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CR03186

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- and -

ROY JAMES EPP

Transcript of Reasons for Sentence delivered by The Honourable Mr. Justice J.E. Richard, sitting at Fort Simpson, in the Northwest Territories, on Friday, November 1, A.D. 1996.

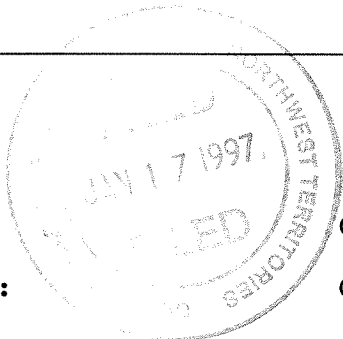
APPEARANCES:

Mr. L. Rose:

On behalf of the Crown

Mr. M. Triggs:

On behalf of the Defence



(Charge under Section 4(2) of the Narcotic Control Act)

1 THE COURT: The offender before the Court this
2 morning, Roy James Epp, is a man of 46 years of age,
3 and he is now to be sentenced for a major infraction
4 against the provisions of the Narcotic Control Act.

5 I am told that Mr. Epp is originally from the
6 province of British Columbia and that he moved to this
7 community of Fort Simpson some seven years ago. He is
8 an experienced mechanic and has been steadily employed
9 as such during his years here in Fort Simpson,
10 notwithstanding his admitted problems with alcohol and
11 drug use. He was in a common-law relationship with a
12 local woman for five years, but that relationship
13 apparently has now ended and he lives alone. He is the
14 father of two children as a consequence of that
15 relationship.

16 During the trial, the Court heard evidence that
17 R.C.M.P. officers in Fort Simpson for some time were
18 convinced that Mr. Epp was trafficking in marijuana
19 within the community. In January of this year, they
20 received a tip that Mr. Epp was bringing a substantial
21 quantity of this narcotic into the community, and
22 because of that tip, they were able to intercept
23 Mr. Epp's shipment shortly after its arrival.

24 The amount of marijuana seized was weighed and
25 found to be 957 grams. The shipment originated
26 somewhere in the province of British Columbia, and the
27 police estimate that it would have cost Mr. Epp between

1 \$6,000 and \$8,000. Depending on how Mr. Epp retailed
2 this illegal product on the streets of Fort Simpson,
3 that is, by the gram or by the quarter ounce, it had a
4 potential retail value of between \$15,000 and \$17,000.
5 It's obvious that Mr. Epp stood to make a substantial
6 profit on this particular transaction. That was halted
7 by the police investigation.

8 It is equally obvious that Mr. Epp, who candidly
9 acknowledges a familiarity with the illegal marijuana
10 trade over a period of 30 years, had to know -- he had
11 to know that he was taking a substantial risk by
12 bringing in such a quantity of this illegal narcotic,
13 and yet he took that risk. Mr. Epp had to know that he
14 was at risk for a substantial jail term if he got
15 caught, and yet he took that risk. He did get caught
16 and today is the day of reckoning.

17 He has been properly convicted of possession of
18 two pounds of marijuana for the purposes of
19 trafficking.

20 Mr. Epp may or may not have known of this Court's
21 sentencing practices in cases of this nature. The
22 courts of this jurisdiction, as counsel have stated,
23 have always taken a very serious approach when it comes
24 to imposing a punishment on those who are involved in
25 bringing illegal drugs into northern communities.

26 Our northern communities are currently
27 experiencing a great deal of social problems, problems

1 that are associated with cultural transition,
2 unemployment, housing shortages, alcohol abuse,
3 et cetera. The introduction of drug trafficking and
4 drug use, particularly among the young people, simply
5 aggravates that situation and causes further havoc to
6 the social fabric of the community. Those who would
7 profit from such havoc must be severely punished.

8 Mr. Epp's punishment will be incarceration in an
9 institution far away from Fort Simpson. His punishment
10 will be a removal of his liberty and his freedom to do
11 as he chooses, which is something that most of us
12 cherish in our daily lives.

13 Mr. Epp is not a stranger to the criminal justice
14 system. He has a list of criminal convictions dating
15 back to 1967 for a variety of transgressions including
16 drinking and driving, assaults, thefts, and mischief.
17 Most of these crimes resulted in the imposition of a
18 fine or a period of probation.

19 The most aggravating feature of Mr. Epp's crime
20 for which he is being sentenced this morning is the
21 amount of the narcotic in his possession.

22 I find that there are no mitigating factors in the
23 circumstances of this crime, nor in Mr. Epp's personal
24 circumstances. Mr. Epp does not indicate any remorse.
25 At his trial, he took the somewhat preposterous
26 position that he brought in this amount of marijuana in
27 January of this year strictly for his own personal

1 use. He is naive in the extreme to offer such an
2 incredible excuse to this Court, and perhaps that is
3 some indication of how the police were able to readily
4 catch him in the act.

5 Once he is released from his term of imprisonment,
6 one will hope that he will take up a different kind of
7 business enterprise.

8 Please stand, Mr. Epp.

9 Roy James Epp, for the crime that you have
10 committed, the possession of a narcotic contrary to --
11 for the purpose of trafficking, contrary to Section
12 4(2) of the Narcotic Control Act, it is the sentence of
13 this Court that you serve a term of imprisonment of 18
14 months. In the circumstances, there will be no victim
15 of crime surcharge.

16 You may sit down.

17 THE COURT: Mr. Rose?

18 MR. ROSE: My Lord, I would ask the Court to
19 make an order disposing of the exhibits after the
20 expiration of the appeal period.

21 THE COURT: An order will issue regarding the
22 exhibits in the appropriate fashion. Anything else?

23 MR. TRIGGS: No, sir.

24 THE COURT: Fine. We'll close court.

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Certified Pursuant to Rule 723



Jane Romanowich
Court Reporter