

Sample Chapter

ACTS OF DARKNESS

DURVILE

BOOK 13

TRUE CASES
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NOTORIOUS CRIMINALS
THEIR DEFENDERS
PROSECUTORS
& JAILERS

JOHN L. HILL

FOREWORD BY SALVATORE CARAMANNA

ACTS OF DARKNESS

Sample Chapter



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Sample Chapter

ACTS OF DARKNESS

JOHN L. HILL

Foreword by
Salvatore Caramanna



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Sample Chapter

To my wife, Roxann
On the occasion of our
thirtieth wedding anniversary

Sample Chapter

ACTS OF DARKNESS
JOHN L. HILL

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Chapter 5

Jason Cofell

Stark Acts of Vigilante Justice

*Beware that,
when fighting monsters,
you yourself do not become a monster.*

—Barry Eisler, *The Night Trade*

WHEN WE THINK of drugs and the law, our minds often turn to traffickers and users. Rarely do we associate violent crimes with those who claim to be preventing the spread of illicit narcotics. Yet, in the shadows of that moral high ground lies the story of Jason Cofell—a man who committed unspeakable acts in the name of stopping drug trafficking. His crimes raise an unsettling question: What happens when the fight against darkness becomes a path into it?

By the early 1990s, Canada's drug problem had seeped beyond the borders of its cities. Small towns and rural communities—once seen as wholesome and untouched—were not immune. What would later be called “the opioid crisis” had already begun to unravel quietly across these landscapes. By far the most common street opioid in the 1990s was heroin. It was usually injected, but it could also be snorted or smoked. It could also be mixed with cocaine and injected. The drug was often referred to by slang like smack, H, or horse. It was addictive and expensive. Its users were not confined to big cities. It was everywhere.

Everybody knew it existed, but it was a dirty little secret that seldom made the news. In small centres, drug busts happened, but few were willing to discuss it in the media. It might spoil the locals' reputation for their quiet, rustic surroundings. Yet, when they gathered at coffee shops or bumped into one another on the street, the discussion often turned to the syringes found in an alleyway or to homeless youth disturbing local businesses. Beneath it all, the persistent pulse of addiction—the hunt for the next heroin fix—pushed quietly through the community.

In the 1990s, community newspapers gave no indication of a looming crisis—there was little to no public discussion of what would later become a significant social problem. Fast forward to 2019, when a CBC report shed light on the scale of substance use in the region over the previous decade. The report, authored by Teresa Bendo, Director of Public Health, confirmed what many had suspected but few had spoken aloud: between 2000 and 2020, hospital visits for opioid poisoning among Chatham-Kent, Ontario residents had risen by 225 percent, and hospitalizations by 45 percent. These figures point to the early undercurrents of an opioid crisis that had gone largely unrecognized during the time period covered in this story—except by an underground group of young men whose actions, sadly, resulted in three homicides that greatly shocked the rural area. Indeed, the murders shocked the whole of Canada.

If the police couldn't eliminate the drug problem, could ordinary citizens succeed where authorities had failed? In the Ontario town of Chatham, a covert group stepped in—not as vigilantes, they insisted, but as public servants. Among the earliest of these anti-drug efforts was a group called the Orion Foundation, founded by Jason Shawn Cofell.

Cofell, then a high school student, claimed the inspiration struck during a trip to Toronto in the late 1980s. While visiting the city with his parents for a horse show, he somehow found himself alone in a bar—despite being underage—where he met a man who said he was a drug enforcement officer. What followed was, by Cofell's own account, extraordinary.

He said he witnessed the man being shot, presumably by opioid traffickers, though the injuries weren't fatal. Cofell claimed he transported the wounded man to a warehouse to help him, and the next day, met with him again. The officer, he said, urged him to return to Chatham and form a group to combat the local heroin drug trade.

Inspired by this experience, Jason Cofell founded the Orion Foundation. Though he had no background in mythology, he saw himself as a modern-day disciple of the Furies—the Roman goddesses of vengeance. He embraced the mission with near-religious zeal, determined to correct what he saw as society's failings. This would seem to mark the beginning of Jason Cofell's radicalization. He felt he was doing as instructed by a police officer and was intent on cleaning up the drug trade he perceived was harming his community. It also allowed him to be seen as a leader.

Maybe he or a group led by him could do what the police could not do. They could rid the country of drug dealers who were such a curse on his community. To achieve his goal, he would need followers, and he would need guns. He knew by the action taken against the drug enforcement officer that he could not do this alone. He would need loyal followers.

Cofell returned home and did as he was instructed. He wrote up a Charter containing rules to be obeyed and recruited other grade 11 and 12 students. They formed a paramilitary-style militia group to train the members in procedures and tactics. The target of their aggression was drug traffickers. Once started, the group set out to purchase guns from the United States. The local war on drugs had begun.

Recruitment came easily. Cofell attended a high school that hosted a military reserve group, and he joined the reservists, believing the experience would benefit his covert involvement with the Orion Foundation. While serving in the Essex Kent Scottish Militia Regiment, he became acquainted with military codes of conduct. Although he adapted readily to the discipline expected in paramilitary operations, he received consistently poor evaluations regarding his performance, deportment, and dress.

The Essex Kent Scottish Militia, which included several of Jason Cofell's classmates, offered him a sense of structure that had been largely absent in his upbringing. He lived with his parents and a younger brother, but the household seemed unaware of the depth of conflict and alienation he experienced as he transitioned from boyhood to adulthood. His parents remained oblivious to signs of trouble: a noticeable decline in academic performance, influenced in part by his growing obsession with "Dungeons & Dragons"; a steadily expanding cache of firearms; and an intense fascination with military drills and tactics. Cofell often boasted that he was the highest-ranking officer in the Orion Foundation for nearly three years—without ever disclosing that he had founded the organization himself. His frequent target shooting drew no concern.

His school attendance was minimal, and his marks declined significantly. By September 1991, he considered dropping out of school. He could get gainful employment in the military reserve as a machine gunner. Although he wanted to be a soldier, his main ambition was to stamp out drugs.

Today, Canadians are familiar with alt-right groups such as the Proud Boys. This exclusively male North American far-right neo-fascist organization promotes and engages in political violence in the United States, such as the January 6, 2021 Capitol insurrection. In the late eighties and early nineties, Canadians had no such frame of reference. The public could

appreciate street gangs, but young men, especially those connected to Canada's armed forces, were respected even if some members fervently wanted to rid the streets of drug users and sellers by brutal means.

In the fall of 1991, Alfred and Virginia Critchley moved from Newfoundland to Chatham, Ontario. Virginia Critchley had a son, Richard Pangburn. Richard lived in Chatham with his wife Constance, who was usually called Connie, and their children, Julie and Jasen. Alfred and Virginia were in their seventies and had minor health issues. Living with the Pangburns would provide them some security in their elder years.

The Critchleys hoped the move would offer a better opportunity to build a relationship with their grandchildren—an incentive that led them to take up residence with the Pangburns. One of the first things they observed about their grandson, Jasen Pangburn, was his deep involvement in extracurricular activities, which often kept him preoccupied. While attending Chatham Kent Secondary School, Pangburn developed an interest in the local militia, encouraged by several friends already involved.

He formally enlisted on March 28, 1989. Soon after, Pangburn obtained a Firearms Acquisition Certificate, which allowed him to legally purchase a number of firearms and ammunition. He regularly invited fellow militia members to join him for target practice in a wooded area near the Thames River, just east of the family home. Within the household, Jasen was known to proudly display his growing collection of firearms—stored in his upstairs bedroom—to his male peers. Among the weapons, he showed particular pride in an AK-47, a gas-operated assault rifle that symbolized, for him, a kind of authority and identity.

Jasen Pangburn and Jason Cofell met through their association in the Essex Kent Scottish Militia Regiment. Jasen Pangburn shared Jason Cofell's interest in firearms but disliked what he saw as Jason Cofell's illegal means of acquiring them. Jason Cofell was envious of Jasen Pangburn's AK-47.

In late 1990, Chatham Police Service received information from a "reliable source" that Jason Cofell was dealing with stolen guns. Detective Fred Lachine of the Chatham Police Service followed up on the tip by interviewing Jason Cofell. During the interview, he inadvertently let it slip that the informant had the first name "Jasen." Cofell immediately assumed the snitch was Jasen Pangburn. After that, the two never really got along. The relationship further cooled when Cofell overheard Pangburn discussing how reports can be made to Crime Stoppers. To Jason Cofell, this was all the proof he needed that Jasen Pangburn was the rat. Cofell vowed to other friends that Pangburn was going to get it.

To Jason Cofell, his desire to rid the countryside of drug dealers ranked first on his objectives. One disloyal member of his militia should not spoil his attainment of his goal. Action needed to be taken to ensure drug trafficking was forbidden, even if it meant breaking other laws. Jason Cofell was on the hunt to rid himself of the irritant known as Jasen Pangburn.

By the end of September 1991, Jasen Pangburn was running low on cash and decided to sell some of his firearm collection. Jasen took some of his collection to the armouries, announcing his intention to part with some of his collection. Cofell saw the guns and wanted them badly.

Shortly after, a man, now believed to be Jason Cofell, partially dressed in camouflage clothing, stopped by the Pangburn residence. He was met at the door by Constance Pangburn, Jasen's mother. The man introduced himself as "Jason." He asked to see "Private Pangburn." The mother directed Jason to the backyard where Jasen Pangburn was helping his father.

There was a conversation, but the content was never revealed. Jasen Pangburn told his mother that he did not like the visitor and that the guy was crazy.

On October 6, 1991, Jarrod Zimmer and another friend were with Jason Cofell, returning from Toronto. Cofell pulled his truck into the Pangburn driveway. Jason Cofell pulled a handgun from the glove compartment of his truck and put it in his jacket pocket. He approached the house and then went to the backyard. Cofell returned almost immediately. He told his buddies that there were too many people around and that he would have to “do him some other time.”

One week later, Cofell met with Zimmer and three others. This time, Cofell is more explicit about wanting revenge. A discussion ensued on the best way to kill Pangburn. Cofell suggested it could be done in a gangland style by entering the house and slaughtering all the occupants.

Everything came to a head on October 18, 1991. Constance Pangburn left home for work at 7:45 a.m. while her husband Richard was away on business. Jasen Pangburn was off to school at Chatham Kent Secondary School while his grandparent, Alfred Critchley, was recovering from surgery at home with his wife, Virginia Critchley.

Jason Cofell attended Pines Secondary School but left at two in the afternoon. Jasen Pangburn left school at about a quarter past three that afternoon, along with a boy we'll call Daniel C. Daniel. Daniel C. wore a Pittsburgh Penguins hockey shirt, an unusual sight in a town where almost everyone cheered for the Toronto Maple Leafs or the Detroit Red Wings.

Daniel C. and Cofell met up at a variety store. Cofell said he intended to sell a shotgun and invited Daniel to accompany him, although he did not specify where they were headed. The two ended up at the Pangburn residence sometime between four and four-thirty. Jasen Pangburn was led to Cofell's truck and was shown the shotgun Cofell said he wanted to sell. Cofell

also displayed a .22 calibre handgun capable of firing nine shots. The three young men seemed fascinated by that weapon and proceeded to the wooded area to take some practice shots. A neighbour spotted the three, including the one with the unusual hockey sweater, headed into the bush around four-thirty.

Daniel took the fully loaded pistol and fired three rounds into a tree. He handed it to Pangburn, who did the same. When the gun returned to Cofell, he fired two shots—then turned and aimed the final round at Pangburn's chest.

Pangburn, wounded, tried to flee. He ran a short distance before Cofell struck him in the head with the butt of the pistol, dropping him. Cofell and Daniel dragged him into a heavily wooded area. "Why did you shoot me?" Pangburn asked. Cofell replied, "Because you pissed me off," then kicked him repeatedly in the chest and smashed an empty wine bottle over his head. Finally, he crushed Pangburn's skull with a large rock. Cofell left the body covered with dirt and leaves, warning Daniel to stay silent and obedient—or his family would be next.

But killing Pangburn was only a means to Cofell's true goal: acquiring Pangburn's guns. He had justified the violence as part of a mission to fight heroin trafficking—a claim that made the brutality all the more disturbing. Back at the truck, Cofell handed Daniel a knife and ordered him to conceal it up his sleeve, ready to use when called. They knocked on the door of the Pangburn residence. Mr. Critchley answered. Told that Pangburn's grandfather was expecting him home soon, the men were invited inside. They waited for over fifteen minutes—until the grandfather went to the bathroom.

It was when the two men were alone with Virginia Critchley that Cofell issued his order to stab the grandmother. "Remember what I told you. You don't do this; you're dead."

Daniel C. inflicted three shallow wounds on the older woman. Those stab wounds, it was later determined, would not be life-threatening. Cofell grabbed the knife and thrust it deeply

into Mrs. Critchley's throat and neck area. She dropped to the floor. Mr. Critchley was coming out of the bathroom when he was stabbed three times in the chest by Cofell. He fell backward and, in doing so, disconnected the bathroom clock. It read 5:12 p.m.

With no witnesses, the men took Jasen Pangburn's gun collection from upstairs. For good measure, they also stole Mr. Critchley's wallet, money, and identification.

They spotted a woman on a bicycle when they departed the Pangburn residence. It was Jasen's mother returning home from work. Had she spotted Cofell's truck? The men considered returning to the crime scene and giving Constance Pangburn the same treatment. Fortunately for her, a police cruiser was parked on the side of the road near the Pangburn home. Cofell and Daniel C. could not take the chance.

Jason Cofell did not seem troubled by the killings. After the murders, Cofell spoke with his friend Mark Foster. Foster recalled Cofell telling him that when Pangburn agreed to go to the ravine to shoot the pistol, Cofell reacted, "Good. He's taking us to a place where I can kill him silently." Cofell claimed to be fighting heroin crime—but his actions were nothing short of calculated executions.

When Connie Pangburn arrived home from work, she discovered the Critchleys in pools of blood and immediately summoned the police. Virginia Critchley was still alive and trying to speak. When asked who had harmed her, her dying words were to raise two fingers and whisper, "Boys."

Inside the house, police noted that Jasen's guns were missing—and so was he. The immediate suspicion was that Jasen had killed his grandparents, stolen their weaponry, and fled the scene.

Police continued the search outside with the help of a canine unit. Neighbours were questioned. From the responses, it was learned that three young men had been seen crossing the road to enter a nearby ravine at about 4:30 p.m. It was also reported that a uniquely coloured truck had been parked in the driveway.

Later in the evening, the police dog led its handler to the location of Jasen Pangburn's remains. Jasen's parents were distraught about the loss of their son and the Critchleys. The entire community could not recall such violence. A triple homicide had everyone on edge.

In trying to follow up on the leads provided, Connie Pangburn recalled that the man dressed in military garb, who was asking for Private Pangburn days before, had driven up in the uniquely coloured truck. Further tips led police to question Daniel C. about his ownership of a Pittsburgh hockey sweater. Although he denied it or claimed it was lost, his story was unconvincing.

A few days after the killings, Jason Cofell reported a break-in and stolen weapons at his parents' home in Paincourt, a small village near Chatham. The timing—two thefts of gun collections within days—raised suspicion. Police attended the Cofell residence, but something felt off. Ontario Provincial Police (OPP) Constable Philip Wong was assigned to investigate. Jason and his father met him at the door, and Jason handed over a list of allegedly stolen items: several firearms, some jewellery, and coins.

But the details didn't add up. There were no signs of forced entry. A key had been left in the door, and valuables like the stereo, television, and jewellery in the parents' bedroom were untouched. Despite limited evidence, police arrested Jason Cofell and two youths. But to make the charges stick, they would need more.

Police received permission from Jason's parents to search the property. The Cofells lived on a farm, and the expectation of the police that anything would be found seemed miniscule. Yet, upon searching the barn, police found a treasure trove of stolen goods. Not only did they find Jason Cofell's reportedly lost collection, but they also found the guns that had been taken from Jasen Pangburn's bedroom. The stash included

Alfred Critchley's wallet and ID. OPP Constable Glen Hall found the guns, knives, and more than 630 rounds of ammunition. Most importantly, they found the nine-shot pistol used in Jasen Pangburn's murder.

Jason Cofell, was charged on November 1, 1991, with three counts of first-degree murder in the deaths of a fellow militia member and the slain man's grandparents. The charges were laid just two weeks after the killings occurred.

Cofell "was an average 18-year-old," according to his militia commanding officer. "He's a typical citizen, and there's nothing in his file to indicate otherwise," said Lt.-Col. Hardy Wheeler of the Essex and Kent Scottish Militia when asked about Cofell, one of 180 young men under his command.

Provincial police investigators told the media that another arrest in the murders was expected soon but refused to give details. Subsequently, Daniel C., then 15 years old, was arrested and charged under the Young Offender's Act with the second-degree murder of Virginia Critchley. He made a full confession and received a maximum sentence of three years. Another 15-year-old who had helped dispose of the guns was also charged as an accessory after the fact and received a two-year suspended sentence.

The police interviewed Cofell. In the interrogation, Cofell detailed how he had killed Jasen Pangburn by chasing him as he ran, hitting him over the head with the butt of a gun. He also told police about stabbing Alfred Critchley, watching him fall, and hitting his head on the bathroom sink. He described Virginia Critchley lying on her back, bleeding, and uttering the words, "I'm okay. I'm okay."

Cofell told Virginia that he understood and that she "would be [okay]" as he slit her throat. The interviewing police officer was shocked by the forthright admission. "Why would

you kill two innocent old people?” he asked. Jason Cofell’s response was, “Nobody’s innocent.”

Jason Cofell hired David Jacklin, a well-regarded criminal defence lawyer. The trial proceeded in November 1992.

Before the trial, Jacklin arranged for Jason Cofell to undergo a psychiatric fitness assessment to ensure he was capable of standing trial. The evaluation was conducted by psychiatrist Dr. Balbhadar Sood, who concluded that Cofell was fit. However, Dr. Sood’s report noted that Cofell operated within a distorted internal world shaped by “grandiose, paranoid, and persecuting ideas.” These delusions allowed Cofell to justify any actions he deemed necessary to eliminate individuals or institutions he believed were obstructing or violating his self-assigned mission. Dr. Sood suggested that this mindset may have stemmed from an insidious form of mental illness that had been gradually developing since Cofell’s adolescence.

Several reports at the Mental Health Centre commented on Cofell’s superior intelligence levels and ability to maintain good interactions with co-patients. But when it came to discussing the murders, he presented as exhibiting some form of amnesia and blamed his co-accused, Daniel.

Another psychiatrist, Dr. Angus McDonald, diagnosed Cofell with a mixed personality disorder, marked predominantly by antisocial and narcissistic traits, with additional obsessive features. In his assessment, Cofell was “strikingly devoid of ordinary moral sensibilities”—a chilling clinical observation that underscored the darkness of his psychological disturbance. Yet, despite these troubling characteristics, expert psychiatric opinion could not establish that Cofell suffered from a mental disorder severe enough to meet the legal threshold for not criminally responsible (NCR)—that is, a disease of the mind rendering him incapable of understanding the nature of his actions or knowing they were wrong.

With no basis for an NCR defence, David Jacklin, Cofell's lawyer, focused instead on mitigating the outcome of a mandatory first-degree murder conviction. His primary goal became securing a fair trial and minimizing the impact of local publicity that could bias jurors. He successfully petitioned for a change of venue, moving the trial from Chatham to Goderich, a town approximately 140 kilometres to the north.

The evidence against Jason Cofell was substantial. At the outset, he pleaded not guilty to three counts of first-degree murder, but guilty to the lesser included offence of second-degree murder. Defence counsel David Jacklin had assessed the situation and concluded that Cofell's only chance of avoiding the mandatory sentence for first-degree murder—life imprisonment without parole eligibility for twenty-five years—was to admit to the killings and argue for a reduced period of parole ineligibility. However, Crown Attorney Paul Bailey rejected the plea, and the trial proceeded on all three first-degree murder charges.

The case was heard before Justice James Donnelly of the Ontario Court (General Division) [now the Ontario Superior Court of Justice] and a jury in the first week of November 1992. In his opening statement, Bailey told the jury that in October 1991, 77-year-old Alfred Critchley, his 73-year-old wife Virginia, and their 19-year-old grandson Jasen Pangburn were brutally murdered. He stated that Jason Cofell “participated directly in every one of these murders,” motivated by the belief that Pangburn had “ratted on him” to police about his suspected involvement in trafficking stolen firearms.

The Crown Attorney further illustrated the dark and deliberate manner in which Cofell acted. He told the jury that they would hear how Cofell had attended the Pangburn home in Chatham in September 1991 with a loaded .22-calibre

revolver but refrained from using it because “there were too many people around.”

The Crown was then obligated to prove its allegations by presenting evidence through exhibits and oral testimony. As the trial continued, more than one hundred exhibits were entered, essentially the findings of incriminatory material obtained in search of the Cofell barn. The most damaging was the production of Alfred Critchley’s wallet and Jasen Pangburn’s silver ring.

As the trial progressed, jurors heard the testimony of Constance Pangburn, the dead boy’s mother. She recalled how she returned home from her job at a Chatham daycare centre. She found it strange that the house’s entrance door was open, although it was usually kept locked. When she entered, she saw Virginia Critchley lying on the kitchen floor in a “huge pool of blood.” Her eyes were still open, and she had “a wound in the throat that pulsated open and shut, but there was no blood coming out.” Constance grabbed the phone but found it did not work. She leaned over Virginia and asked, “Who did this?” She repeated what she had told police: Critchley raised two fingers. Pangburn asked if it was men who did this. The dying woman was able to utter the word “Boys.”

Constance then found a severely injured Alfred Critchley in the bathroom. Even in the horror of the situation, Constance recalled seeing a police car parked a block and a half away. She left the house on her bicycle to seek the police officer’s assistance. Constance and the officer returned to the home, and a police radio call summoned emergency crews to attend. Virginia died in the ambulance on the way to the hospital, and her husband died on the operating table shortly after that.

Even more dreadful for Constance was the news she received the following day. She and her husband believed that their son Jasen was away on a weekend camping trip. The young man’s parents were told of his death as well.

The jurors heard from Dr. Marvin Oxley concerning the autopsy performed on Virginia Critchley. Eleven wounds on her arms, hands, and fingers were regarded as defensive wounds, five cuts to the right side of her neck, and two cuts that severed her jugular vein caused her to bleed to death.

OPP Constable Philip Wong was called to describe the investigation after a break-in was reported at the Cofell home. He told of going to the basement accompanied by Jason Cofell's father. Jason seemed calm and asked if there was any way he could help in the investigation.

Sixteen-year-old Jarrod Zimmer told the jury of the visit to the Pangburn home in September. "We thought he was going to kill Jasen Pangburn," Jarrod said, recalling how Cofell had removed a handgun from the glove compartment of his truck and walked alone up the Pangburn driveway. Cofell briefly rejoined Zimmer and his friend and put the gun back in the glove compartment. Zimmer testified, "he said there were too many people back there.... We'll have to come back and do it later."

Eighteen-year-old Steven O'Rourke told the jury about a conversation with Cofell hours after the killings. "He said he had rolled a person by the name of Jasen Pangburn," and explained that to "roll" he understood to mean "to kill someone." He also described the details that Cofell recounted about the murders. The court also heard from another eighteen-year-old, Mark Foster, who detailed Cofell's admissions to him about killing Jasen Pangburn and Jasen's grandparents.

When the calling of Crown evidence concluded, the Crown Attorney forced home his contention that the murders were premeditated. "These plans were foolish; they were brutal, they were senseless, but they were planned," Paul Baily argued.

The defence tried to raise doubt about planning and deliberation. It was noted that he wrote detailed plans for almost every other aspect of Cofell's undertakings. Cofell had

considered breaking into a London, Ontario, gun shop to steal weapons. He wrote out a detailed plan for that endeavour. But nothing was written down about the Critchley and Pangburn killings. Although Jacklin admitted the crimes were “horrific,” the evidence, he argued, did not show premeditation.

After a two-week trial, Justice Donnelly delivered his charge to the six-man, six-woman jury. The jury deliberated and returned its verdict: “Guilty” to each of the three first-degree murder charges Cofell faced. The sentence was mandatory. Jason Cofell was sentenced to life imprisonment without eligibility for parole for twenty-five years on each of the three counts, with all sentences to run concurrently. The nineteen-year-old would be either in prison or subject to state control even if paroled for the rest of his natural life.

The criminal trial had focused squarely on the murders themselves. The defence relied heavily on psychiatric evaluations in hopes of securing a verdict of not criminally responsible. When that avenue failed, the strategy shifted to damage control—seeking a second-degree murder conviction in order to argue for a reduced period of parole ineligibility, shorter than the mandatory twenty-five years attached to first-degree murder.

What was striking, however, was the absence of any real exploration into why Cofell committed the crimes. The defence never attempted to frame his actions within the context of his self-styled crusade against heroin trafficking—a justification he had voiced in earlier conversations. That twisted rationale, as disturbing as it was, never made it into the courtroom in any meaningful way. The trial confined itself to the more conventional questions of who, when, and where—leaving the why largely unexamined.

At the time of sentencing, section 745 of Canada’s *Criminal Code* allowed inmates to apply to have a jury reconsider parole eligibility after serving fifteen years of the life

sentence. The press called this the ‘faint hope’ clause. Before a case would go before a jury for reconsideration, it was necessary to have “judicial screening.” In essence, the Chief Justice of the Province would assign the task of evaluating the case by a judge to determine if the case had sufficient merit to warrant a review by a jury. Cofell asked me to make the application. My job was to point out that Cofell had gained the maximum benefit from imprisonment and that we should look to the future rather than retrying past crimes.

Madam Justice Lynda C. Templeton was assigned the file and thoroughly reviewed how well Cofell had adapted to penitentiary life. After his initial placement and classification in a penitentiary, he was “pen placed” in maximum-security Millhaven Institution. He was assessed as rigid in his outlook and was seemingly unaffected upon receiving word of his parents’ separation. In July 1993, he was segregated when prison staff concluded he would be unsafe in the general population. A month later, he was transferred to Kingston Penitentiary (KP).

At KP, he enrolled in schooling. He was considered gifted intellectually and demonstrated skills in graphics and drafting. He showed no signs of mental illness, although he was still seen as stubborn, prone to misinterpret the behaviour of others, and inclined to displace blame and criticism. He remained very much a loner. Staff regarded him as soft-spoken, articulate, and realistic about his situation. His overall risk was calculated as low.

He had come to grips with his involvement with the Orion Foundation. He now understood that his beliefs and thinking were radical and extreme during his offences. He admitted that the Orion group obsession was based on fantasy and immaturity, fostered by revolutionary right-wing military propaganda and his fascination with guns. Still, Cofell found difficulty in accepting any personal weakness. He had an intense desire to be regarded as correct and a winner.

He was successful in obtaining a transfer to medium-security Warkworth Institution and upgraded his education.

While all reports showed, as Justice Templeton put it, “little doubt that Mr. Cofell’s conduct and character development while incarcerated over the last sixteen years reflect a changing mental and emotional attitude, maturity and a profound and remarkable development of intellect and self-awareness,” Justice Templeton could not overlook the pain that Victim Impact Statements had demonstrated. There would be no mitigation of this negative aspect since Cofell has not shown remorse nor anguish that the murders had caused the surviving family members. As such, Cofell’s “faint hope” of lowering the parole ineligibility period was dashed. He would have to wait the entire twenty-five years before becoming eligible for parole.

In 2016, Jason Cofell applied for and was granted day parole. He was permitted to reside in a halfway house under strict conditions imposed by the Parole Board of Canada. These included no direct or indirect contact with members of the victims’ families, no association with individuals involved in criminal activity or those with a criminal record, and no association with anyone believed to be a member of the Canadian Armed Forces. His parole status was reviewed every six months, and over time, his privileges expanded to allow him five nights per week away from the halfway house.

On January 14, 2020, at the age of 46, Cofell was granted full parole. He informed the Board that he intended to continue operating his leather business, live in an apartment with a roommate, and maintain supportive family relationships. He reflected on his time in prison, stating that the most difficult lesson he had learned was that taking the law into his own hands to combat drug trafficking was a mistake. Although he had believed he was addressing a societal problem, the consequences were ultimately devastating—not only for his victims,

but for himself.

Cofell will be under state oversight for the rest of his natural life and must regularly submit to interviews with a parole officer. Cofell has not breached his parole and has successfully reintegrated into the community. There is a stark irony in his trajectory: once a young man who sought to impose vigilante justice in the name of stopping heroin trafficking, Cofell now lives under the enduring and exacting supervision of the very system he once tried to circumvent.

“John Hill lifts the veil on the world inside the walls of Canada’s prison and justice systems. As a journalist who covered this area for almost 20 years, I can say that this book paints an accurate picture of the brutality of life on the inside. It also shows the legal and systemic barriers prisoners face in trying to ‘do their time’ and return to society. An important read for Canadians who pay billions of dollars for a system that often lacks true accountability.”

—Maureen Brosnahan, Senior National Correspondent, CBC News

ACTS OF DARKNESS exposes the many faces of crime, and the many faces of injustice. Some acts of darkness are brutal and unmistakable: murder, drug wars, and violence behind prison walls. Others are more calculated: fraud, betrayal, corruption, and abuse of power. And some unfold quietly, in courtrooms, in boardrooms, or deep inside Canada’s justice system, where wrongful convictions, systemic neglect, and indifference can be devastating.



John L. Hill

John L. Hill is a retired Canadian lawyer known for his work in criminal and prison law, focusing on representing penitentiary inmates and individuals involved in some of Canada’s most complex cases. He has written extensively, including the book *Pine Box Parole*, where he examines how the prison system can exacerbate criminal behaviour. John L. Hill lives in Cobourg, Ontario.



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