

PAROLE BOARD OF CANADA
DECISION

OFFENDER INFORMATION :

Name : **LAZARRE, JULIEN NASEEM ABDALA YASIN**

FPS :

Institution :

FILE NO :

TYPE OF REVIEW :

- STATUTORY RELEASE - POST REL. (PANEL-VIDEO CONFERENCE)
- STATUTORY RELEASE - PRE REL. (PANEL-VIDEO CONFERENCE)

PANEL INFORMATION :

OBSERVER (S) PRESENT (except during deliberations) : **NO**

EXCLUDED FROM PART OF HEARING : NOT APPLICABLE

REASON : NOT APPLICABLE

ASSISTANT PRESENT: NO

ELDER /ADVISOR : NO

FINAL DECISIONS :

STATUTORY RELEASE - POST REL.

REVOKED

2024-06-25

STATUTORY RELEASE - PRE REL.

CHANGE CONDITION

2024-06-25

Special conditions, including residency, imposed on your next statutory release.

LEAVE PRIVILEGES :

LEAVE PRIVILEGE FOR STATUTORY RELEASE - PRE REL. - REGULAR

AS PER CBRF AND PBC POLICY

As per the rules and regulations of the community based residential facility or other location, not to exceed Parole Board of Canada policy.

SPECIAL CONDITIONS :



STATUTORY RELEASE - PRE REL.

Condition	Status
<ul style="list-style-type: none">• NOT TO CONSUME ALCOHOL Not to consume, purchase or possess alcohol.• DURATION OF THE CONDITION The condition will remain in effect for the duration of release.	IMPOSED
<ul style="list-style-type: none">• NOT TO CONSUME DRUGS Not to consume, purchase or possess drugs other than prescribed medication taken as prescribed and over the counter drugs taken as recommended by the manufacturer.• DURATION OF THE CONDITION The condition will remain in effect for the duration of release.	IMPOSED
<ul style="list-style-type: none">• RESIDE AT A SPECIFIC PLACE Reside at a designated community-based residential facility, community correctional centre or psychiatric facility approved by the Correctional Service of Canada and comply with all residence rules and regulations.• DURATION OF THE CONDITION The condition will remain in effect for the duration of release.	IMPOSED
<ul style="list-style-type: none">• NO CONTACT WITH CERTAIN PERSON Do not associate or communicate with any person you know or have reason to believe is involved in criminal activity, substance use or gang related activity.• DURATION OF THE CONDITION The condition will remain in effect for the duration of release.	IMPOSED
<ul style="list-style-type: none">• FOLLOW TREATMENT PLAN Follow treatment plan/program to be arranged by your parole supervisor in the areas of substance abuse, personal/emotional issues, and violence.• DURATION OF THE CONDITION The condition will remain in effect for the duration of release.	IMPOSED

PREVIOUSLY IMPOSED SPECIAL CONDITION(S) STILL IN EFFECT : NOT APPLICABLE

NEW INFORMATION SHARED WITH THE OFFENDER : NOT APPLICABLE

REASONS FOR DECISION(S) :

Type of Decision and Legal Criteria

The Parole Board of Canada (Board) reviewed your case by way of a video hearing to make a decision about the suspension of your statutory release.

To make its decision, the Board must determine whether you will present an undue risk to society by reoffending before the end of your sentence.

The Board notes there is information that has been withheld from you, according to subsection 141(4) of the *Corrections and Conditional Release Act* (CCRA). The Board has reviewed the information and is satisfied that withholding the information is necessary because disclosing it would be injurious to the public interest. The Board is further satisfied that the gist of the information provided to you in CSC reports is sufficient to provide you with an opportunity to respond.

Decision

Applying the legal criteria to your case, the Board revokes your statutory release.



Current Sentence

You are a 26 year old Indigenous federal offender serving a 2 year, 8 month and 23 day sentence for Possession of a Prohibited Restricted Firearm with Ammunition, Possession of a Firearm Knowing it is Unauthorized, Possession of Weapon Contrary to a Prohibition Order, Possession of a Weapon for a Dangerous Purpose, Obstruct Public/Peace Officer and Fail to Comply with Conditions of a Recognisance. The Correctional Service of Canada (CSC) refers to the offences as the 'index offences'. Your sentence started in August 2021 and a DNA order, forfeiture order, and lifetime weapons and firearms prohibitions were imposed.

In September 2019, police saw you and your co-accused enter the backyard of a residence. You were wearing a hoodie, gloves and sunglasses. When you and your co-accused saw the police officers you fled on foot. You were arrested after a foot pursuit. When you were arrested, police recovered drugs, cash, cellphones and an empty gun holster. Near where you were arrested, police also found a loaded handgun that had been reported stolen.

The sentencing judge identified aggravating factors as your criminal record, that your offending was escalating in terms of seriousness and violence, that you were on probation, and that the firearm was possessed in public. Mitigating factors were your young age and family support, that you did not use the gun, several Gladue factors, and your demonstrated commitment to pursue a pro-social lifestyle.

There are no victim impact statements in your file and the CSC criteria for 'serious harm' have not been met.

Criminal and Conditional Release History

You have an extensive versatile criminal history that started when you were young and which consists of convictions for drugs, property, breach, weapons, obstruction, threatening, assault and forcible confinement offences. You have also been charged with but not convicted of other offences.

Your Case Management Team (CMT) notes the severity of your offending has escalated over time. They also note you have a history of reoffending soon after being released from prison. Further, your CMT submits that you have demonstrated a willingness and capacity to use violence and notes some of your offending has resulted in serious harm.

You have a poor community supervision history. You have several breach convictions and you were on probation when you committed the index offences. You were released on bail after a couple of months in remand custody but returned to remand custody fairly soon after being granted bail.

Systemic and Background Factors

You are Indigenous. Your mother is a member of a First Nation in British Columbia (BC) and your father was from Kenya. Your father was murdered by your mother's former partner when you were one year old and you were raised by your mother, who struggled with substance issues. The First Nation community where you were raised was also unhealthy. While you claim you were not abused, you witnessed your mother being abused and other family members being assaulted. Your mother's parents went to residential school. You lived in poverty, were often hungry, and were bullied in school. You quit school [REDACTED]



██████████ You have also struggled with mental health issues. You left home when you were 14 and lived a primarily transient lifestyle.

It is clear that you have been negatively impacted by the government's colonization policies, including the residential school system. The Board has therefore considered the Gladue principles and its obligation to be attentive to the systemic barriers and discrimination that you have faced and which have contributed to your involvement in the criminal justice system. However, the Board must also consider that the paramount consideration in all Board decisions is protection of society.

Actuarial Risk Measurements and Psychological Assessments

Because you are Indigenous, CSC does not use the Statistical Information on Recidivism (SIR) scale. Your score on the Criminal Risk Index (CRI) places you in the group of male offenders where 37% of such offenders reoffended within 3 years of release.

You do not meet the CSC criteria for a psychological risk assessment.

Progress Prior to Current Statutory Release

Your institutional behaviour was concerning. You were incarcerated at a maximum security institution where you were involved in the institutional subculture. You were also aggressive and threatening towards correctional staff and disobeyed rules and directions. You were also found in possession of contraband, including a shank.

You completed the Primer Program in October 2021. Although you were often late for the program sessions, you were a respectful and positive participant.

You were released on statutory release to a community residential facility (CRF) in the lower mainland in June 2023 however your release was suspended the first day when it was discovered you had been picked up at the institution by a parolee who was unlawfully at large (UAL). Your statutory release was revoked in November 2023.

Brief Description of Board Decision Leading to Current Release

The Board imposed the following conditions on your statutory release: reside at a specific place; not to consume alcohol; not to consume drugs; not to associate or communicate with any person you know or have reason to believe is involved in criminal activity, substance use or gang activity; and follow treatment plan in the areas of substance abuse, personal/emotional issues, and violence. Leave privileges were authorized.

Progress on Statutory Release

You were released from a maximum security institution to a CRF in the lower mainland ██████████
██████████ You were referred to the Community Program (CP), an employment counsellor, the Indigenous Community Liaison Officer (ICLO), and an Elder. You were on the opiate substitution therapy (OST) program but you told your CMT that you did not feel you needed the substitution medication so you did not attend the pharmacy to arrange for a renewal of your prescription. You met briefly with the ICLO and Elder. You were encouraged to attend temporary employment agencies and were on the waitlist for the CP.



Suspension

On January 24th, 2024, you signed out of the CRF to go to a restaurant. A few minutes before your curfew you called the CRF to report that you were waiting for a taxi. CRF staff told you to call when you got into the taxi but you never did. The National Monitoring Centre (NMC) was contacted and gave you some leeway to return, but when you did not return warrants were issued. The police department's high risk offender unit and Crimestoppers were notified. You were UAL for approximately three months.

You were arrested on April 25th, 2024. According to information supplied by police, police officers saw you riding a bicycle and tried to stop you. You did not stop and tried to flee but you were arrested in the next block. You provided the police with a false name and struggled while you were being handcuffed. When you were being transported in the police wagon the officer driving the wagon noticed you were "fiddling" with the handcuffs and trying to move them from your back to your front. When you got out of the wagon you had one of your shoes in your hand and threw it into a garbage bin. The shoe was recovered and pieces of a handgun were found in the shoe. When you were strip searched at the jail, a spring that police believe is also associated with a gun was found in your rectum.

Police have advised that they will be recommending new criminal charges for UAL, Obstruction, Resisting Arrest and Possession of a Prohibited Weapon.

Post-Suspension Interview

You refused to talk about the items that were found in your possession that police suggest were parts of a gun, but you did state that you went UAL because you were going to be late for curfew so you decided to go UAL because you knew you would be in trouble anyway. You denied committing any crimes while you were UAL. You said you made money by reselling items you bought at a flea market. You said you slept on the street and spent most of your time alone. You admitted using "all types of drugs" while you were UAL.

Behaviour Since Return to Custody

After your suspension you were returned to your former maximum security institution. You were assaulted by three inmates on May 3rd, 2024. You were stabbed several times and had to be airlifted to a hospital. Your CMT indicates the motive for the attack is not clear. When you were discharged from hospital you returned to the institution and approval was given for you to reside in the Structured Intervention Unit (SIU) at the maximum security institution for your own safety. You subsequently transferred to your current medium security institution.

Release Plan

Your CMT screened you for several CRFs in the lower mainland and you have been accepted at one CRF. Your warrant expiry date (WED) is currently scheduled to occur in approximately one month although the Board notes you may be facing additional charges. You have indicated you are willing to participate in programs. You will be referred to the CP, an employment counsellor, the ICLO and an Elder. You may also participate in the Warriors Against Violence Program.

CSC's Recommendation

Your CMT notes that you went UAL for over three months and while you were UAL you used drugs. Your CMT notes that you advanced significantly in your crime cycle and that your risk is no



longer manageable in the community. The recommendation is therefore to revoke your statutory release.

If your statutory release is revoked, your next statutory release date is imminent. CSC recommends a residency condition and four other special conditions on your next statutory release. Leave privileges are supported.

Submissions

You have indicated you do not want to provide any written comments.

Hearing Summary

Your Community Parole Officer (CPO) reviewed the reasons for your suspension and the recommendation to revoke your statutory release in a manner that was consistent with file information. Your institutional parole officer (IPO) read from a report submitted by the IPO at your former maximum security institution that indicated once you transferred to the SIU you refused to participate in a program after attending one session but you spend time in the yard and are respectful to staff. Your IPO also said that there have been no concerns at your current institution.

You told the Board that the information provided by police indicating you were in possession of a gun or parts of a gun when you were arrested is not correct. The Board is faced with discordant information so the Board is not placing any weight on the assertion that you had a gun or parts of a gun when you were arrested. The Board also finds that the issue of whether or not you had a gun or parts of a gun is not determinative to an assessment of your risk at this time.

You admitted going UAL because you thought you would probably be breached anyway if you got back to the CRF past curfew. You also admitted using drugs and denied committing any crimes. You said you spent time with family, which is contrary to what you said at the post suspension interview when you said you spent most of your time on your own. You further said that you do not know why you were stabbed after returning to prison, but you said it was a “misunderstanding”.

You told the Board that during your sentence you worked with an Elder in the institution and also attended some ceremonies. You further said that you met with the Elder in the community before you went UAL.

When asked about your release plan, you appeared to be under the impression that you can stay in prison until your WED. When the Board clarified that you will be on statutory release again for a short period of time, you said you are prepared to return to the same CRF. You said that your longer term plan (after your WED) is to go to school and reconnect with your family and home community.

Analysis and Conclusion

After reviewing your file and listening to what was said at your hearing, the Board finds that you knew the conditions of your release and that your breach of your conditions and decision to go UAL were within your control. You were only in the community for approximately two weeks before making a decision that returned you to your offence cycle. Instead of returning to the CRF after curfew to deal with the consequences, you made things worse by going UAL and remaining UAL for approximately three months. Further, when you were UAL you used drugs, which further elevated your risk to reoffend. When you were UAL, your CMT was clearly unable to effectively manage your release because they did not know where you were or what



you were doing. Further, when you were arrested you tried to flee and when you were arrested you gave police a false name. Although not confirmed, it also appears you may be facing some new criminal charges.

When considered in light of your index offences, extensive criminal record and poor community supervision history, the Board finds that your decision to go UAL and remain UAL for approximately three months, and to use drugs while you were UAL, elevated your risk to reoffend to an undue level, where it remains because you have yet to engage in any intervention programs.

Based on these factors, the Board finds your risk to reoffend is currently undue and the Board revokes your statutory release.

Residency Condition and Other Special Conditions on your Next Statutory Release

To impose a residency condition, the Board must be satisfied that, without a residency condition, you will present an undue risk to society by committing an offence set out in Schedule I of the *Corrections and Conditional Release Act* (CCRA) or under section 467.11, 467.12 or 467.13 of the *Criminal Code* before the end of your sentence.

The other special conditions must be reasonable and necessary for the protection of society and assist with your reintegration as a law-abiding citizen.

With regard to the residency condition, the Board finds that you meet the criteria. Although the index offences were not physically violent, you were in possession of a loaded firearm that had been stolen. Your criminal history also includes violent and weapons offences. You have been convicted of several Schedule I offences including two robberies, assault causing bodily harm and aggravated assault. You have also been convicted of threatening and forcible confinement. Further, you have a poor community supervision history and your CRI score places you into a high risk category to reoffend. Your statutory release during your current sentence has been revoked twice (including your current revocation) and you have no alternative accommodation plans that are viable. Based on these findings, the Board is satisfied that, without a residency condition, you will present an undue risk to society by committing an offence listed in Schedule I of the CCRA before the end of your sentence. A residency condition is therefore imposed.

Although you have limited community support in your release area, the Board notes that CSC completes due diligence prior to issuing leave passes. Since participating in overnight leave passes assists reintegration and CSC only grants passes once they complete their due diligence, leave privileges are authorized as per CCC/CRF rules and regulations, not to exceed Parole Board of Canada policy.

The Board also imposes the following special conditions on your statutory release because they are reasonable and necessary to protect society and facilitate your successful reintegration into society.

- 1) Not to consume, purchase or possess alcohol.
- 2) Not to consume, purchase or possess drugs other than prescribed medication taken as prescribed and over the counter drugs taken as recommended by the manufacturer.



The abuse of alcohol and drugs has contributed to your offending and any use of such substances will increase your risk to reoffend, so you must not use such substances.

- 3)
- Do not associate or communicate with any person you know or have reason to believe is involved in criminal activity, substance use or gang related activity.

You have committed offences with accomplices and have a history of associating with people involved in criminal activity or the misuse of substances, and such associations have contributed to your offending. Associating with people you know or reasonably believe are involved in criminal or gang activity or the misuse of substances will increase your risk to reoffend, so you must avoid such people.

- 4)
- Follow treatment plan/program to be arranged by your parole supervisor in the areas of substance abuse, personal/emotional issues, and violence.

You have not yet completed recommended programming. Programs or other forms of intervention to address your substance abuse, use of violence and emotional challenges will help you develop skills to manage these risk related areas, which will reduce your risk to reoffend.

All special conditions, including the residency condition, are imposed until the end of your sentence because they apply to current risk factors and your sentence is scheduled to end in approximately one month. The Board may however remove or modify any special conditions upon receipt of a request from you or recommendation from CSC.

DECISION(S) AND VOTES :

STATUTORY RELEASE - POST REL.

REVOKED

2024-06-25

Board Member	Vote	Vote Date
MACKENZIE, I. F.	REVOKED	2024-06-25

STATUTORY RELEASE - PRE REL.

CHANGE CONDITION

2024-06-25

Board Member	Vote	Vote Date
MACKENZIE, I. F.	CHANGE CONDITION	2024-06-25

SIGNATURES :

MACKENZIE, I. F.

Board Member Signature Date