutive. His career in Springhill was chequered.

During the early part of his sentence, and until 1978, he apparently hoped that he would be able to appeal his life sentence successfully. However, in 1978 he was told by the lawyer employed by Penitentiary Legal Services that there was little prospect of the legal services continuing to help him with his appeal process, and he has recently given up all hope of appeal. However, in the meantime, he had displayed some violent behavior, and in 1979, after going unlawfully at large, he was transferred to Dorchester. However, it was felt in February, 1980, that he could be safely returned to Springhill, an action that was taken shortly thereafter. Finally, after a further deterioration in his behavior, he was transferred to Dorchester on October 31, 1980. He remains in Dorchester, apparently relaxed and reasonable contented with his situation, as has been described in the first page of the progress summary.

Mr. Marshall is now eligible for full parole. He has signed form NPB 104, but is hoping to have firm release plans within the next year or so. However, there are very serious reservations with respect to him, since he appears to resort to violence whenever he is seriously upset, and makes a nuisance of himself in the institution. Finally, after years of toleration, Springhill gave up.

Perhaps Mr. Marshall will be able to reach some form of understanding of himself, both as a human being and as an Indian, during the time that it seems likely he will be required to spend at Dorchester. Until he learns self-control and learns to understand himself, there is very little hope of his succeeding in any form of release. The case management team will continue its work with him in the hope that he will agree to work on the problem areas raised in the needs analysis, and that he will be able to make some progress in the areas highlighted there.

Because Mr. Marshall has signed form NPB 104, no recommendation accompanies this report.

Dorchester NPB Moncton CSC Central Registry File Flimsy

19. Recommendation - Recommendation

Completed by - Complété par <i>Maud Hody</i> Maud Hody	Title - Titre Parole Officer	Date April 6, 1981	
Offender's signature Signature du délinquant	Date	Case Management Supervisor Surveillant, gestion des cas E. H. Newman	Date April 6, 1981

PROGRESS
SUMMARYRAPPORT RÉCAPITULATIF
SUR L'ÉVOLUTION DU CAS

1. Name - Nom MARSHALL Donald			2. FPS No. - N ^o S.E.D. 410491A			3. Inmate No. - N ^o du détenu 1997			4. Institution - Établissement Dorchester														
5. Length of sentence Durée de la peine Life			6. Date of admission Date d'admission 71 Nov 05			7. T.A. exp. date Date d'admissibilité à l'A.T.			8. Parole exp. date Date d'admissibilité à la p.c.			9. M.S. date Date de S.O.			10. W.E. date Date d'expiration du mandat								
Y-A M-M D-J			Y-A M-M D-J			Y-A M-M D-J			Y-A M-M D-J			Y-A M-M D-J			Y-A M-M D-J								
11. Purpose of report - But du rapport												12. Date completed Date de rédaction											
A. <input checked="" type="checkbox"/> Transfer Transfèrement			B. Temporary Absence Absence Temporaire			Escorted Sous escorte			Rehabilitative Resocialisation			81 June 24											
C. Parole L.C.			Day C./jour			Unescorted Sans escorte			Humanitarian Humanitaire			Y-A M-M											
			Full Ordinaire			D. <input type="checkbox"/> Mandatory supervision Surveillance obligatoire			Medical Médicale			13. Operational Unit Unité d'opérations											
												CSC Moncton											
14. Work location - Pay level Endroit de travail - niveau de paye Plumbers						15. Date of last C.A. Date de dernière E.C. 30 Sept. 24						16. Med./Psych clearance required Certificat méd./psych. requis						17. T.A. experience - A.T. précédente					
Y-A M-M D-J						Y-A M-M D-J						Y-A M-M D-J						Y-A M-M D-J					
												<input type="checkbox"/> No Non						<input type="checkbox"/> ETA Sous escorte					
												<input checked="" type="checkbox"/> Yes Oui						<input type="checkbox"/> UTA Sans escorte					
18. Earned Remission during current sentence Réduction méritée de peine au cours de la peine actuelle												19. Institution Offence Convictions during current sentence Condamnation pour infraction institutionnelle au cours de la peine actuelle											
Earned remission Réduction de peine méritée												None Aucune						Yes Oui					
<input type="checkbox"/> Full Entière												<input type="checkbox"/> Partial Partielle						Number - Nombre					

20. SUMMARY OF PROGRESS - RÉCAPITULATION DU PROGRÈS ATTEINT

Case Conference - 23 June 1981 Springhill Institution

Persons Attending: Kim Thompson, CSC Springhill
 Bud Anderson, CSC Springhill
 Keith Rudderham, CSC Springhill
 Ed McCormick, CSC Springhill
 Jock Spence, CSC Springhill
 Diahann McConkey CSC Truro
 Margaret McWilliam, CSC Dorchester
 Maud Hody, CSC Moncton

This case conference was convened for the purpose of discussing with the staff at the Springhill Institution the possibility of Donald Marshall being transferred to Springhill.

Kim Thompson, of the Springhill Institution, discussed in some detail Mr. Marshall's rather chequered history at the Springhill Institution. He mentioned that the initial return to Dorchester from Springhill was effected without the consent of the treatment staff. Because of this, he was returned to Springhill, but under strict conditions. After having been granted temporary day parole, he escaped, and was again retained in Springhill, and again with special conditions. Mr. Thompson described the difficulties encountered by treatment staff with respect to Mr. Marshall's appeal, which was pending for approximately 8 years before he finally abandoned hope. Mr. Thompson described his final weeks in Springhill, when the incidence of infractions became so great that they finally led to his transfer to Dorchester.

cont'd.....

Page 2Case Conference - 23 June 1981MARSHALL, Donald FPS 410491A

His present classification officer, Margaret McWilliam, then described the reasons for transfer to Springhill, which included Mr. Marshall's hope to gain his Plumbing Ticket in Nova Scotia, and possible day parole to the Carlton Centre.

The staff of the Springhill Institution, with several people making suggestions, then enumerated the problems to be expected if Mr. Marshall were to be returned to Springhill. These included his previous work location as "roving plumber", his use of drugs, and the high probability of his again getting into trouble there. His situation in Springhill was described as "no win "; in spite of this, staff believed that Mr. Marshall would do anything or say anything to effect a return to Springhill. It was also mentioned that, since he is the son of a high Indian Administrative Officer, his issue is still politically hot, in spite of the ten years that have elapsed since his conviction.

It soon became obvious that the Springhill Institution felt that Mr. Marshall's best hope of success on parole would be to skip Springhill altogether, and to be transferred from Dorchester to the Westmorland Institution, or directly to the Carlton Centre. However, they were willing to consider suggestions for case treatment in the event that the Parole Board insisted that a gradual release via the Springhill Institution was to be Mr. Marshall's sole route to parole.

In particular, they suggested that he should wait longer before seeking release, spending more time in Dorchester and demonstrating his ability to remain free of drug use. It was suggested that a one-to-one counselling relationship should be developed, although they admitted that, under the CMT, this might be difficult or impossible to implement. In any case, the initiative should be Mr. Marshall's, to enter fully into a counselling relationship and to develop his own community resources. In the event that he should be transferred, not in the immediate future, to Springhill, he should be prepared to do everything differently, including changing his unit from number eleven, and his trade from that of plumbing.

Most particularly, the staff at Springhill suggested that Mr. Marshall must deal with his "murderous" side including the details of the very unpleasant murder, and his attacks on other people, including other inmates and - nearly - a staff member at Springhill. He must admit to the crime (if he did it), and deal with the factors that lead to his violence. In addition, he must

cont'd.....

Page 3Case Conference - 23 June 1981MARSHALL, Donald FPS 410491A

have a firm release plan, including an agreement from the Carlton Centre to accept him after a definite period of time. During case preparation, preventive security should be consulted with respect to drug use and dealing, and with respect to "muscling". He should be informed that, at the slightest infraction, he would be returned to Dorchester. Finally, the Springhill staff suggested that he should learn to channel his energy and ability to positive, rather than negative, channels.

The Springhill staff, while re-iterating their previous position that Mr. Marshall should not come to Springhill, agreed that at least 6 months, and preferably a year, should elapse before any lengthy case preparation should be undertaken. At that time, the Carlton Centre and the National Parole Board should be consulted with respect to a possible release plan for him. If it were decided that Springhill was essential, another case conference would have to be held, which would probably involve a discussion with Mr. Marshall himself, with respect to his plans.

In summary, the staff at the Springhill Institution made it abundantly clear that Mr. Marshall's presence is not desired in Springhill, either for his own betterment or for that of the institution. He must come to terms with his violent nature, and demonstrate an ability to control it. After very careful case work, his case should be presented to the National Parole Board for their suggestions as to future management. At that time, if NPB decided that a transfer to the Springhill Institution was a necessary preliminary to parole release, his case would be again considered.

Maud Hody

Maud Hody
Parole Officer

D. V. LeBlanc
D. V. LeBlanc
Section Supervisor

/lb

Typed: 26 June/81

c.c. PBC
file
flimsy
Dorchester Penitentiary
CSC Central Registry

1. Last name - Nom de famille Given names - MARSHALL, Donald John, Jr.		2. F.P.S. No. - N° S.E.D. 410491A	3. Inmate No. - N° du détenu 1997	4. Institution - Établissement Dorchester
5. Date current IPP initiated Date du début du P.P.I. actuel: 31 06 24 Y-A M-M D-J		6. Review Period - Période sous examen From: 81-02-05 To: 81-06-24 A:		7. IPP - PPI <input type="checkbox"/> Continued Maintenu <input checked="" type="checkbox"/> Revised Révisé
9. Earned Remission during Past Quarter Réduction méritée de peine au cours du trimestriel sous examen Lapsed Remission Réduction méritée <input type="checkbox"/> Full Totale <input checked="" type="checkbox"/> Partial Partielle <input type="checkbox"/>		8. Work location - Pay level Endroit de travail - niveau de paye Maintenance Plumbing 4E 10. Institution Offence Conviction during Past Quarter Condamnation pour infraction institutionnelle: dernier trimestre. <input checked="" type="checkbox"/> None Non <input type="checkbox"/> Yes Oui <input type="checkbox"/> Number - Nombre		

11. PROGRESS - PROGRÈS

EDUCATIONAL/VOCATIONAL TRAINING - Junior has applied for a Plumbing Course at the Trade School in Dartmouth, but has not yet received an answer.

EMPLOYMENT - He has been working in Maintenance Plumbing and will continue to do so.

PERSONAL DEVELOPMENT - MARSHALL has recently applied for an interview with the Psychologist. He still has a lot to deal with before he can be considered a good candidate for a Parole.

FAMILY/COMMUNITY - He is maintaining contact with family and friends.

TRANSFER/RELEASE/SUPERVISION - A Case Conference was held at Springhill (81-06-23) to discuss the possibility of a return to that institution. Junior and his Case Management Officers had agreed that this was the only reasonable way out of Dorchester. However, Springhill does not agree. They do not believe that it would be in Junior's best interest to return, and have suggested that a Day Parole directly to Carlton Centre would be more appropriate. If the National Parole Board requires that Junior be in Springhill for a short while on his way to a Day Parole, the staff at Springhill would accept him only on certain very specific conditions. The next step for Junior is to deal with some of the concerns raised by Springhill, and then to apply for a Day Parole to Carlton Centre.

LEISURE - Junior is involved in many sports during his leisure time. He is considering joining the Community Centre.

SUMMARY - MARSHALL appears to be adjusting well, both to the institution and to the fact that he is serving a life sentence. He has not been charged with an institutional offence in the past six months and is not suspected of being involved in the sort of things (drugs, muscling) that led to his downfall at Springhill.

Completed by - Complété par <i>M. MacWilliam</i> M. MacWilliam		Title - Titre CMOI Operational Unit - Unité d'opérations Dorchester Penitentiary	Date 81-07-03
Inmate's signature - Signature du détenu	Case Management Supervisor Surveillant gestion des cas <i>M.E. Flanagan</i>	Title - Titre A/C.M.S.	Date 07 July 1981

1. Last name - Nom de famille MARSHALL, Donald John, Jr.	Given names - Prénoms	2. P.P.S. No. - N° SED 41049LA	3. Inmate no. - N° du délinquant 1997	4. Date completed - Date de rédaction 81 06 24 Y-A M-J
5. Current institution or address - Établissement ou adresse actuelle Dorchester Penitentiary		6. Completing operational unit - Unité opérationnelle ayant rédigé rapport Dorchester Penitentiary		

7. Type of report Genre de rapport <input type="checkbox"/> Initial Préliminaire <input checked="" type="checkbox"/> Revised Révisé	8. Documents used - Documents utilisés: <input type="checkbox"/> Verified P.P.R. R.P.P. vérifié <input checked="" type="checkbox"/> C.A. E.C.	<input checked="" type="checkbox"/> Police Report Rapport de police <input checked="" type="checkbox"/> Diagnostic Assessment Évaluation diagnostique	<input type="checkbox"/> N.P.B. approved plan Plan approuvé par C.N.L.C. <input checked="" type="checkbox"/> Psychological Psychologique <input type="checkbox"/> Educational/Vocational Académique/Professionnelle
--	---	--	--

PLAN

Category - Brief statement of planned activities/services (include dates)
Groupe - Bref énoncé des activités prévues (fourir dates)

Educational/Vocational Training - Formation académique/professionnelle:

Junior plans to get his Nova Scotia Plumber's license.

Employment - Emploi:

He will remain in Maintenance Plumbing.

Personal development - Perfectionnement personnel:

MARSHALL will apply to see the Psychologist to start working on some of his problems. He will be learning to make the transition from solid'con to solid citizen.

Family/Community - Famille/communauté:

He will keep in touch with his family and friends.

Transfer/Release/Supervision - Transfert/Libération/Surveillance

Junior will start making preparations for a release plan. This will involve serious efforts in the personal development area, then, perhaps in a year, an application for reduced security - directly to Carlton Centre on a Day Parole, if possible, or to Springhill first with several limited Day Paroles to Carlton Centre and eventual release there.

Leisure - Loisir:

Junior will continue to participate in sports activities and the church groups. He may apply to become a member of the Community Centre.

Other - Autre:

Completed by - Rédigé par: M. MacWilliam	Title - Titre CMOI	Date 81-07-06
Case Management Supervisor - Surveillant gestion des cas M. C. Flanagan	Title - Titre A/CMS	Date 07 July 1981
Offender's signature - Signature du délinquant Marshall 1997		

CSC 435 (7-80) /bp

PROGRESS
SUMMARY

RAPPORT RÉCAPITULATIF
SUR L'ÉVOLUTION DU CAS

1. Name - Nom MARSHALL, Donald John, Jr.			2. FPS No. - N° S.E.D. 410491A			3. Inmate No. - N° du détenu 1997			4. Institution - Établissement Dorchester								
5. Length of sentence Durée de la peine Life			6. Date of admission Date d'admission 72 06 20			7. T.A. elig. date Date d'admissibilité à l'A.T. 75 06 20			8. Parole elig. date Date d'admissibilité à la p.c. 81 06 04			9. M.S. date Date de S.O. N/A			10. W.E. date Date d'expiration du mandat N/A		
Y-A M-M D-J			Y-A M-M D-J			Y-A M-M D-J			Y-A M-M D-J			Y-A M-M D-J			Y-A M-M D-J		
11. Purpose of report - But du rapport												12. Date completed Date de réaction 81 10 19					
A. <input type="checkbox"/> Transfer Transfèrement			B. <input type="checkbox"/> Temporary Absence Absence Temporaire			<input checked="" type="checkbox"/> Escorted Sous escorte			<input type="checkbox"/> Unescorted Sans escorte			<input type="checkbox"/> Rehabilitative Résocialisation			<input type="checkbox"/> Humanitarian Humanitaire		
C. Parole L.C. <input type="checkbox"/> Day De jour <input type="checkbox"/> Full Ordinaire <input type="checkbox"/>			D. <input type="checkbox"/> Mandatory supervision Surveillance obligatoire			<input type="checkbox"/> Medical Médicale											
13. Operational Unit Unité d'opérations Dorchester																	
14. Work location - Pay level Endroit de travail - niveau de paye School				15. Date of last C.A. Date de dernière E.C. 80 09 24				16. Med./Psych clearance required Certificat méd./psych. requis <input checked="" type="checkbox"/> No Non <input type="checkbox"/> Yes Oui				17. T.A. experience - A.T. précédente <input type="checkbox"/> No Non <input checked="" type="checkbox"/> Yes Oui <input type="checkbox"/> ETA Sous escorte <input type="checkbox"/> UTA Sans escorte					
18. Earned Remission during current sentence Réduction méritée de peine au cours de la peine actuelle <input type="checkbox"/> Full Entière <input checked="" type="checkbox"/> Partial Partielle						19. Institutional Offence Convictions during current sentence Condamnation pour infraction institutionnelle au cours de la peine actuelle <input type="checkbox"/> None Aucune <input type="checkbox"/> Yes, Oui <input type="checkbox"/> 15 Number - Nombre											
20. SUMMARY OF PROGRESS - RÉCAPITULATION DU PROGRÈS ATTEINT																	

EDUCATIONAL/VOCATIONAL TRAINING - Junior upgraded his education to grade 10 in Dorchester. He has taken Plumbing and Welding trades, and is now working on getting his ticket for Plumbing. He has been in the School for the past 7 weeks, studying the math he will need to write the examination.

EMPLOYMENT - He has worked in several shops over the years, and has received good work reports. Since his most recent admission to Dorchester he has been with Maintenance Plumbing, and his current work placement is at the School.

PERSONAL DEVELOPMENT - During the past 9 years Junior has been preoccupied with his appeal - working for it, trying to get money to pay for it, giving up on it, following up new leads for it. He denies committing the offence and consequently has not put much effort into the area of personal development. Besides being immersed in his appeal, Junior has been a bit too active in institutional life at Springhill. He was a high profile inmate whom other inmates, and staff as well, turned to because of his control over a large part of the population. He was involved in muscling inmates for debts and drugs. He did well and followed case plans for periods of time, but would become frustrated and end up in Dissociation and Segregation. Because of this he will probably never be able to return to Springhill (see Memo dated 81-06-24 for notes on the Case Conference held at Springhill). The realization that he has cut off one (probably the best) avenue of release seems to have made him a lot more serious about working on himself. He has contacted the psychologist and is scheduled for another interview in the near future, and he is finally taking the necessary steps to prepare for his plumbing exam. Unfortunately, his abandonment of hope for his appeal was short-lived. A visitor has been talking about proof that one of the witnesses lied, and Junior is once again hard at work.

FAMILY/COMMUNITY - Junior has maintained contact with his family and friends. They correspond, he phones, and they visit him.

TRANSFER/RELEASE/SUPERVISION - MARSHALL was admitted to Dorchester 72-06-20 and transferred to Springhill 74-11-04. He was granted a day parole to attend the Atlantic Challenge Program in 1979. The first time (August 8 - 18) went well. Ten days after his release the second time (September 14), he was declared Unlawfully At Large. He was returned to Springhill, then transferred to Dorchester (81-02-11), transferred back to Springhill (80-04-22), and once again transferred to Dorchester (80-10-31).

LEISURE - Junior is involved in sports activities and goes to Church. Early in this sentence he was involved with the Native Brotherhood.

CURRENT TEMPORARY ABSENCE PLANS - Junior has applied for an Unescorted T.A. to visit his family for Christmas. He plans to leave the institution at 0900 hours December 23. His family will provide transportation.

INTERIM ASSESSMENT - Junior MARSHALL, 28 years old, is serving a Life sentence for Non-Capital Murder. He has served 10 years. His F.P.S. sheet dates back to 1970, when he was charged with Theft under \$50. He was Unlawfully At Large in 1979. According to his file, he also has a juvenile record.

Junior is certainly a high risk case because of his escape history, but it should be noted that he did it in order to check into his appeal. He still maintains that he is not guilty, and he has renewed hopes of an appeal.

On the positive side, his institutional performance has been very good. He is not suspected of being involved in the sorts of things that led to his downfall at Springhill. He has begun to take an interest in his personal development, and is following a case plan that should lead to a parole to Carlton Centre. A UTA at this time might give an indication of the extent of his commitment.

A Community Assessment is being requested.

M. MacWilliam
M. MacWilliam
C.M.O.I.

Date 81-10-19

M. E. Flanagan
A/Case Management Supervisor

Date 30 Oct 1987

/bp

1677 MARSHALL, Donald John, Jr. FPS 410491A

APPRAISAL - MARSHALL's CMT is supporting his application for a 3 day Unescorted Temporary Absence to visit his family for Christmas for the following reasons:

1. The Community Assessment is reasonably positive. Mr. Alex Christmas, Chief of the Membertou Indian Reservation, has no objections. Junior's mother is looking forward to having him visit and has a place for him to stay.
2. Junior has volunteered to take Antabuse, and has agreed to abide by any restrictions placed on him.
3. His institutional behavior has been very good. He has settled down considerably since his return to Dorchester. He has been preparing to write his journeyman plumber's examination.
4. He is involved in case planning and is making plans for a Day Parole for the near future.
5. He has recently placed his Appeal in the hands of his lawyer and is optimistic because of a new witness.
6. While U.A.L. for 2 days in 1979, he did not commit new offences.

Of course there are concerns with an Unescorted Temporary Absence:

1. Police Chief MacIntyre, who was the investigating officer in MARSHALL's case, is strongly opposed to the visit. His concern is for public safety.
2. Junior escaped while on Day Parole in 1979. According to file material, he claimed at the time that he was on his way home to check into his Appeal. He now admits that he was heading for the United States.
3. Junior has not spent alot of time dealing with his main problem areas, alcohol and violence.

However, his CMT believes that he is in a good frame of mind and will be able to handle an Unescorted Temporary Absence.

19. Recommendation - Recommandation

CMT recommends that the Christmas UTA be granted. The following restrictions are also recommended:

- (1) No use of alcohol or drugs.
- (2) Remain on the Membertou Reserve.
- (3) No contact with witnesses at his trail.

Completed by - Complété par <i>M. MacWilliam</i> M. MacWilliam	Title - Titre CWOI	Date 81-11-16
Offender's signature Signature du délinquant	Date	Case Management Supervisor Surveillant, gestion des cas <i>[Signature]</i>
		Date 21/11/16

T
PAROLESVC MCTN

PAROLE BRD SYD

NOV 12, 1981.

ATTN: MAUD HODY

RE: MARSHALL, DONALD JOHN JR.
FPS: 410491-A

PRELIMINARY INVESTIGATION REVEALS STRONG REACTION FROM CHIEF OF POLICE SYDNEY TO A PROPOSED UTA.

CHIEF ALEX CHRISTMAS HAS NO OBJECTION TO SUBJECT VISITING THE MEMBERTOU RESERVE.

SUBJECTS MOTHER MRS DONALD MARSHALL WOULD LIKE TO HAVE HER SON VISIT AT XMAS. MRS MARSHALL INDICATES THAT HER SON IS INNOCENT OF THE CRIME.

ALTHOUGH THE SUBJECT HAS CONFIRMED ACCOMMODATION ON THE MEMBERTOU RESERVE IN SYDNEY I FEEL CHIEF MACINTYRE'S CONCERN ABOUT THE SAFETY OF OTHER CITIZENS SHOULD BE CONSIDERED. CHIEF MACINTYRE HAS BEEN INVOLVED AS AN INVESTIGATING OFFICER IN THE OFFENCE OF NON CAPITAL MURDER.

ARCHIE L WALSH
PAROLE OFFICER

JOHN D MACDOUGALL
DIST DIRECTOR
CSC SYDNEY NS

PAROLESVC MCTN

PAROLE BRD SYD

DATE December 2, 1981

No. of Votes Required
Nbre de votes nécessaires 7

Members
Commissaires

NAME - NOM MARSHALL, Donald	INSTITUTION Dorchester Penitentiary	PS No.	FPS - SED 410491A
--------------------------------	--	--------	----------------------

PRIMARY FACTORS IN DECISION MAKING - FACTEURS PRIMAIRES DE LA DÉCISION

- Seriousness of Offence(s)
Gravité de(s) l'infraction(s)
- Recidivism Risk - Risque de récidive
- Violence Risk - Risque de violence
- Prev. Parole Performance - Comportement durant la libération conditionnelle antérieure
- Judge/Police Comments
Commentaires juge/police
- Time Left to be Served
Temps qui reste à purger
- Institutional Performance
Comportement à l'établissement
- Attitudinal Factors - Facteurs d'attitude
- Emotional Factors - Facteurs émotifs
- Psychol/Psychol Evaluation
Évaluation psychiatrique/psychologique
- Drug/Alcohol Dependence
Dépendance drogue/alcool
- Employment Record - Dossier d'emploi
- Educ/Voc Preparation
Préparation scolaire professionnelle
- Release Plan - Projet de sortie
- Community Impact -
Incidence sur la collectivité
- Reaction to Alcohol/Drugs
Réaction à l'alcool/à la drogue

BOARD ASSESSMENT CONCERNING RELEASE:

EVALUATION DE LA COMMISSION CONCERNANT LA LIBÉRATION:

Parole Day Parole U.T.A. Other

DECISION: UTA denied.

REASONS:

We do not think that Christmas time, on his home reserve, where he might run into witnesses at his trial, is a good time for subject's first release in about two years. Although he is willing to take antebuse, there is likely to be a great deal of drinking and hostilities could surface.

Handwritten signature: Marshall

Decision Panel Vote(s) - Décision vote(s) du/des commissaire(s) de l'audience (SEE ABOVE)

RECOMMENDATION RE FUTURE ACTIVITIES
RECOMMANDATION RELATIVE AUX ACTIVITÉS FUTURES

*Handwritten notes: CC: CSC Monitor
Dorchester Pen*

Special Conditions - Conditions spéciales None - Aucune

- Drug/Alcohol Abstinence - S'abstenir de prendre de la drogue/de l'alcool
- Non-frequentation of D/A Places - Non-frequentation de débits de boisson
- Non-Association - Non-association

COMMENTS ON TRANSFER TO REDUCED SECURITY (INCLUDED ABOVE)

OBSERVATIONS SUR LES TRANSFÈREMENTS À DES ÉTABLISSEMENTS À SÉCURITÉ RÉDUITE (MENTIONNÉS PLUS HAUT)

Handwritten signature: M. Casey
M. CASEY/BOARD MEMBER

ORIGINAL SIGNED BY:
J. MacDONALD & E. LARRACEY
REG. COMMUNITY BOARD MEMBERS



Government
of Canada

Gouvernement
du Canada

169

National
Parole Board

Commission nationale des
libérations conditionnelles

P. O. Box 1370
Moncton, N. B.
E1C 8T6

Your file: Votre référence

Our file: Notre référence

9 December, 1981

Mr. Donald Marshall
P. O. Box A
Dorchester, N.B.
EOA 1M0

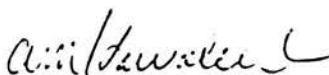
Dear Mr. Marshall:

Following your appearance on the 2 December, 1981, National Parole Board panel hearing, the decision is Unescorted Temporary Absence Denied.

The denial was rendered because the Board does not believe that Christmas on your home reserve is a good time for a first release in about two years because you may run into witnesses at your trial. Although you are willing to take antabuse, there is likely to be a great deal of drinking and hostilities could surface.

I regret I cannot offer a more favorable reply.

Yours truly,


A. M. Kowalchuk
Correspondence and
Information Officer
National Parole Board

/em

c.c. Director - Dorchester Pen
C. S. C. - Moncton

PSYCHOLOGICAL SERVICES
REFERRAL REPORT

SERVICE DE PSYCHOLOGIE
RAPPORT SUR LA RÉFÉRENCE

1. Offender's name — Nom du délinquant MARSHALL, Donald	2. F.P.S. no. — N° SED	3. Inmate No. — N° du détenu 1997	4. Operational Unit — Unités d'opération Dorchester
5. Referred by — Référé par Self	7. Reason for referral — Raison de la référence Relaxation Training		
6. Date referred — Référé le 16 Sept. 1981			

8. Psychologist's report or comments — Remarques ou rapport du psychologue:

Had a two hour interview with MARSHALL on the 14th of December, 1981.

During this two hour interview we discussed several areas. We discussed his apprehension of psychologists and psychiatrists generally. This suspiciousness stems mainly from reports, verbal ones, that he has received from psychologist to the effect that his test results were not valid. He never did understand this interpretation, and I went to great lengths to explain the exact definition of the term. I indicated to him that because he is native, he probably does not understand several of the items and that cultural differences probably account for the fact that he cannot fit into White Caucasian American norms. I added that this was not meant to indicate a lack of cooperation on his behalf nor was the statement derogatory.

He continues to maintain his innocence. He added that he had received information three months ago which he referred to as a "leak in the bucket" which will continue to grow and will eventually exonerate him from guilt. This information came about in the following manner. His sister's boyfriend was drinking with a black individual in Halifax. As they were drinking, the black individual told his sister's boyfriend of an incident in which he had himself stabbed an individual some ten years ago, and that another individual, an Indian, had finished him off. He says that the fact that there are two wounds in this individual's story will exonerate him, since the pathology report indicated only one stab wound. This he interprets would be claim that this individual who's telling the story was the one who actually stabbed the individual.

Also, he indicated that psychiatrists and psychologists during this sentence have attempted to "brainwash" him into believing that he had in fact committed this offence, and he has had to struggle to maintain his own conviction, with respect to his innocence.

He believes the authorities should not be concerned about him as an escape risk or otherwise a dangerous person. He alluded to several temporary leaves of absence during which there were no incidents. He described the one in which he and others became intoxicated as yet, being a very controlled situation. He said that when they were asked to get into the van to return to the institution, none of them protested, in spite of the fact that they were highly intoxicated. He certainly believes that he will be paroled in the first half of 1982.

9. Recommendations — Recommendations

I asked him directly if he intends to seek revenge with this person whom he believes is the actual perpetrator of this offence. He said that he would not seek revenge; that the individual should never cross his path and threaten him. He added, to my probing, that he would probably not assault this individual if he met him casually, or even offered apologies for his own mistreatment. He is thinking of options such as asking this individual to testify under the Canada Evidence Act, and so on. Obviously this issue of innocence is not yet over. I suspect that he seeks this aura of innocence to regain the confidence of his family and community. I believe that he feels he has greatly shamed these people through his behaviour and now feels alienated and rejected by them and this is his way of cleansing his reputation. If this hypothesis were true, it would probably avail valuable to promote the recent:

10. of his relationships with his family and the community.

Psychologist's signature
Signature du psychologue

(Continued on attached sheet)

11. Date

1981

Dec. 16

Y-J

M-M DJ

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PSYCHOLOGICAL SERVICES
REFERRAL REPORT

ON

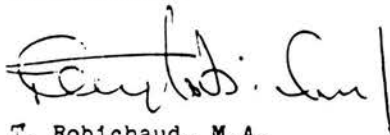
MARSHALL, Donald (1997)

Continued:

If indeed he felt reaccepted by them with untarnished integrity, he might drop this whole issue, or at least, it would take less of a priority placement in his goals.

Overall, I found him tense, with short and rapid respiration, rigid posture, and so on. He probably would benefit from inoculation training and relaxation training, but his emotional condition and thought processes are probably responsible for this ongoing condition, rather than some physiological or physical habit formation with no underlying emotional base. He impresses as a paranoid personality "not psychotic or even prepsychotic" but certainly an apprehensive, sensitive and suspicious person who is not easily fooled. Because of his obvious behavioural discomforts and rather significant unresolved concerns in his mind, he still appears unventilated and one suspects that given very appropriate conditions and lesser controls (perhaps because of chemical abuse or a series of stressors) the anger and hostility may be vented in an uncontrolled manner. It is, of course, always difficult to predict whether this would take verbal expression or physical abuse.

An accumulation of social stressors may in fact have decreased his tolerance for frustration leading to extremely violent behaviour in this immediate altercation.



T. Robichaud, M.A.
Psychologist

TR/kw

cc: National Parole Board - Moncton
National Parole Service - Moncton



TRAVEL PERMIT

FPS. # 410491A
File:
Date: July 21, 1982

Code:
Date of Birth: 13 Sept. 53
Release date: 29 Mar. 82
Expiry date: 29 July 82 (Day Parole)

TO WHOM IT MAY CONCERN:

On Day Parole
on parole mandatory supv.

MARSHALL, Donald (Junior)
whose address is Carlton Centre, 5853 College St., Halifax, N.S.
has been granted permission to travel to Bras'dor Lakes
for the purpose of socialization

His residence during this visit will be Charlie Gould's Trailer, Native Mission St. Peter's, N.S.
with (name, relationship) Charlie Gould

He will leave on July 23, 1982, 1800 hrs. and return on July 26, 1982 1800 hrs.
He will travel by private vehicle
accompanied by (name, relationship) Charlie Gould

Reporting instructions:

- To report to Parole Office in area of destination
- To report to Police
- To report to (name & address)

Special instructions:

District Director: J.A. Stewart
Superintendent

Supervisor: G. Smith
Counsellor

cc: NPB, Moncton
HCIS, RCMP
Halifax City Police
CSC, Sydney, N.S.
RCMP, Beddeck, N.S.

Telephone (Business): 426-2601
(Residence):



TRAVEL PERMIT

FPS. # 410491A
File:
Date: July 14, 1982

Code:
Date of Birth: 13 Sept. 53
Release date: 29 Mar. 82
Expiry date: 29 July 82 (Day Parole)

TO WHOM IT MAY CONCERN:

On Day Parole
on parole mandatory supv.

MARSHALL, Donald
whose address is Carlton Centre, 5853 College St., Halifax, N.S.
has been granted permission to travel to Ogilvie Towers, South Park St.
for the purpose of visiting friend

His residence during this visit will be As above
with (name, relationship) as above

He will leave on July 16, 1982, 1800 hrs. and return on July 18, 1982, 2359 hrs.

He will travel by N/A
accompanied by (name, relationship) N/A

Reporting instructions:

- To report to Parole Office in area of destination
- To report to Police
- To report to (name & address)

TO CALL CARLTON CENTRE ON SAT., JULY 17 & SUN., July 18, 1982.

Special instructions:

District Director: *J.A. Stewart*
Superintendent

Supervisor: G.A.P. Smith
Counsellor

cc: HCIS, RCMP
NPB, Moncton
Halifax City Police

Telephone (Business): 426-2601

(Residence):



TRAVEL PERMIT

FPS. # 410491A
File: July 8, 1982
Date:

Code:
Date of Birth: 13 September 53
Release date: 29 March 82
Expiry date: (DAY PAROLE EXPIRES) 29/

TO WHOM IT MAY CONCERN:

Donald MARSHALL

On Day Parole
on parole mandatory supv.

whose address is Carlton Centre, 5853 College Street, Halifax N.S.
has been granted permission to ~~visit~~ remain in the city
for the purpose of spending weekend in own apartment

His residence during this visit will be 958 South Bland Street, Halifax N.S.
with (name, relationship) N/A

He will leave on Friday, July 9, 1982 and return on Sunday, July 11, 1982
1800 hours 23:59 hours

He will travel by N/A
accompanied by (name, relationship) N/A

Reporting instructions:

- To report to Parole Office in area of destination
- To report to Police
- To report to (name & address)

XX TO CALL CARLTON CENTRE ON
SATURDAY AND SUNDAY, JULY
10 and 11, 1982.

Special instructions:

District Director: *J. H. C.*
Jack Stewart
Superintendent
cc: MPB Moncton, file /jw

Supervisor: *J. H. C.*
Gerry Smith

Telephone (Business): 426-2601

(Residence):



TRAVEL PERMIT

FPS. # 410491A
File: DOB: 13 Sept. 53
Date: June 29, 1982

Code:
Date of Birth: 13 Sept. 53
Release date: 29 March 82
Expiry date: 29 July 82

TO WHOM IT MAY CONCERN:

On Day Parole
on parole mandatory supv.

MARSHALL, Donald (Junior)
whose address is Carlton Centre, 5853 College St., Halifax, N.S.
has been granted permission to travel to Restigouche, N.B.
for the purpose of Native Baseball Tournament

His residence during this visit will be Clipper Hotel, Restigouche, N.B.
with (name, relationship) Alex Christmas, Chief, Membertou Reserve, Sydney, N.S. & Ball Team

He will leave on June 30, 1982, 8 a.m. and return on July 4, 1982 11:59 p.m.

He will travel by car

accompanied by (name, relationship) As Above

Reporting instructions: Nil

- To report to Parole Office in area of destination
- To report to Police
- To report to (name & address)

Special instructions:

District Director: J.A. Stewart
A/Superintendent
cc:
HCIS, RCMP & HPD
NPB, Moncton
CSC, Rymouski, Quebec
Surete Provinciale du, Quebec
- Rymouski
CSC/SCC 344 (3-82) 7530-21-036-0949

Supervisor: G.A.P. Smith
Telephone (Business): Counsellor 426-2601
(Residence):

Parole
Liberation conditionnelle

TRAVEL PERMIT

File: FPS: 410491A
DOB: 13 September 53
Date: June 24, 1982
5853 College Street
Halifax N.S.

TO WHOM IT MAY CONCERN:

Donald "Junior" Marshall

Day
on parole mandatory supv.

whose address is Carlton Centre, 5853 College Street, Halifax N.S.

has been granted permission to ~~travel to~~ remain in the city

for the purpose of spending weekend in own apartment

His residence during this visit will be Halifax N.S.

with (name, relationship)

He will leave on Friday, June 25, 1982
1800 hours

and return on Sunday, June 27,
23:59 hours

He will travel by N/A

accompanied by (name, relationship) N/A

Reporting instructions:

To report to Parole Office in area of destination

To report to Police

To report to (name & address)

Special instructions:

District Representative: Jack Stewart
cc: NPB Moncton A/ Superintendent /jw

Supervisor: Gerald A.P. Smith

Telephone (Business): 426-2601

(Residence):

Parole Canada / Liberation conditionnelle Canada

TRAVEL PERMIT

File: FPS 410491A
DOB: 13 Sept. 53
Date: June 21, 1982

TO WHOM IT MAY CONCERN:

MARSHALL, Donald (Junior)

on parole day mandatory supv.

whose address is Carlton Centre, 5853 College St., Halifax, N.S.

has been granted permission to travel to Liscombe Harbour

for the purpose of attending Native Conference on Social Development

His residence during this visit will be Liscombe Lodge
with (name, relationship)

He will leave on June 22, 1982, 0800 hrs. and return on June 25, 1982
2000 hrs.

He will travel by car

accompanied by (name, relationship) Joan Gloade, Indian & Northern Affairs &
Noel Doucette of N.S. Union of Indians

Reporting instructions:

- To report to Parole Office in area of destination
- To report to Police
- To report to (name & address) N/A

cc SS
DISTRICT OFFICE
 JUN 22 1982
TRURO, N. S.

Special instructions:

District Representative: *J. H. Stewart*
J.A. Stewart
A/Superintendent

Supervisor: G.A.P. Smith
Counsellor
426-2601

cc: NPB; HCIS; & Halifax City Police
Truro Town Police
RCMP, Truro
CSC, Truro
NPB 219 7130-21-C36-0049

(Residence):

Director General of Prisons / Directeur g. n. de la Prisons

Parole / Liberation conditionnelle

TRAVEL PERMIT

File: FPS: 410491A
DOB: 13 September 1953 5853 College Street
Date: June 18, 1982 Halifax N.S.

TO WHOM IT MAY CONCERN:

Day

on parole mandatory supv.

Donald Marshall Jr.

whose address is Carlton Centre, 5853 College Street, Halifax N.S.

has been granted permission to ~~travel~~ remain in the city

for the purpose of spending weekend at own apartment

His residence during this visit will be South Bland Street, Halifax

with (name, relationship)

He will leave on Friday, June 18, 1982 and return on Sunday, June 20, 1982
1800 hours 23:59 hours

He will travel by N/A

accompanied by (name, relationship) N/A

Reporting instructions:

To report to Parole Office in area of destination

To report to Police

To report to (name & address)

Special instructions:

District Representative: Jack Stewart
A/ Superintendent

Supervisor: Gerald A.P. Smith

cc: NPB Moncton /jw
File

Telephone (Business): 426-2601

(Residence):



Solicitor General Canada / Soliciteur general Canada

Parole / Libération conditionnelle

TRAVEL PERMIT

File: FPS: 410491A 5853 College Street
DOB: 13 September 53 Halifax N.A.
Date: June 10, 1982

TO WHOM IT MAY CONCERN:

Donald Marshall Jr.

Day
on parole mandatory supv.

whose address is Carlton Centre, 5853 College Street, Halifax N.S.

has been granted permission to ~~travel to~~ remain in the city

for the purpose of spending weekend in his apartment in Halifax

His residence during this visit will be

with (name, relationship)

He will leave on Friday, June 11, 1982
1800 hours

and return on Sunday, June 13,
23:59 hours

He will travel by N/A

accompanied by (name, relationship) N/A

Reporting instructions:

To report to Parole Office in area of destination

To report to Police

To report to (name & address)

Special instructions:

District Representative: Jack Stewart
A/ Superintendent

Supervisor: Gerald A.P. Smith

cc: NPB Moncton, HCIS, HPD
/jw

Telephone (Business): 426-2601
(Residence):

TRAVEL PERMIT

File: FPS: 410491A
DOB: 13 september 1953 5853 College Street
Date: June 3, 1982 Halifax N.S.

TO WHOM IT MAY CONCERN:

Day on parole mandatory supv.

Donald Marshall Jr.
whose address is Carlton Centre, 5853 College Street, Halifax N.S.
has been granted permission to ~~travel to~~ ^{XXXXXXXX} remain in the city

for the purpose of visiting friend, Mr. Laurence Paul


His residence during this visit will be 36 Abbey Rd. Apt. 310
with (name, relationship)

He will leave on Friday, June 4, 1982 and return on Sunday, June 6, 1982
1800 hours 23:59 hours
He will travel by N/A
accompanied by (name, relationship) N/A

Reporting instructions:

- To report to Parole Office in area of destination
- To report to Police
- To report to (name & address)

Special instructions:


District Representative: Jack Stewart
A/ Superintendent
cc: NPB Moncton, File /jw

Supervisor: Gerald A.P. Smith
Telephone (Business): 426-2601
(Residence):

TRAVEL PERMIT

File: FPS: 110491A
DOB: 13 September 53
Date: May 27, 1982

5853 College Street
Halifax N.S.

TO WHOM IT MAY CONCERN:

Donald Marshall

Day
on parole mandatory supv.

whose address is Carlton Centre, 5853 College Street, Halifax N.S.

has been granted permission to travel to Spryfield N.S.

for the purpose of visiting friend, Mr. Laurence Paul

His residence during this visit will be N/A

with (name, relationship)

He will leave on Friday, May 28, 1982
1800 hours

and return on Sunday, May 30, 1982
23:59 hours

He will travel by N/A

accompanied by (name, relationship) N/A

Reporting instructions:

- To report to Parole Office in area of destination
- To report to Police
- To report to (name & address)

Special instructions:

District Representative *[Signature]*
Jack Stevart
A/ Superintendent

Supervisor: Gerry Smith

/jw

cc: cc - NPB Moncton, HCIS, HPD

Telephone (Business): 426-2601

(Residence):



Solicitor General
Canada

Solliciteur général
Canada

182

410491A

Parole

Liberation conditionnelle

TRAVEL PERMIT

File: FPS: 410491A
DOB: 13 September 53
Date: May 6, 1982

5853 College Street
Halifax N.S.

TO WHOM IT MAY CONCERN:

Donald Marshall
whose address is Carlton Centre, 5853 College Street, Halifax N.S.
has been granted permission to travel to Halifax N.S.
for the purpose of visiting friend

Day
on parole mandatory supv.

His residence during this visit will be
with (name, relationship) Mr. Lawrence Paul

He will leave on Friday, May 7, 1982
1800 hours
He will travel by N/A

and return on Sunday, May 9, 1982
23:59 hours

accompanied by (name, relationship) N/A

Reporting instructions:

To report to Parole Office in area of destination

To report to Police

To report to (name & address)

Special instructions:

District Representative *Jack Stewart*
A/ Superintendent

Supervisor: Gerry Smith

cc: NPB Moncton, File /jw

Telephone (Business): 426-2601

(Residence):

TRAVEL PERMIT

File: FPS: 410491A

Date: April 22, 1982

5853 College Street
Halifax N.S.

TO WHOM IT MAY CONCERN:

Donald "Junior" Marshall
whose address is Carlton Centre, 5853 College Street, Halifax N.S.
has been granted permission to travel to Dartmouth N.S.

Day on parole mandatory supv.

for the purpose of visiting with Mr. Kevin Christmas and Marshall family

His residence during this visit will be 15 Bolton Terrace, Dartmouth
with (name, relationship)

He will leave on Friday, April 23, 1982
1800 hours

and return on Sunday, April 25, 1982
23:59 hours

He will travel by N/A

accompanied by (name, relationship) N/A

Reporting instructions:

To report to Parole Office in area of destination

To report to Police

To report to (name & address)

Special instructions:

District Representative: Jack Stewart
A/ Superintendent
cc: NPB Moncton, HCIS, file /jw

Supervisor: Gerald A.P. Smith

Telephone (Business): 426-2601

(Residence):

Parole

Libération conditionnelle

TRAVEL PERMIT

File: FPS: 410491A

Date: April 16, 1982

5853 College Street
Halifax N.S.

TO WHOM IT MAY CONCERN:

Donald Marshall

Day

on parole mandatory supv.

whose address is Carlton Centre, 5853 College Street, Halifax N.S.

has been granted permission to travel to Dartmouth N.S.

for the purpose of visiting friends

His residence during this visit will be 15 Bolton Terrace, Dartmouth

with (name, relationship) Mr. Kevin Christmas

He will leave on Saturday, April 17, 1982

and return on Sunday, April 18, 1982

0800 hours

23:59 hours

He will travel by N/A

accompanied by (name, relationship) N/A

Reporting instructions:

To report to Parole Office in area of destination

To report to Police

To report to (name & address)

Special instructions:

District Representative: Jack Stewart
A/ Superintendent

Supervisor: Garth Wagner

cc: NPB Moncton, file /jw

Telephone (Business): 426-2601

(Residence):

[S] Solicitor General Canada / Solliciteur général Canada
Parole / Libération conditionnelle

TRAVEL PERMIT

File: EPS: 410491A

Date: April 16, 1982

5853 College Street
Halifax N.S.

TO WHOM IT MAY CONCERN:

Donald Marshall

Day on parole mandatory supv.

whose address is Carlton Centre, 5853 College Street, Halifax N.S.

has been granted permission to travel to Truro N.S.

for the purpose of accompanying father

His residence during this visit will be N/A

with (name, relationship) N/A

He will leave on Friday, April 16, 1982 and return on same day

He will travel by private motor vehicle

accompanied by (name, relationship) N/A

Reporting instructions:

To report to Parole Office in area of destination

To report to Police

To report to (name & address)

Special instructions:

District Representative: *Jack Stewart*
A/ Superintendent

Supervisor: *Paul Jewers*

cc: NPB Moncton, HCIS, HPD

Telephone (Business): 426-2601

/jw

(Residence):

Solicitor General Canada / Solliciteur général Canada

Parole / Libération conditionnelle

TRAVEL PERMIT

FPS: 410491A

File: 5853 College Street Halifax N.S.
Date: April 2, 1982

TO WHOM IT MAY CONCERN:

Day on parole [X] mandatory supv. []

Donald "Junior" Marshall whose address is Carlton Centre, 5853 College St. Halifax N.S. has been granted permission to travel to Dartmouth N.S. for the purpose of visiting friend, Mr. Kevin Christmas

His residence during this visit will be 15 Bolton Terrace, Dartmouth with (name, relationship) as above

He will leave on Friday, April 2, 1982 1800 hours and return on Sunday, April 4, 1982 23:59 hours

He will travel by N/A accompanied by (name, relationship) n/a

Reporting instructions:

- To report to Parole Office in area of destination []
To report to Police []
To report to (name & address)

Special instructions:

District Representative: Jack Stewart A/ Superintendent Supervisor: Gerald A.P. Smith
cc: NPB Moncton, HCLB, HPD Telephone (Business): 426-2601
/jw (Residence):

TRAVEL PERMIT

File: FPS: 41049DA
 Date: March 14, 1982

5853 College Street
 Halifax N.S.

TO WHOM IT MAY CONCERN:

Donald Marshall

Day on parole mandatory supv.

whose address is Carlton Centre, 5853 College Street, Halifax N.S.

has been granted permission to travel to Margaree, Cape Breton

for the purpose of attending Indian gathering

His residence during this visit will be uncle's trailer

with (name, relationship) Mr. Cecil Cuff

He will leave on Sunday, May 16, 1982
 12 noon

and return on Sunday, May 23, 1982

He will travel by N/A

23:59 hours

accompanied by (name, relationship) Mr. Cecil Cuff

Reporting instructions:

To report to Parole Office in area of destination

To report to Police

To report to (name & address)

Special instructions:

District Representative: *Jack Stewart*
 A/ Superintendent

Supervisor: Gerry Smith

cc: NPB Moncton, HCWS, HPD
 CSC Sydney, RCMP detachment
 /jw

Telephone (Business): 426-2601
 (Residence):

ID	FPS - SED	NAME - NOM		DATE COMPLETED - DATE DE CONSIGNATION				
12	3-8	FAMILY - FAMILLE		GIVEN - PRENOMS				
09	4 1 0 4 9 1 A	MAKSHALL	DONALD	0 2 0 4 8 2				
NPS OFFICE - BUREAU DE SNLC		PRESENT INSTITUTIONS / ÉTABLISSEMENT ACTUEL		15-22				
Carlton Centre 812								
BOARD ACTION REQUESTED - INTERVENTION DE LA COMMISSION DEMANDÉE								
NONE - AUCUNE		DECISION RECOMMENDED - DÉCISION RECOMMANDÉE		For the information of the Board				
0: No report 1: Report in violation 2: Report in full		2: No Action 3: Proposed Action 4: Other suspension 5: Suspension annulled 6: Restriction 7: Reinstatement		6: Other information				
SUSPENSION STATUS - ÉTAT DE LA SUSPENSION		STATUS OF CHARGES - ÉTAT DES ACCUSATIONS		DATE OF INTERVIEW / DATE D'ENTREVUE				
1: Arrested and charged / Arrêté et accusé		1: Arrested and charged / Arrêté et accusé		WARRANTS OF CONVICTION RECEIVED / RÉCEPTION DES MANDATS DE LA CONDAMNATION				
2: No conviction / Aucune condamnation		2: No conviction / Aucune condamnation		DATE OF INTERVIEW / DATE D'ENTREVUE				
3: Summary conviction only / Cond. sommaire seulement		3: Summary conviction only / Cond. sommaire seulement		DATE OF INTERVIEW / DATE D'ENTREVUE				
4: Indictable conviction / Cond. par un acte criminel		4: Indictable conviction / Cond. par un acte criminel		DATE OF INTERVIEW / DATE D'ENTREVUE				
N/A		N/A		N/A				
VIOLATION(S) - (Note earliest date and mark an "X" in appropriate boxes - Inscrire la date première et un "X" dans les cases appropriées)								
EARLY DATE / DATE PRÉCÈDE	PREMISE / PRÉMIÈRE	LEAVING AREA WITHOUT PERMITS / ABSENCE DE LA REG. SANS PERMISSION	FAILING TO REPORT TO SUPERVISOR / DÉFAUT DE SE RAPPORTER A L'E. SURVEILLANT	VIOLENCE AGAINST OTHERS / VIOLENCE A L'ÉGARD D'AUTRE	FINANCIAL IRRESPONSIBILITY / IRRESPONSABILITÉ FINANCIÈRE	OTHER / AUTRES		
D-M-Y	M-Y-A	56	57	58	59	60		
N/A		N/A		N/A		N/A		
BREACHES OF SPECIAL CONDITIONS / INFRACTIONS DANS DES CONDITIONS PARTICULIÈRES		1: OBTAIN INFO CAN'T / S'ACQUÉRIR INFORMATIONS	2: ABSTAIN DRUGS / S'ABSTENIR DE DROGUES	3: AVOID GAMBLING / ÉVITER LE JEU	4: AVOID SPECIFIED PLACES / ÉVITER LES ENDROITS DÉTERMINÉS	5: AVOID SPECIFIED PLACES / ÉVITER LES ENDROITS DÉTERMINÉS	6: NOT TO OPERATE MOTOR VEHICLE / NE PAS CONDUIRE LE VÉHICULE MOTEUR	OTHER / AUTRES
N/A		N/A		N/A		N/A		

Release Title / Genre de libération

DAY PAROLE

WED / Date d'expiration du mandat

PLEASE REFER TO ATTACHED TELEX DATED APRIL 2, 1982

Garth Wagner

Garth Wagner
A/ Case Management Officer

Jack Stewart

Jack Stewart
A/ Superintendent

DISTRIBUTION

- 1. NPB Moncton
 - 2. CSC Central Registry,
- Att: OIS

PAROLE RO MCTM

CARLTONCTR HFX
 APRIL 2 1982

RE: MARSHALL DONALD

TO THIS IS TO INFORM YOU THAT WE ARE GRANTING A WEEKEND PASS TO THE SUBJECT. TO RUN FROM APRIL 3 1982 TO APRIL 5 1982. WITH THE ACTIVITIES OF THE PAST WEEK MR MARSHALL HAS REACHED A POINT WHERE HE IS EXHAUSTED AND SOMEWHAT CONFUSED AND IT WAS FELT THAT HE NEEDED SOME TIME AWAY FROM THE CENTRE. THE PRESSURE OF MEDIA AND OLD FRIENDS LOOKING FOR HIM WAS BECOMING TOO MUCH.

MR MARSHALL WILL BE SPENDING THE WEEKEND WITH A MR CHRISTMAS WHO IS AN OLD FRIEND. MR CHRISTMAS IS EMPLOYED WITH THE CANADA EMPLOYMENT AND IMMIGRATION COMMISSION AND IS EXPERIENCED WITH WORKING WITH PEOPLE. THE CONTACT IS VIEWED AS A POSITIVE ONE FOR MR MARSHALL. WE WILL MONOCXXXX MONITOR THE SITUATION CLOSELY.

GARTH WAGNER
 ACTING C M O

JJXX JACK STEWART
 ACIN ACTING SUPERINTENDENT

JW

PAROLE RO MCTM

CARLTONCTR HFX
 THE ABOVE TELEX IS MARKED CONFIDENTIAL

10	FPS - SED	NAME - NOM		DATE COMPLETED - DATE DE CONSIGNATION		
11	3-3	FAMILY - FAMILLE		GIVEN - PRENOMS		
09	4 1 0 4 9 1 A	MARSHALL DONALD		2 1 0 4 8 2		
NPS OFFICE - BUREAU DE SNLC		17-18	PRESENT INSTITUTIONS - ÉTABLISSEMENT ACTUEL			18-22
Carlton Centre		8 2				
80. RE. ACTION REQUESTED - INTERVENTION DE LA COMMISSION DEMANDÉE						
NONE - AUCUNE		DECISION RECOMMENDED - DÉCISION RECOMMANDÉE			Terms & Conditions Altered	
1. No action 2. Proposed action 3. Other		1. No Action 2. Aucune action 3. Proposed Action 4. Other			4. Cancel suspension 5. Suspendre la suspension 6. Revoquer la suspension 7. Other	
23		6			6	
SUSPENSION - ÉTAT DE LA SUSPENSION		STATUS OF CHARGES - ÉTAT DES ACCUSATIONS			DATE OF INTERVIEW	
1. Reason for suspension 2. Date of suspension 3. Date of termination 4. Current status		1. Arrested and charged 2. No conviction 3. Summary conviction only 4. Indictable conviction			WARRANTS OF CONVICTION RECEIVED RECEPTION DES MANDATS DE LA CONDAMNATION	
DATE		DATE			DATE	
N/A		N/A			34-42 44-49	
VIOLATION(S) - (Note earliest date and mark an "X" in appropriate boxes - indique la date première et un "X" dans les cases appropriées)						
DATE	TYPE	LEAVING AREA WITHOUT PERMISSION	FAILING TO REPORT	VIOLENCE AGAINST OTHERS	FINANCIAL IRRESPONSIBILITY	OTHER SPEC - AUTRES (GÉNÉRAL)
D-J M Y-A		ABSENCE DE LA REG. SANS PERMISSION	DÉFAUT DE SE RAPPORTER	VIOLENCE A L'ÉGARD D'AUTRES	IRRESPONSABILITÉ FINANCIÈRE	Spéc. - Particulier
55-56		56	57	58	59	
BREACHES OF SPECIAL CONDITIONS - VIOLATIONS PARTICULIÈRES						
	ASSAULT ON OFFICERS	AGGRAVATED OFFENCE	AVOID DAMAGING EQUIPMENT	AVOID TRESPASSING	AVOID REEFING PLACES	NOT TO DEPART WITHOUT OFFICER
	AGRESSIF ENVERS LES GENDARMES	INFRACTION DE DROIT	ÉVITER LES DÉGÂTS	ÉVITER LES ENDROITS INTERDITS	ÉVITER LES ENDROITS INTERDITS	NE PAS QUITTER SANS GENDARME
	62	63	64	65	66	67

Please refer to instructions on back - Prière de voir les instructions au verso

DAY PAROLE

WED Date d'expiration du mandat

PLEASE REFER TO ATTACHED TELEX DATED APRIL 21, 1982

Gerald A.P. Smith
Gerald A.P. Smith
Counsellor

Garth Wagner
Garth Wagner
A/ Case Management Officer

/jw

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- 2. CSC Central Registry, Att: OIS

V*
PAROLE BOARD
CARLTON CENTRE
APRIL 21 1982

RE: MARSHALL DONALD JOHN JR FPS: 410491A INMATE NO: 1997

REQUEST PERMISSION FROM BOARD 1 FOR THE DISCRETION TO GRANT
ABOVE NAMED WEEKEND PASSES AS SENIOR STAFF OF CARLTON CENTRE DEEM
NECESSARY.

GERALD A P SMITH
COUNSELLOR

GERALD WAGNER
ACTING C M U
RECOMMENDATION: TERMS AND CONDITIONS ALTERED TO GRANT PASS AT
DISCRETION OF SENIOR CENTRE STAFF

ID	FPS - SEQ	NAME - NOM		DATE COMPLETED-DATE DE CONSIGNATION	
09	410491A	MARSHALL, Donald (Junior)		2 1 0 6 8 2	
NPS OFFICE - BUREAU DE SNLC		PRESENT INSTITUTIONS / ÉTABLISSEMENT ACTUEL		19 82	
Carlton Centre		8 2		19 82	
BOARD / COMMISSION REQUESTED / INTERVENTION DE LA COMMISSION DEMANDÉE		DECISION RECOMMENDED / DÉCISION RECOMMANDÉE		Terms & Conditions / Conditions	
6		4		Altered.	
STATUS OF CHARGE / ÉTAT DE LA SUPENSION		STATUS OF CHARGE / ÉTAT DE LA SUPENSION		DATE OF INTERVIEW / DATE D'ENTREVUE	
N/A		N/A		N/A	
VIGILANCE(S)					
PLEASE REFER TO INSTRUCTIONS ON BACK - PRIÈRE DE VOUS RÉFÉRER AUX INSTRUCTIONS AU VERSO					

FEDERAL DAY PAROLEE WED: LIFE

PLEASE REFER TO ATTACHED TELEX DATED JUNE 21, 1982.

G.A.P. Smith
 G.A.P. Smith
 Counsellor

J.A. Stewart
 J.A. Stewart
 A/Superintendent

/lmw
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 2. CSC Central Registry, Att: OIS

SN= 392 00023 IMSN= T10 000C8
29-2011008 - =NPB/ -01921588 - = / /1234567

PY IW
06 82
R G E N T

MARSHALL DONALD JR FPS 410491A

QUEST TERMS AND CONDITIONS ALTERED TO COVER THE DATES OF JUNE
1982 TO JUNE 25 1982 TO ATTEND NATIVE CONFERENCE
SOCIAL DEVELOPMENT ON RESERVES TO BE HELD AT LISCOMBE HARBOUR
SUBJECT WILL BE STAYING AT LISCOMBE LODGE AND WILL BE EXCORTE
MS JOAN GLOADE OF THE DEPT OF INDIAN AND NOTTHERN AFFAIRS
CIAL SERVICES

COMMENDATION

TERMS AND CONDITIONS ALTERED TO ALLOW SUBJECT TO ATEND CONFERENCE
D BE AWAY FROM CARLTON CENTRE FOR THE ABOVE MENTIONED DATES

RALD A P SMITH
UNSELLOR
RLTON CENTRE

RLTONCTR HFX

NATIONAL PAROLE BOARD
COMMISSION NATIONALE
DES LIBERATIONS CONDITIONNELLES
JUN 21 1982
ATLANTIC REGION
REGION DE L'ATLANTIQUE
MONCTON, N.B.

ID	FPS - SEQ	NAME - NOM		DATE COMPLETED - DATE DE CONSIGNATION		
09	410491A	MARSHALL, DONALD		D	M	Y/A
FAMILY - FAMILLE		GIVEN - PRÉNOMS		2	8	0682
NPS OFFICE - BUREAU DE SNLC		PRESENT INSTITUTIONS - ÉTABLISSEMENT ACTUEL		19-21		
Carlton Centre		8.2				
WARD ACTION REQUESTED - INTERVENTION DE LA COMMISSION DEMANDÉE:						
NONE - AUCUNE		DISPOSITION RECOMMENDED - RÉGION RECOMMANDÉE				
3		1. No Action 2. Suspension 3. Probation 4. Conditional Discharge 5. Parole 6. Other				
STATUS OF CHARGE - STATUT DES ACCUSATIONS		DATE		WARRANTS OF CONVICTION / RÉCEPTION DES MANDATS DE LA CONDAMNATION		DATE OF INTERVIEW
N/A		N/A		N/A		N/A
VIOLATION(S) -						
PLEASE REFER TO INSTRUCTIONS ON BACK						

FEDERAL DAY PAROLEE

WED: LIFE

PLEASE REFER TO ATTACHED TELEX DATED JUNE 28, 1982.

J.T. Hatcher
Case Management Officer

J.A. Stewart
A/Superintendent

/lmw

DISTRIBUTION

1. NPB, Moncton
2. CSC Central Registry, Att: OIS

OMSN= 393 00081 IMSN= T11 00009
3029-2011008 - =NPB/ -01921588 - = /

/1234567

28 06 82

RE MARSHALL DONALD (JUNIOR) FPS RQPROQA

FPS 410491A

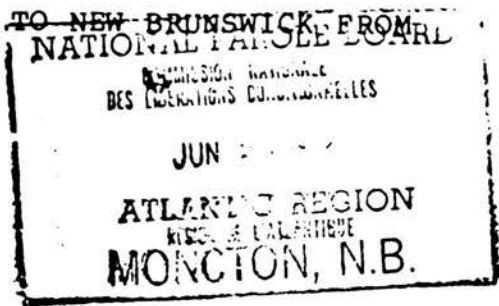
SUBJECT HAS REQUESTED PERMISSION TO ATTEND BALL TOURNAMENT IN
REAR CHEBUCTO NEW BRUNSWICK INVOLVING BALL TEAMS FROM MAT XXX
MARITIME RESERVATIONS SUBJECT WILL BE TRAVELLING WITH MEMBERTOU
TEAM HE WILL STAY IN COMMERCIAL ACCOMMODATION HE HAS REQUESTED
PERMISSION TO BE AWAY FROM THE CENTRE FROM WEDNESTAY JUNE 30 1982
TO SUNDAY JULY 4 1982

RECOMMENDATION

TERMS AND CONDITIONS ALTERED TO ALLOW TRAVEL TO NEW BRUNSWICK FROM
JUNE 30 59 7)6 4 1982

J T HATCHER
CMO

CARLTONCTR HFX



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PROGRESS SUMMARY

RAPPORT RÉCAPITULATIF SUR L'ÉVOLUTION DU CAS

1. Name - Nom MARSHALL, Donald John Jr.		2. FPS No. - N° S.E.O. 410491A		3. Inmate No. - N° du détenu 1997		4. Institution - Établissement Dorchester	
5. Date of admission Date d'admission 72 06 20		7. T.A. exp. date Date d'admissibilité à l'A.T. 75 06 20		8. Parole exp. date Date d'admissibilité à la p.c. 92 06 04		9. M.S. date Date de S.O. N/A	
10. W.E. date Date d'expiration du mandat N/A		11. Date completed Date de rédaction 82 01 02		12. Date completed Date de rédaction 82 01 02		13. Operational Unit Unité d'opérations Dorchester Pen.	
14. Date of last C.A. Date de dernière E.C. 81 11 12		15. Med./Psych clearance required Certificat med./psych. requis <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		16. Med./Psych clearance required Certificat med./psych. requis <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		17. T.A. experience - A.T. précédente <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> ETA <input type="checkbox"/> UTA	
18. Institutional Offence Convictions during current sentence Condamnation pour infraction institutionnelle au cours de la peine actuelle <input type="checkbox"/> None <input checked="" type="checkbox"/> Yes		19. Institutional Offence Convictions during current sentence Condamnation pour infraction institutionnelle au cours de la peine actuelle <input type="checkbox"/> None <input checked="" type="checkbox"/> Yes		20. Institutional Offence Convictions during current sentence Condamnation pour infraction institutionnelle au cours de la peine actuelle <input type="checkbox"/> None <input checked="" type="checkbox"/> Yes		21. Institutional Offence Convictions during current sentence Condamnation pour infraction institutionnelle au cours de la peine actuelle <input type="checkbox"/> None <input checked="" type="checkbox"/> Yes	

EDUCATIONAL/VOCATIONAL TRAINING: Junior upgraded his education to grade ten in Dorchester. He has taken plumbing and welding trades, and is now working on getting his ticket for plumbing. He returned to school for several weeks in the fall of 1981 to study the mathematics he will need to write his examination.

EMPLOYMENT: He has worked in several shops over the years, and has received good work reports. Since his most recent admission to Dorchester, he has been with maintenance plumbers and in school.

PERSONAL DEVELOPMENT: During the past nine years Junior has been preoccupied with his appeal - working for it, trying to get money to pay for it, giving up on it, following up new leads for it. He denies committing the offence and consequently has not put much effort into the area of personal development. Besides being immersed in his appeal, Junior was a bit too active in institutional life at Springhill. He was a high profile inmate whom other inmates, and staff as well, turned to because of his control over a large part of the population. He was involved in mediating inmates for debts and drugs. He did well and followed case plans for periods of time, but would become frustrated and end up in dissociation and segregation. Because of this, he will probably never be able to return to Springhill. (see memo dated 81 06 24 for notes on the case conference held at Springhill). The realization that he has cut off one, (probably the best) avenue of release seems to have made him a lot more serious about working on himself. He has been interviewed by the psychologist (see report dated 81 12 16 on psychology file), and he has finally taken the necessary steps to prepare for his plumbing exam. Unfortunately, his abandonment of hope for his appeal was short-lived. A visitor told him about new evidence, and Junior says that he knows who committed the offence for which he is serving a Life sentence. But again, after much consideration, he has indicated that he will leave the matter to the law, and spend his time concentrating on getting a parole.

FAMILY/COMMUNITY: Junior has maintained contact with his family and friends. They correspond, he phones, and they visit him.

TRANSFER/RELEASE/SUPERVISION: MARSHALL was admitted to Dorchester (72 06 20) and transferred to Springhill (74 11 04). He was granted a day parole to attend the Atlantic Challenge Program in 1979. The first time (August 8-18) went well. Ten days after his release the second time (September 14), he was declared unlawfully at large. He was returned to Springhill, then transferred to Dorchester (81 02 11), transferred back to Springhill (80 04 22), and once again transferred to Dorchester (80 10 31). He applied for but was denied an unescorted temporary absence to visit his parents at Christmas, 1981.

QUARTERLY PROGRESS REPORT		RAPPORT TRIMESTRIEL SUR L'ÉVALUATION DU CAS		Page _____ of _____ de _____
Last name - Nom de famille MARSHALL, Donald		Given names - John Jr.		2. F.P.S. No. - N° S.E.O. 410491A
Date current IPP initiated Date de début du P.P.I. actuel		6. Review Period - Période sous examen From: 81-10-15 To: 82-01-29		3. Inmate No. - N° du détenu 1997
81 06 24 V-A M-M D-J		7. IPP - PPI <input checked="" type="checkbox"/> Continued Maintenance <input type="checkbox"/> Revised Révisé		4. Institution - Établissement Dorchester
Eased Remission during Past Quarter Réduction méritée de peine au cours du trimestre sous examen		10. Institution Offence Conviction during Past quarter Condamnation pour infraction institutionnelle dernier trimestre. <input checked="" type="checkbox"/> None Non <input type="checkbox"/> Yes Oui		8. Work location - Pav level Endroit de travail - Niveau de paye Maintenance Plumbing
Eased Remission Réduction méritée		<input checked="" type="checkbox"/> Full Totale <input type="checkbox"/> Partial Partielle		Number - Nombre

1. PROGRESS - PROGRÈS
 EDUCATIONAL/VOCATIONAL TRAINING: MARSHALL upgraded his mathematics to at least a grade nine level at the School.

EMPLOYMENT: He is back in the Maintenance Plumbing Shop. He is waiting for arrangements to be made to have him write his apprenticeship papers in Nova Scotia.

PERSONAL DEVELOPMENT: Little has changed in this area. Jr. is still working on his appeal. He will need Psychological and Psychiatric assessments when he applies for parole.

FAMILY/COMMUNITY: Jr. maintains contact with his family, friends, and other native community members.

TRANSFER/RELEASE/SUPERVISION: Jr.'s application for an unescorted TA at Christmas was denied. His CMT has been developing plans for a parole, and he will soon submit his application form.

LEISURE: Jr. plays hockey. He is a member of the Community Center but is not involved in any of the activities.

SUMMARY: Jr. is not interested in doing much in Dorchester. He is merely waiting and behaving himself. His energies still seem to be channelled toward his appeal and the new evidence.

Completed by - Complété par <i>M. MacWilliam</i> M. MacWilliam		Title - Titre C.M.O.I. Operational Unit - Unité d'opérations Dorchester Penitentiary		Date 82-02-02
Inmate's signature - Signature du détenu <i>K. Spence</i>		Case Management Supervisor Surveillant gestion des cas A/C.M.S.		Date 82-02-03



FILE

R. C. Richards
Board Member
NPB - Atlantic Region

SECURITY - CLASSIFICATION - D: SÉCURITÉ
OUR FILE/NOTRE RÉFÉRENCE
YOUR FILE/VOTRE RÉFÉRENCE
DATE March 11, 1982.

SUBJECT
OBJET MARSHALL, Donald (FPS 410481A)

The Board received information this date of a possible confession having been obtained by the RCMP at Sydney, which would prove that this inmate is innocent of the charge of murder for which he is presently incarcerated.

I spoke with S/Sgt. Al Ross, RCMP Sydney, on this date. S/Sgt. Ross confirmed that the investigation had in fact been re-opened. He indicated that although a confession had not been obtained, sufficient new information had been uncovered to warrant referral to the A.G. for decision as to whether some action should be considered to reverse the conviction of Marshall. Report should be in the hands of the A.G.'s department in a week or so.

R. C. Richards
Board Member
NPB - Atlantic Region

RCR/fmg

Aronson, MacDonald Baristers & Solicitors

Stephen J. Aronson
Leo I. MacDonald

Dartmouth Professional Centre · Suite 305 · 277 Pleasant Street · Dartmouth, N.S. Canada B2Y 4B7 · (902) 463-913

DELIVERED BY HAND

March 15, 1982,

Carlton Centre
5853 College Street
Halifax, N.S. B3H 1X5

ATTENTION: Mr. J. Stewart

Dear Sir:

Re: Donald Marshall, Jr.

I wish to confirm that I act for Donald Marshall, Jr. who I understand is presently eligible for parole. Certain information has come to me which suggests that Mr. Marshall's conviction for murder may not be proper.

Recently the Sydney Detachment of the R.C.M.P. has completed an investigation of Mr. Marshall's case. The investigation was done by Staff Sergeant H. Wheatson and Corporal Jim Carole. Although the results of the investigation are not primarily concerned with whether Mr. Marshall was guilty or innocent of the murder of Sandy Seale, there was apparently evidence to indicate that the two key witnesses who testified against Mr. Marshall were in fact lying.

It is my understanding that the R.C.M.P. report of the investigation will be in the Attorney-General of Nova Scotia's office some time this week. I have requested a copy of this particular report, but frankly do not expect to receive it.

Mr. Marshall has never during his eleven years in penitentiary admitted to having committed the murder. There would now appear to be support for his denial. I have personally spoken to Sergeant Wheatson who can be reached in Sydney at 539-7121.

I would ask that the Parole Board make every effort to obtain a copy of the investigation to ensure that his request for

Carlton Centre,
Mr. J. Stewart

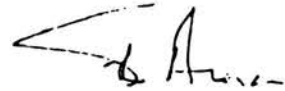
- 2 -

March 15, 1982

parole takes into account all of the circumstances. In addition, I would also ask that I be present at the Parole Board hearing to assist Mr. Marshall in his Application.

I would most appreciate it if you would be so kind as to keep me advised as to the status of the Application and whether you have obtained a copy of the R.C.M.P. investigation. Thank you for your attention to this matter.

Yours very truly,



Stephen J. Aronson

SJA:md

MARSHALL, Donald

FPS 410491 A

Dorchester.

Donald (Junior) Marshall was convicted on November 5, 1971, of the murder of Sanford Seale, at Sydney, Nova Scotia, on May 28, 1971. He was arrested on June 4, 1971. Day parole eligibility was June 4, 1978, and full parole eligibility was June 4, 1981. Subject has been granted two limited day paroles. The first was June, 1978, to the Atlantic Challenge Program; it passed without incident. A second day parole to a one-week Atlantic Challenge Program in September 1979 ended in Mr. Marshall failing to return, being convicted of having been unlawfully at large, and being awarded a sentence of four months consecutive (!). He later stated that he had eloped in order to work on his appeal, but admitted he had done little in this regard during the two days he was UAL. He was apprehended in the Pictou area without incident. On the advice of his case management team, Mr. Marshall applied for day parole to the Carleton Centre on January 31st, 1982. The community assessment was requested from the Carleton Centre, and, although it has not yet been received, telephone conversations indicate that Mr. Marshall will be accepted by the Carleton Centre. Certain problems, to be discussed below, have been shared with Mr. Marshall, including the necessity of his accepting house rules until his legal difficulties have been disentangled. His penitentiary career has not been without incident, but all incidents in the past seem to have been related to his hopes for an appeal of his conviction, hopes which were consistently dashed during the period between 1972 and the present. He has been considered a likeable and earnest inmate who has not succeeded in overcoming his desire to prove himself innocent, and, in the process, irritating many case workers who wished to persuade him to forget th

19. Recommendation - Recommandation

CONFIDENTIAL

Day Parole granted.

Completed by - Comp. é par Maud Hody	Title - Titre Parole Officer	Date March 24, 1982.
Offender's signature Signature du délinquant	Date	Case Management Supervisor Surveillant, gestion des cas D.V. LeBlanc, S.E.
		Date March 24, 1982

MARSHALL, Donald.

Progress Summary (Continued)

obviously hopeless appeal and to devote his energies instead to the immediate task of getting himself out.

Therefore, because he has been accepted by the Carleton Centre and because he is considered at least an average day parole prospect, I am recommending that he be granted day parole to the Carleton Centre.

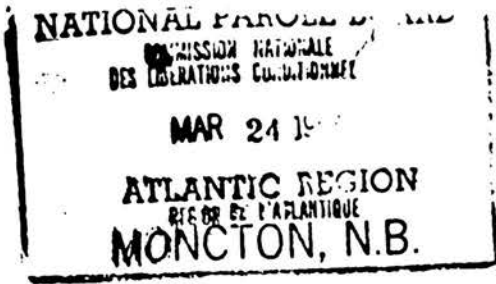
With respect to Mr. Marshall's case, recent, and persuasive, evidence has been unearthed that he is, in fact, as innocent as he has claimed to be, with one exception, since 1971. His story, with the exception of an admission of guilt in 1975, has not altered. He stated that both he and the victim were attacked by another assailant, identity unknown, who stated that he had no use for negroes or redskins, before stabbing Donald Marshall in the arm with a knife and fatally wounding the victim with ~~one~~ ^{a single} stab ^{wound} to the abdomen. Two eye-witnesses contradicted Mr. Marshall's own evidence; since both stated definitely that they had seen Mr. Marshall stab the victim, their evidence was considered conclusive.

It now appears that the previously unknown assailant has identified himself, and has supplied the investigating police with evidence of his own guilt. This evidence is now in the hands of the Attorney General of Nova Scotia, who plans to take action on it.

Although these recent events are materially affecting the speed of case preparation, the recommendation for day parole granted is based on the grounds cited above. Mr. Marshall is considered a relatively good day parole candidate and the Carleton Centre is prepared to accept him. Therefore, the case management team recommends that he be granted day parole.

CONFIDENTIAL

Completed by	Title	Date	Section
Maud Hody <i>Maud Hody</i>	Parole Officer	March 24, 1982	Supervisor D.W. LeBlanc <i>D.W. LeBlanc</i>
/ft	March 24/82 Dict. March 24/82	cc.: PBC File Flimsy	Dorchester Penitentiary CSC Central Registry



203

CSC 107

MVVVV+
PAROLE RO NCIN

CARLTONCTR HFX
MARCH 24 1982

Re: DONALD MARSHALL FPS: 410491A

C
THE FOLLOWING IS A COMMUNITY ASSESSMENT

COMMUNITY CONTACTS

- 1. STEPHEN ARONSON DARTMOUTH PROFESSIONAL CENTRE L AWYER
- 2. GORDON GAYLE LAWYER ATTORNEY GENERALS E DEPT N S

MR MARSHALLS FILE WAS RECEIVED AT THE CARLTON CENTRE ON MARCH 11 O
FOR A C A AND CONSIDERATION BY THE CARLTON CENTRE SELECTION COMMITTEE

AT THE TIME THE REQUEST WAS GENERATED, MR MARSHALL WAS BEING SUPPORTED
BY THE CASE MANAGEMENT TEAM BASED ON NOTICEABLE IMPROVEMENT IN HIS
BEHAVIOUR AND APPLICATION IN DORCHESTER PEN AND THE BELIEF THAT IT
WAS TIME IN HIS CASE TO BEGIN DEVELOPING A PRE RELEASE PLAN.

THE AREA OF GREATEST CONCERN WAS MR MARSHALLS TOTAL DENIAL OF GUILT
IN HIS OFFENCE AND HIS FRUSTRATION WITH STAFF ATTEMPTING TO DEAL WITH
HIM IN THIS AREA.

SINCE THE ARRIVAL OF MR MARSHALLS FILE AT THE CARLTON CENTRE WE HAVE
BEEN CONTACTED BY MR STEVE ARONSON WHO HAS FOR THE PAST SEVERAL MONTHS
BEEN ACTING ON BEHALF OF MR MARSHALL.

IN A LT LETTER RECEIVED MARCH 15 FROM MR ARONSON WHO HAS FOR
THE PAST SEVERAL MONTHS BEEN ACTING ON BEHALF OF MARSHALL. IN
////////////////////////////////////

TXO

IN A LETTER RECEIVED MARCH 15 FROM MR ARUNSON WE WERE INFORMED THAT A NEW RCMP INVESTIGATION INTO MR MARSHALLS OFFENCE HAD BEEN COMPLETED WITH THE RESULTS FORWARDED TO THE ATTORNEY GENERALS DEPT IN N.S. MR ARUNSON STATES IN HIS LETTER THAT WHILE THE INVESTIGATION WAS NOT CONCERNED PRIMARILY WITH MR MARSHALLS GUILT OR INNOCENCE THERE WAS ' APPARENTLY EVIDENCE TO INDICATE TA THAT THE TWO KEY WITNESSES WHO TESTIFIED AGAINST MR MARSHALL WERE IN FACT LYING'

THIS LETTER PROMPTED CONTACT WITH MR GORDON GAYLE OF THE ATTORNEY GENERALS DEPT WHO WAS ABLE TO GIVE MORE INFORMATION ON THE CONTENT OF THE INVESTIGATIVE REPORT. THE INFORMATION RECEIVED FROM MR GAYLE WAS RELAYED BY TELEPHONE ON MARCH 23 1982 A TO THE NPB

AND CASE
PREP OFFICE IN MONCTON AND WILL BE INCLUDED IN A C I R TO FOLLOW THIS TELEX BY PUROLATOR. THE ATTORNEY GENERALS DEPT IS PRESENTLY REVIEWING THE CASE VERY CAREFULLY AND IS INVESTIGATING ACTION UNDER SECTION 617 OF THE CRIMINAL CODE OF CANADA.

THIS INFORMATION OBVIOUSLY CHANGES THE FORMAT CONTENT AND APPROACH OF THE C A REQUESTED WHN WHEN THE FILE WAS FIRST FORWARDED. IN BRIEF THE CARLTON CENTRE SELECTION COMMITTEE IS PREPARED TO SUPPORT MR MARSHALLS DAY PAROLE AND ACO ACCOMMODATE HIM IMMEDIATELY UPON BEING GRANTED DAY PAROLE.

AS STATED ABOVE A C I R WILL BE FORWARDED ALONG WITH THE LETTER BY MR ARUNSON AS I DO NOT BELIEVE THE INFORMATION CONTAINED WOULD BE SUITABLE FOR TRANSMISSION BY TELEX.

IF YOU REQUIRE ANY FURTHER INFORMATION OR ACTION PLEASE DO NOT HESITATE TO CONTACT ME.

JACKSTEWART

ACTING SUPERINTENDENT
CARLTON CENTRE

PAROLE RO MCIN

CARLTONCTR HFX
V



COMMUNITY ASSESSMENT / ENQUÊTE COMMUNAUTAIRE

I. IDENTIFYING DATA - DONNÉES SUR L'IDENTITÉ

1. Last name - Nom de famille / Given names - Prénoms MARSHALL, Donald	2. F.P.S. - N° SED 410491A	3. Inmate no. - N° du détenu 1997	4. Institution - Établissement Dorchester
--	--------------------------------------	---	---

2. Purpose of C.A. - But de l'E.C.

A. <input type="checkbox"/> Penitentiary Placement / Placement pénitentiaire	C. <input type="checkbox"/> Temporary Absence - Absence temporaire	E. Parole
B. <input type="checkbox"/> Transfer - Transfert	<input type="checkbox"/> Escorted / Sous escorte	<input checked="" type="checkbox"/> Day / jour
<input type="checkbox"/> Institutional / Institutionnel	<input type="checkbox"/> Unescorted / Sans escorte	<input type="checkbox"/> Full / Ordinaire
<input type="checkbox"/> Supervision / Surveillance	D. <input type="checkbox"/> Mandatory supervision / Surveillance obligatoire	F. <input type="checkbox"/> Other / Autre

6. Special Instruction - Directives spéciales

Junior has effectively closed the Springhill door to release. Therefore his only present hope is through the Carlton Centre. His most recent return to Dor. Pen. has seen many changes in him: increased self-control, absence of politicking, improved behavior. The present proposal is for a three-day day parole for assessment, to be followed, if successful, by a regular day parole to the Carlton Centre.

*Received
11/11/82
CARLTON*

/gp Typed March 9/82 Dict. March 4/82 cc: PBC FILE FLIMSY NPS

7. Originator's Name - Nom de l'initiateur Maud Hody	Title - Titre Parole Officer	District office/institution / Bureau de district/établissement Moncton, N.B.	8. Date requested / Date demandée 04 MAR 82
--	--	--	---

II. RECEIPT AND REFERRAL DATA - DONNÉES AU SUJET DE LA RECEPTION ET DE LA RÉFÉRENCE

9. Date received - Date de réception Y-A M-M DJ	10. Receiving office - Bureau qui reçoit la demande Carlton Centre	11. Name of Agency if referred / Nom de l'agence si référence a lieu
11. Date referred (if applicable) / Date référée (le cas échéant) Y-A M-M DJ	12. Date completed - Date achevée 82 March 24 Y-A M-M DJ	

COMMUNITY CONTACTS

- Stephen Aronson, Dartmouth Professional Centre, lawyer
- Gordon Gayle, lawyer, Attorney-General's Dept. Nova Scotia

Mr. Marshall's file was received at the Carlton Centre on the 11th of March 1982 for a community assessment and consideration by the Carlton Centre Selection Committee.

At the time the request was generated, Mr. Marshall was being supported by the case management team, based on noticeable improvement in his behaviour and application in Dorchester Penitentiary, and the belief that it was time in his case to begin developing a pre-release plan.

The area of greatest concern was Mr. Marshall's total denial of guilt in his offence, and his frustration with staff, attempting to deal with him in this area.

Since the arrival of Mr. Marshall's file at the Carlton Centre, we have been contacted by Mr. Steve Aronson, who has for the past several months, been acting on behalf of Mr. Marshall. In a letter received March 15, from Mr. Aronson, we were informed that a new RCMP investigation into Mr. Marshall's offence had been completed with the results forwarded to the Attorney-General's Department in Nova Scotia. Mr. Aronson states in his letter that while the investigation was not concerned primarily with Mr. Marshall's guilt or innocence, there was "apparently evidence to indicate that the two key witnesses who testified against Mr. Marshall, were, in fact lying".

MARSHALL, Donald

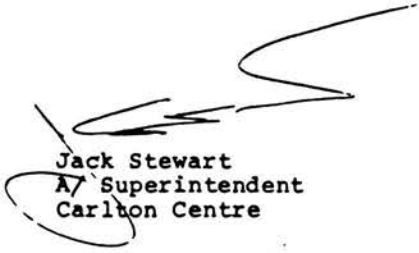
- 2 -

This letter prompted contact with Mr. Gordon Gayle, of the Attorney General's Department, who was able to give more information on the content of the investigative report. The information received from Mr. Gayle was relayed by telephone on March 23, 1982 to the National Parole Board and case preparation office in Moncton, and will be included in a confidential information report to follow this telex by Purolator. The Attorney General's Department is presently reviewing the case very carefully, and is investigating action under Section 617 of the Criminal Code of Canada.

This information obviously changes the format, content and approach to the community assessment, requested when the file was first forwarded. In brief, the Carlton Centre Selection Committee is prepared to support Mr. Marshall's day parole and accommodate him immediately upon being granted day parole.

As stated above, a C.I.R. will be forwarded along with the letter by Mr. Aronson, as I do not believe the information contained would be suitable for transmission by telex.

If you require any further information or action, please do not hesitate to contact me.



Jack Stewart
A/ Superintendent
Carlton Centre

:jw

DISTRIBUTION

1. CSC Moncton
2. NPB Moncton
3. Dorchester Penitentiary
4. CSC Central Registry, Att: OIS

CONFIDENTIAL INFORMATION REPORT		RAPPORT DE RENSEIGNEMENTS CONFIDENTIEL		1. Date completed Date de compilation 24 March 82
2. Name - Nom MARSHALL, Donald	3. F.P.S. No. - N° S.E.D. 410491A	4. Inmate No. N° du détenu	5. Institution - Établissement Dorchester	
6. Prepared in relation to - Préparé en rapport à Community assessment	7. Date March 24, 1982	8. Source of information - Source de renseignements		

9.

This C.I.R. is being submitted because certain information came to light during the course of the community investigation, which should be thoroughly considered in Mr. Marshall's day parole hearings.

This information was relayed by telephone and this C.I.R. will act as written documentation.

On March 14, this office was contacted by Mr. Stephen Aronson, an attorney acting for Mr. Marshall, who informed us that he had been working on a new investigation by the R.C.M.P. into Mr. Marshall's offence, and that certain information had come to light. Mr. Aronson was interviewed that day at the Carlton Centre, and at the request of this writer, delivered by hand, the following day, a letter which is enclosed.

Based on the contents of the letter received from Mr. Aronson, the National Parole Board was contacted, as was the Regional Director General, through the District Director, Halifax office. The Board, at the time of contact, was aware that an investigation was being undertaken, and were also aware of some of the preliminary findings.

Mr. Gordon Gayle, of the Attorney-General's office, Nova Scotia was contacted on the 23rd of March 1982, to determine, what if anything, in the report he could share with this office. Mr. Gayle cooperated with this writer, and while I could not receive a copy of the police investigation, he did say that he had "good reason to believe that Mr. Marshall did not kill Mr. Seale". As the conversation progressed Mr. Gayle informed me that their department was reviewing the case carefully and that they were examining Section 617 of the Criminal Code of Canada, to determine what their best course of action would be.

According to Mr. Gayle, all evidence they have at this time points to a Mr. R. Ebsary, a resident of Sydney, as the individual that they would be possibly charging once the conviction of Mr. Marshall had been dealt with. When asked how sure they were of Mr. Ebsary's actions, on the night of the offence, Mr. Gayle informed me that Mrs. Ebsary had turned over a knife or knives to the R.C.M.P. in Sydney, and that fiber analysis had been undertaken. The result of the analysis

10. Completed by - Complété Par

Name - Nom	Title - Titre	Date
Case Management - Gestion des cas		

CSC 426 (7-80)

CONFIDENTIAL INFORMATION REPORT		RAPPORT DE RENSEIGNEMENTS CONFIDENTIEL		1. Date completed / Date de complétion 24 March 82	
2. Name - Nom MARSHALL, Donald		3. F.P.S. No. - N° S.E.D. 410491A	4. Inmate No. / N° du détenu	5. Institution - Établissement Dorchester	
6. Prepared in relation to - Préparé en rapport à C.A.		7. Date 24 March 82	8. Source of Information - Source de renseignements		
9.					

showed that fibers were still on the knife and that under analysis the fibers matched perfectly with clothes worn by the victim, Mr. Seale, and by Donald Marshall on the night of the offence. His assessment of this evidence was that it supported Mr. Marshall's version of the offence, and pointed very strongly to Mr. Ebsary.

Mr. Aronson and Mr. Marshall's family are understandably very anxious to get him out of prison and have the conviction overturned, preferably by the Royal Prerogative of Mercy. In addition, the press in Cape Breton are aware that an investigation by the R.C.M.P. was conducted into the Marshall case, and are pressing very hard for more information. Emotions in this case and the fact that Mr. Marshall's father is the Grand Chief of the MicMac Nation provide all the ingredients for a media circus. If Mr. Marshall is granted a day parole to the Carlton Centre, our main goal will be to buffer him as much as possible, and attempt to establish a support system outside the Centre in the event that action is forthcoming to overturn his conviction.

Mr. Aronson and Mr. Marshall's family are very aware of the difficulties that Mr. Marshall will experience on returning to the street, after such a long period of incarceration and fear the added impact of the inevitable publicity this case will generate. They have agreed to cooperate as much as possible with the Case Management Team at the Carlton Centre, who will be attempting to work with Mr. Marshall, should he receive a day parole.

If you have any further questions or concerns, please do not hesitate to contact me.

:jw

DISTRIBUTION

1. CSC Moncton
2. NPB Moncton
3. Dorchester Penitentiary

10. Completed by - Complété par		
Jack Stewart	A/ Superintendent	24 March 82
Name - Nom	Title - Titre	Date
Case Management - Gestion des cas		
Name - Nom	Date	

NAME - NOM <p style="text-align: center;">MARSHALL, Donald</p>	INSTITUTION/ÉTABLISSEMENT DE DÉTENTION <p style="text-align: center;">Dorchester</p>	P.P.S. - S.E.D. P.S. NO. - N° L.C. <p style="text-align: center;">410491A</p>
NO. OF VOTES REQUIRED NOMBRE DE VOTES NÉCESSAIRES <div style="text-align: center; margin-top: 5px;"> <input type="checkbox"/> </div>	PANEL HEARING D'AUDIENCE <div style="display: flex; justify-content: space-between; margin-top: 5px;"> YES/OUÍ <input type="checkbox"/> NO/NON <input checked="" type="checkbox"/> </div>	DATE <p style="text-align: center;">25th March 1982</p>
OBSERVATIONS/INSTRUCTIONS		

VOTE: DAY PAROLE GRANTED

We are dealing with this file on an urgent basis for two reasons:

- 1) After 11 years of incarceration, the subject will need some reorientation to the community and depending on how long the process of reversing his conviction takes, he can have a short or a relatively lengthy time at Carleton Centre to accomplish the re-adjustment.
- 2) Although his case management team reports that he is bearing the tension reasonably well, it is felt that he will have difficulty coping with the attention he is going to get from other inmates now that his case is receiving considerable press attention.
- 3) For purely humanitarian reasons, it is almost certain the subject is innocent and I think the Board should give him as much freedom as the law allows, commensurate with the desirability of a gradual release.



 MARY CASEY
 BOARD MEMBER
 NPB - ATLANTIC



NOTE: In a television interview last night, the Attorney General of Nova Scotia said the new evidence "casts considerable doubt" on the previous conviction but that his officials had not yet determined which of the procedures possible under Section 617 of the Criminal Code would be followed.

m.c.

I agree. While the legal process takes its course, we should ease this inmate's current situation so far as is possible.

I agree
E.P.


 25/3/82


agreed

 Mar. 26/82


 26/3/82


 24/03/82

cc: CSC Halifax
 Carleton Centre

Dorchester Cen

To the Escorting Officer:

THESE are to authorize and command you under and pursuant to the relevant sections to receive and take from the director of DORCHESTER PENITENTIARY New Brunswick Province

PPS no.	Inmate no.	Surname and given names
410491A	1997	MARSHALL, Donald Jr.

Inmate(s) now undergoing sentence in the said institution together with copy(ies) executed by the Director of his/her/their sentence(s) and the date of his/her/their conviction(s), and then with convenient despatch, convey and deliver him/her/them, with such attested copy(ies) into the custody the Head of CARLTON CENTRE NOVA SCOTIA Province taking his receipt therefor

AND YOU ARE FURTHER COMMANDED, forthwith after the delivery of the said inmate(s) and such attested copy(ies) to the Head of the said institution, to return to the undersigned a receipt from the said institution for the said inmate(s) and such attested copy(ies).

GIVEN under my hand as directed by the Commissioner of Corrections, at MONCTON NEW BRUNSWICK Province in the 26 day of MARCH A.D. 1982

Arthur J. P... ..
(Signature)

A/REGIONAL MANAGER OFFENDER PRO.
(Title)

- as an officer directed by the Commissioner of Corrections, under sub-section 12(3) of the Penitentiary Act, O-2
- as an officer designated by the Commissioner of Corrections, under the agreement made pursuant to the Appropriation Act, no. 4 1973 O-2
- as an officer authorized by the Commissioner of Corrections, under the agreement made pursuant to Section 19(1) of the Pen Act.
- as an officer authorized by the Commissioner of Corrections, under sub-section 13 (4) of the Penitentiary Act.

CSC/SOC 80 REV 7/81

cc. Mr. file [unclear], [unclear] [unclear] [unclear]



Government
of Canada

Gouvernement
du Canada

National
Parole Board

Commission nationale des
libérations conditionnelles

P.O. Box 1370
Moncton, N.B.
E1C 8T6

April 30, 1982

Inst. No.: 1997
F.P.S.: 410491A

Mr. Donald Marshall
Carleton Centre
5853 College Street
Halifax, N.S.

Dear Sir:

In accordance with Section 8 (1) of the Parole Act,
your case was brought forward for review.

No decision was taken because you stated that you are
not interested in receiving full parole consideration
at this time.

A further review date of 4 June, 1983, has been set.

Yours truly,

E. Williams per SG

E. Williams
Regional Executive Officer
National Parole Board

c.c. Director - Carleton Centre
C. S. C. - Halifax

INDIVIDUAL PROGRAM PLAN RECORD REGISTRE DU PLAN DE PROGRAMME INDIVIDUALISÉ

1. Last name - Nom de famille MARSHALL DONALD JR.	Given names - Prénoms	2. F.P.S. No. - N° SED 410491A	3. Inmate no. - N° du déteru 1997	4. Date completed - Date de rédaction 82 06 02 Y-A M-M D-D
---	-----------------------	--	---	---

5. Current institution or address - Établissement ou adresse actuelle Carlton Centre	6. Completing operational unit - Unité opérationnelle ayant rédigé rapport Carlton Centre
--	---

7. Type of report Genre de rapport <input checked="" type="checkbox"/> Initial Préliminaire <input type="checkbox"/> Revised Révisé	8. Documents used - Documents utilisés: <input type="checkbox"/> Verified P.P.R. R.P.P. vérifié <input type="checkbox"/> C.A. E.C. <input type="checkbox"/> Police Report Rapport de police <input type="checkbox"/> Diagnostic Assessment Évaluation diagnostique <input type="checkbox"/> N.P.S. approved plan Plan approuvé par C.N.L.C. <input type="checkbox"/> Psychological Psychologique <input type="checkbox"/> Educational/vocational Académique/Professionnelle
--	---

PLAN
Category - Brief statement of planned activities/services (include dates)
Groupe - Bref énoncé des activités prévues (fournir dates)
Educational/Vocational Training - Formation académique/professionnelle:

GOAL: J.R.T. and/or basic upgrading in English and Math to be able to write plumbing exam. METHOD: Through C.E.I.C. counsellor, enroll in J.R.T. or upgrading classes at South Armdale School.
WEEKLY REVIEW

Employment - Emploi:
GOAL: Eventual employment in plumbing field. METHOD: Once schooling is completed, re: English and Math, through C.E.I.C. getting on the job training with local plumbing firm.
MONTHLY REVIEW

Personal development - Perfectionnement personnel:
GOAL: Reintegrating and learning socially acceptable social skills and behaviour in a free society. METHOD: Through trial and error, and counsellor and friends, etc. learn and develop acceptable social behaviour and become comfortable.
WEEKLY REVIEW

Family/Community - Famille/communauté:
GOAL: Maintain family (immediate) contact. METHOD: By telephone contact, and personal visits with ~~family~~ family, further contacts with family and close relatives.
WEEKLY REVIEW

Transfer/Release/Supervision - Transfert/libération/surveillance:
Full Pardon in near future.
NO TIME FRAME

Leisure - Loisir:
GOAL: Involvement with baseball team, jogging and general health program. METHOD: Become a team member of a local ball team, daily jogging sessions and practice good health habits.

Other - Autre:

Completed by - Rédigé par <i>Gerald A.P. Smith</i> Gerald A.P. Smith	Title - Titre Counsellor	Date June 2, 1982
Case Management Supervisor - Surveillant gestion des cas <i>Jack Stewart</i> Jack Stewart	Title - Titre Superintendent	Date June 2, 1982
Offender's signature - Signature du délinquant <i>Donald Marshall Jr.</i> Donald Marshall Jr.		Date June 02/82

CSC 435 (7-80) CC - NPB/MONCTON /jw



Government of Canada

Gouvernement du Canada

213

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NPB

National Parole Board

Commission nationale des libérations conditionnelles

F.P.S.: 410491A

P.E. Date: June 4, 1982

TO: THE NATIONAL PAROLE BOARD

In accordance with the Parole Act and Regulations, I wish to advise that:

I do not want to appear before the Board, nor do I want my case to be reviewed for full parole by the Board at this time. I understand that if I wish to receive future consideration for full parole, I must submit a written request to the National Parole Board.

I want my case reviewed by the Board for full parole, but do not desire a panel hearing.

Should I make application for day parole or temporary absence(s), my case will be reviewed according to normal procedures.

Yours very truly,

Marshall 1997

Jan. 27, 1982
Date

M. MacWilliam CMO1
Witness

J.R.B.
7.6.83

10	FPS - SED	NAME - NOM		DATE COMPLETED-DATE DE CONSIGNATION											
11	3.9	FAMILY - FAMILLE		GIVEN - PRENOMS		D-J M Y-A 11-18									
09	4110141911A	MARSHALL		DONALD JR.		016 017 812									
NPS OFFICE - BUREAU DE SNLC		17-18	PRESENT INSTITUTIONS (if applicable) ÉTABLISSEMENT ACTUEL (s'il y a lieu)			19-22									
Carlton Centre		812													
BOARD ACTION REQUESTED - INTERVENTION DE LA COMMISSION DEMANDÉE															
NONE - AUCUNE		DECISION RECOMMENDED - DÉCISION RECOMMANDÉE													
0. Inform report Rapport prévisoire 1. Inform report Rapport final		2. No Action Aucune action 3. Proposed Action Démarches proposées		4. Cancel suspension Suspension annulée 5. Revocation Révocation		6. Other Autre									
SUSPENSION STATUS - ÉTAT DE LA SUSPENSION		STATUS OF CHARGES - ÉTAT DES ACCUSATIONS			DATE OF INTERVIEW after suspension or conviction										
1. Warrants Issued Mandats émis		1. Arrested and charged Arrêté et accusé			WARRANTS RECEIVED RECEPTION DES MANDATS DE LA CONDAMNATION										
2. Warrants Executed Mandats exécutés		2. No conviction Aucune condamnation			DATE OF INTERVIEW après suspension ou condamnation										
3. A. Pardon Retrait		3. Summary conviction only Cond. sommaire seulement			D-J M Y-A D-J M Y-A D-J M Y-A										
4. Car Colours Annonce		4. Indictable conviction Cond. par un acte criminel			31 32-37 38-43 44-49										
VIOLATION(S) - (Note earliest date and mark an "X" in appropriate boxes - Inscrivez la date la première et un "X" dans les cases appropriées)															
CARLY DATE PREL		LEAVING AREA WITHOUT PERMISS.		FAILING TO REPORT		VIOLENCE AGAINST OTHERS		FINANCIAL IRRESPONSIBILITY		OTHER (GEN) - AUTRES (GÉNÉRALES)					
D-J M Y-A		ABSENCE DE LA RÉG. SANS PERMISSION		TO SUPERVISOR AUX SURVEILLANTS		TO POLICE À LA POLICE		VIOLENCE À L'ÉGARD D'AUTRUI		IRRESPONSABILITÉ FINANCIÈRE		Specify - Préciser			
82-85		86		87		88		89		90					
BREACHES OF SPECIAL CONDITIONS		ABSTAIN FROM CAR'S		ABSTAIN FROM		AVOID GAMBLING		AVOID SPECIFIED PERSONS		AVOID SPECIFIED PLACES		DO NOT OPERATE MOTOR VEHICLE		OTHER (SPEC) - AUTRES (SPÉCIALES)	
INFRACTIONS DANS DES CONDITIONS PARTICULIÈRES		S'ABSTENIR DE CONDUIRE UN VÉHICULE		S'ABSTENIR DE DROGUES		ÉVITER LE JEU		ÉVITER DES PERSONNES DÉSIGNÉES		ÉVITER DES ENDROITS DÉSIGNÉS		NE PAS CONDUIRE DE VÉHICULE MOTEUR		Specify - Préciser	
62		63		64		65		66		67					

Release Type
 Genre de libération

PLEASE REFER TO INSTRUCTIONS ON BACK - PRIÈRE DE VOUS RÉFÉRER AUX INSTRUCTIONS AU VERSO

DAY PAROLE

WED: LIFE

WED
 Date d'expiration
 du mandat

Subject failed to return to the Carlton Centre at 23:59 hours July 4, 1982 as required on granting of special pass re telex of June 28, 1982.

Subject returned to the Carlton Centre at 2135 hours on Monday, July 5, 1982. At this point, subject was interviewed by Jack Stewart, Superintendent, Terry Hatcher, CMO, and subject's counsellor, Gerry Smith.

-Subject related that during the stay at Restigouche N.B., they had played six games of softball and on Sunday, July 4, 1982, he had pitched a double-header which concluded at about 2130 hours on that date. Part of the team with which subject was travelling stayed overnight with the Chief of the Restigouche Reserve until 1200 hours on July 5, 1982. At this point, they began travelling by private motor vehicle to Halifax, stopping at the Millbrook Reserve in the Truro area to let off a couple of passengers. He then proceeded directly to Halifax. Upon arriving in Halifax, subject went directly to his girlfriend's place to eat and clean up and telephoned the Carlton Centre at 2120 hours. He was, at this point, instructed to report in person at the Centre. During his travelling time to the Centre, Mr. Stewart and Mr. Hatcher were both informed and up-dated and informed me that they were on their way in directly. At 2200 hours, a meeting and interview was held with subject until approximately 2330 hours. After subject related the events of his overstay and understood the seriousness of his failure to make earlier contact with the Centre, when he realized that he would be unable to be at the Centre at 23:59 hours of July 4, 1982. The interview ended on the note that subject would be subject to a form of disciplinary action in the immediate future.

... /2

DS

MARSHALL, Donald Jr.

- 2 -

All staff involved are comfortable that subject clearly understands his position here at the Centre and are sympathetic. However, our positions were clearly spelled out to subject and that we would not be prepared to overlook any further infractions and demand his cooperation on all issues.

It is understandable under the prevailing circumstances of this unique case that subject is undergoing severe "bumps" and at various stages, he simply "shuts down" and begins to cope. His coping mechanisms appear to be that of mentally acting in a manner which allows subject to live free as if there are no prisons to be responsible to: This is not viewed as being too dangerous and subject is constantly being made aware of and reminded of his commitments to day parole.

At this point, subject is being monitored on a daily basis. Subject is currently working full time during the summer months with the Department of Northern/ Indian Affairs and wants to live out in the community and report to the Centre. At this point, we are not fully prepared to support this request and are intent on protecting subject from himself and others, thus allowing subject to adjust more easily in the free community.

If further information is required, please feel free to contact the undersigned.

RECOMMENDATION: NO ACTION.

Incident will be handled through internal disciplinary action.

:jw

Gerald A.P. Smith
Gerald A.P. Smith
Counsellor
Carlton Centre

DISTRIBUTION

- 1. NPB Moncton
- 2. Planning and Analysis

Jack Stewart
Jack Stewart
Superintendent
Carlton Centre

D.S



PROGRESS SUMMARY

RAPPORT RÉCAPITULATIF SUR L'ÉVOLUTION DU CAS

1. Name - Nom MARSHALL, DONALD JR.			2. FPS No. - N° S.E.D. 410491A			3. Inmate No. - N° du détenu 1997			4. Institution - Établissement Carlton Centre								
5. Length of sentence Durée de la peine 11PB			6. Date of admission Date d'admission 72 05 20			7. T.A. elig. date Date d'admissibilité à l'A.T.			8. Parole elig. date Date d'admissibilité à la p.c.			9. M.S. date Date de S.O.			10. W.E. date Date d'expiration du mandat LIFE		
11. Purpose of report - But du rapport												12. Date completed Date de rédaction 82 July 6					
A. <input type="checkbox"/> Transfer Transfèrement			B. Temporary Absence Absence Temporaire			<input type="checkbox"/> Escorted Sous escorte			<input type="checkbox"/> Rehabilitative Resocialisation			13. Operational Unit Unité d'opérations Carlton Centre					
<input type="checkbox"/> Parole L.C.			<input checked="" type="checkbox"/> Day De jour (5627)			<input type="checkbox"/> Unescorted Sans escorte			<input type="checkbox"/> Humanitarian Humanitaire								
			<input type="checkbox"/> Full Ordinaire			<input type="checkbox"/> Mandatory supervision Surveillance obligatoire			<input type="checkbox"/> Medical Médicale								
14. Work location - Pay level Endroit de travail - niveau de paye Dept. of Indian Affairs						15. Date of last C.A. Date de dernière E.C.			16. Med./Psych clearance required Certificat. méd./psych. requis <input type="checkbox"/> No Non <input type="checkbox"/> Yes Oui			17. T.A. experience - A.T. précédentes <input type="checkbox"/> No Non <input checked="" type="checkbox"/> Yes Oui <input type="checkbox"/> ETA Sous escorte <input type="checkbox"/> UTA Sans escorte					
18. Earned Remission during current sentence Réduction méritée de peine au cours de la peine actuelle <input type="checkbox"/> Earned remission Réduction de peine méritée <input type="checkbox"/> Full Entière <input type="checkbox"/> Partial Partielle						19. Institutional Offence Convictions during current sentence Condamnation pour infraction institutionnelle au cours de la peine actuelle <input type="checkbox"/> None Aucune <input type="checkbox"/> Yes Oui <input type="checkbox"/> Number - Nombre											
20. SUMMARY OF PROGRESS - RÉCAPITULATION DU PROGRÈS ATTEINT																	

The above-named resident was received at the Carlton Centre on March 29, 1982 and the following progress has been noted to date:

EDUCATIONAL

A couple of sessions were held with subject for the purpose of determining the precise level of academic standing. This testing, in part, was conducted by Canada Manpower. To date, it remains incomplete and subject is too anxious to attempt further testing, pending the final outcome of the judicial proceedings.

EMPLOYMENT

Subject is presently employed full-time for the summer months with the Department of Indian and Northern Affairs, working out in the field, doing an educational survey of native people.

PERSONAL DEVELOPMENT

Subject enjoys a social drink and occasionally imbibes (never to excess). He is learning, hard fought for, patience and general acceptance. In general subject has adjusted greatly to the free community and to date, nothing negative has transpired that I am aware of that could be classified as a hinderance to subject's progress. Subject enjoys many females' company and of late, is becoming very serious about one lady in particular. This relationship is currently viewed as positive for subject. Progress in this area, considering the length of freedom, under day parole, has actually been tremendous.

FAMILY

Regular contact is maintained via telephone and family members, as well as reserve members, coming to Halifax for visits, get togethers etc. To date, all have been positive.

TRANSFER

Full release as soon as possible.

LEISURE

This time is spent in the health field of sports participation, jogging, softball and spectator sports. Subject swims, go fishing, and camping on weekends during days.

DS

Name - Nom MARSHALL, DONALD JR.	FPS No. - N° S.E.D. 410491A	Inmate No. - N° du détenu 1997	Institution - Établissement Carlton Centre
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21. Appraisal - Évaluation

Our recommendations at this point are for a five and two day parole, sleeping in. In this case, subject would be seen at least three times in person during the five days in the community, and would sleep in the Carlton Centre the other two nights.

This request is being made at this point in time to help alleviate any unnecessary stress which subject is experiencing pending the final disposition of the current judicial inquiry. Subject will be closely monitored should the recommendation be granted, and this writer will keep abreast of subject's whereabouts and community involvements.

Should further information be required, please feel free to contact this writer.

GAPS:jw

DISTRIBUTION

- 1. NPB Moncton
 - 2. CSC Central Registry,
- Att: OIS

RECOMMENDATION: 5 and 2, sleeping in the Centre.

AUTHORITY: Jack Stewart, Superintendent, Carlton Centre.

PROPOSED SUPERVISOR: Gerald A.P. Smith, Counsellor, Carlton Centre

22. Recommendation - Recommandation

RECOMMENDATION: Five and Two day parole granted, (sleeping in two nights)

DS

Completed by / Complété par <i>Gerald A.P. Smith</i> Gerald A.P. Smith	Title - Titre Counsellor	Date July 6, 1982
Offender's signature Signature du délinquant	Date	Case Management Supervisor Surveillant gestion cas <i>Jack Stewart</i> Jack Stewart, Superintendent July 6 / 8

BOARD MEMBERS COMMENTS
OBSERVATIONS DES COMMISSAIRES

NAME - NOM MARSHALL, Donald	INSTITUTION/ÉTABLISSEMENT DE DÉTENTION Carleton Centre	P.P.S. - S.E.D. P.S. NO. - N° L.C. 410491A
NO. OF VOTES REQUIRED NOMBRE DE VOTES NÉCESSAIRES <input type="checkbox"/> 7 Grant/3 Deny	PANEL HEARING YES/oui <input type="checkbox"/> D'AUDIENCE NO/non <input checked="" type="checkbox"/>	DATE 13th July 1982

OBSERVATIONS/INSTRUCTIONS

VOTE: DAY PAROLE GRANTED (5 & 2)

COMMENTS: I have discussed this case at length with Jack Stewart at Carleton Centre and have decided to attempt to treat it as an ordinary lifer case. This is difficult to do, partly because by the time the Board's decision is made, the subject could be removed from our jurisdiction. (That is, if his lawyer is successful in his application for bail which is due to be heard on July 29th.)

The subject has a job with Indian Affairs and has acquired some rooms in Halifax where he spends time during the day and on his weekend passes. He has a girlfriend. He also has a "guide", assigned by his band, whose main job appears to be a buffer between the subject and the outside world.

He has begun to "chafe" under the restrictions of C.C.C. residence, and under the disappointment resulting from the slow process of getting his case into court. But apart from the late return to Carleton Centre on one occasion, he has honoured the conditions of his day parole very well.

If he is granted a five and two day parole he will continue to be seen almost daily by centre staff members.

CONFIDENTIAL:

I do have some concern that our "generosity" in granting day parole may have relieved the urgency with which the criminal justice system might otherwise have handled this case. In spite of that, however, I think he has earned an expansion of his day parole and we should not deny it except for reasons related to risk.

Mary Casey
MARY CASEY
BOARD MEMBER
NPB - ATLANTIC

*cc: CSC Halifax
Carleton Centre
agreed
23/07/82*

MC:kh

I agree that the indicated expansion is warranted

*Rehman
12 July 82*

*I agree
19 July 82*

*agreed
23/07/82*

*agreed
12/07/82*

*agreed
21 July 82*

*agreed
23/07/82*



COMMUNITY ASSESSMENT

ENQUÊTE COMMUNAUTAIRE

I. IDENTIFYING DATA - DONNÉES SUR L'IDENTITÉ			
1. Last name - Nom de famille Given names - Prénoms MARSHALL, DONALD	2. F.P.S. - N° SED 410491A	3. Inmate no. - N° du détenu 1997	4. Institution - Établissement Carlton Centre
2. Purpose of C.A. - But de l'E.C.			
A. <input type="checkbox"/> Penitentiary Placement Placement pénitentiaire	C. <input type="checkbox"/> Temporary Absence - Absences temporaire	E. Parole	
B. <input type="checkbox"/> Transfer - Transfert	<input type="checkbox"/> Escorted Sous escorte	<input type="checkbox"/> Day Jour	
<input type="checkbox"/> Institutional Institutionnel	<input type="checkbox"/> Unescorted Sans escorte	<input type="checkbox"/> Full Ordinaire	
<input type="checkbox"/> Supervision Surveillance	D. <input type="checkbox"/> Mandatory supervision Surveillance obligatoire	F. <input type="checkbox"/> Other Autre	
6. Special instruction - Directives spéciales			

7. Originator's Name - Nom de l'initiateur PAUL JEWERS	Title - Titre COUNSELLOR	District office/Institution Bureau de district/Établissement CARLTON CENTRE	8. Date requested Date demandée
II. RECEIPT AND REFERRAL DATA - DONNÉES AU SUJET DE LA RECEPTION ET DE LA RÉFÉRENCE			
9. Date received - Date de réception Y-A M-M D-J	10. Receiving office - Bureau qui reçoit la demande	11. Name of Agency if referred Nom de l'agence si référée à lieu	
11. Date referred (if applicable) Date référée (le cas échéant) Y-A M-M D-J	12. Date completed - Date achevée 82 08 27 Y-A M-M D-J		
III. CONTENT - CONTENU			

SOURCES OF INFORMATION:

1. Miss Karen Brown, Ogilvie Towers, Apt. 113, Halifax N.S. TELEPHONE: 429-6234.

Mr. Marshall has been recently granted a five and two release from the Carlton Centre. His long range plans include sharing an apartment with a young man who is confined to a wheelchair. It is Mr. Marshall's intention to assist this person, as he pursues studies at St. Mary's University. The two will share expenses of rent and food.

Presently, Mr. Marshall himself is employed with the Department of Indian Affairs. He states this job offers him the opportunity of using the time he has on his hands constructively.

As Mr. Marshall has yet to obtain accommodations with the above-mentioned individual, he will be residing for a week or two with Miss Karen Brown. This young woman (25) resides in a very good area of Halifax. She is employed with the Royal Bank of Canada in the capacity as secretary in the Personnel section at the main branch on Hollis Street in Halifax. Miss Brown has been employed at this place for the past five (5) years.

Miss Brown is very willing to accommodate Mr. Marshall for the two week period. She stated that she and Donald have become very close since his transfer to Carlton Centre. She has visited his family in Membertou, N.S. on two occasions.

. . . /2

MARSHALL, Donald Jr.

- 2 -

Miss Brown is the daughter of Mr. Garnet Brown, a well known political figure in provincial politics.

SUMMARY:


Miss Brown appears to be a very sincere, respectable young lady; who is genuinely interested in Donald Marshall's future. She is seen as a great asset in Marshall's bid to adapt to society.

: jw

DISTRIBUTION

1. NPB Moncton
 2. CSC Central Registry
- Att: OIS

Paul Jewers
Counsellor


f Jack Stewart
Superintendent
Carlton Centre

Amendment No.	Item No. Amended	Date	Issuing Institution (and code)
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221

PERSONAL AND SENTENCE DATE - To be completed by Inmate Records Officer:

1. Last Name MARSHALL		First Name(s) Donald, Jr.		2. Alias Will		APP No. 419011	
5. Releasing Institution (and code) Carlton Centre, Halifax, N.S.				6. Date of Birth Day Month Year 13 09 53		7. Date of Admission Day Month Year 26 06 72	
8. Date of Release Day Month Year 10 05 83							
10. Type of Release (a) <input type="checkbox"/> Expiration of Sentence (b) <input checked="" type="checkbox"/> Parole (c) <input type="checkbox"/> Death (d) <input type="checkbox"/> Mandatory Supervision (e) <input type="checkbox"/> Minimum Parole (f) <input type="checkbox"/> Exec. Clemency or Pardon (g) <input type="checkbox"/> Court Order in Force (h) <input type="checkbox"/> Court Order in Effect (i) <input type="checkbox"/> Court Order in Effect							
11. Money, Bonds, Sec. in Inmate's acc.		12. Pay Grade or Release <input type="checkbox"/> Grade 1 <input type="checkbox"/> Grade 3 <input type="checkbox"/> Grade 2 <input type="checkbox"/> Grade 4		13. Deportation <input type="checkbox"/> Being Deported			
14. Custodial (a) No. of Escapes		(b) No. of Attempts		(c) Force used vs pers. <input type="checkbox"/> Yes <input type="checkbox"/> No		(d) No. of days stat. remission lost	
(e) No. of days earned remission		(f) No. of days remission not earned		(g) No. of convictions by disc. board		15. Current Classification on Release <input type="checkbox"/> MED	
16. Signature of Clerk Inmate Records Officer: <i>Debbie Blackburn</i> Debbie Blackburn				Date D M Y 18 05 83			

MEDICAL DATE - To be completed by Hospital Officer:

17. Condition on Admission Fit Unfit Disabilities <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>				18. Condition on Release Fit Unfit Disabilities <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
19. Surgical Treatment Received <input type="checkbox"/> None <input type="checkbox"/> Cosmetic <input type="checkbox"/> Corrective <input type="checkbox"/> Both Cosmetic and Corrective				Explain:			

COMMUNITY CONTACTS - To be completed by Visits and Correspondence Officer:

21. Visits (over 1st Year of Sentence, in Quarters) <input type="checkbox"/> Nil <input type="checkbox"/> Q. # 1 <input type="checkbox"/> Q. # 2 <input type="checkbox"/> Q. # 3 No. No. No.				22. Inmate 18 05 83	
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TREATMENT AND TRAINING DATA - To be completed by Classification Officer:

23. Correctional Treatment									
	None	Diagnostic	Individual	Occasional Group	Both	Individual	Intensive Group	Both	Milieu Therapy
Classification Officer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Psychologist	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Psychiatrist	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24. Agency Contacts During 12 Months of Incarceration					25. Agency Contacts After Release				
(a) Public: Name and Address					(b) Private: Name and Address				
26. Address on Release (and Type of Residence)					27. Response to Program				
					<input type="checkbox"/> Actively Uncooperative <input type="checkbox"/> Uncooperative <input type="checkbox"/> Ambivalent <input type="checkbox"/> Cooperative <input type="checkbox"/> Actively Cooperative				
28. Prognosis <input type="checkbox"/> Good <input type="checkbox"/> Doubtful <input type="checkbox"/> Poor			29. Signature of Classification Officer						