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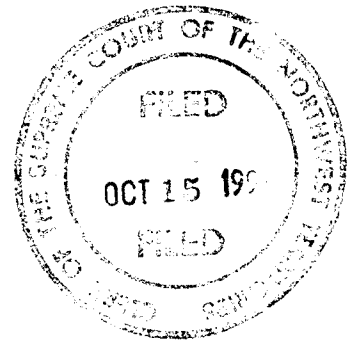
IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- v -

JASON REIGH POUND



Transcript of the Reasons for Sentence
 held before The Honourable Justice J.E. Richard,
 sitting in Yellowknife, in the Northwest Territories,
 on Monday, the 6th day of October, A.D., 1997.

APPEARANCES:

Mr. S. Couper:	Counsel for the Crown
Mr. S. Eichler, agent for Mr. A. Mahar:	Counsel for the Defence

1 THE COURT:

2 Now, this young man, Jason Pound,
3 has pled guilty to the crime of trafficking in cocaine
4 contrary to Section 5(1) of the Controlled Drugs and
5 Substances Act, a crime that carries a maximum penalty
6 of life imprisonment.

7 The Court was advised that on two occasions in
8 June of this year, this young man was involved in a
9 sale of a small amount of cocaine to an undercover
10 police officer. Other persons were involved, but this
11 offender handled both the cocaine and the money. The
12 amount of money valued in the first transaction was
13 \$140 and \$280 in the second transaction just a few days
14 later.

15 The offender who is only 18 years of age
16 acknowledges these facts that the Crown alleges. He
17 says that he personally did not receive any money from
18 the first transaction and that he received \$40 out of
19 the proceeds of the second transaction.

20 The offender was arrested and charged on September
21 11th. He waived the holding of a preliminary inquiry
22 and pleads guilty to the charge at the first
23 opportunity. This is clearly in his favour in the
24 Court's determination of an appropriate sentence. I am
25 certain that Jason Pound has been told by his counsel
26 that a jail term is the usual sentence in this
27 jurisdiction when the crime is trafficking in cocaine
no matter how young the trafficker is, no matter how

1 small the amount of cocaine is. Ever since cocaine
2 started appearing in the north more than ten years ago,
3 the Courts here have been consistent in stating that
4 absent exceptional circumstances, a significant period
5 of incarceration will be imposed against those who
6 traffic in cocaine in an effort to deter this illegal
7 activity which itself leads to and causes many other
8 illegal or undesirable problems in society, and this is
9 only too true right here in Yellowknife.

10 Even though there is a consistent policy on
11 sentencing those who traffic in cocaine, it is always a
12 difficult and unpleasant task for a judge in each
13 individual case to impose a term of imprisonment.
14 Usually the question is merely, how long must the jail
15 term be? It is not unusual to send the offender to a
16 federal penitentiary in southern Canada for a period of
17 years.

18 In this particular case, there are no exceptional
19 circumstances. Although Jason Pound dropped out of
20 school three years ago, he apparently is a fairly
21 bright young man with a great deal of potential. He
22 has a minor criminal record, having been convicted for
23 common assault as a young offender in March of 1996.

24 His involvement with the cocaine trade here in
25 Yellowknife can only be described as stupid and
26 shortsighted. That involvement, should it continue,
27 can only result in him ruining his future, ruining the

1 prospects of what it appears could be a very bright
2 future. If he continues to be involved in the cocaine
3 trade, he will be taking a path in life that will only
4 lead to heartache and misery for himself and those that
5 he cares for.

6 The mitigating factors in this case that save
7 Jason Pound from a penitentiary term are his young age,
8 his lack of a related or serious criminal record, and
9 his early plea of guilty and acknowledgment of
10 responsibility for his criminal behaviour.

11 Can I see the Indictment, please. Could you stand
12 now, Mr. Pound. Jason Pound, for the crime that you
13 have committed, the unlawful trafficking of a
14 controlled substance, to wit, cocaine, it is the
15 sentence of this Court that you be incarcerated for a
16 period of 12 months. In the circumstances, there will
17 be no victim fine surcharge.

18 Jason, I hope that you learn from this experience
19 and that we do not see you in court again. You have
20 some decisions now to make about your life now that you
21 are an adult, and I hope that every day that you are
22 out there at the jail that every day you will think
23 about the kind of life that you want to lead, the kind
24 of life that you want to have after you are released
25 from this term of imprisonment.

26 I suggest to you that you should stay away from
27 people who deal in drugs because if you think about it,

1 really they are all losers, and they are not going to
2 bring you anything but trouble. I wish you luck, and I
3 do hope that you think about these things every day
4 that you are out there during your jail term. You may
5 sit down.

6 Anything further in this case, Counsel?

7 MR. COUPER: No, My Lord.

8 MR. EICHLER: No, My Lord.

9 THE COURT: Fine then. We will close court.

10 THE CLERK: Order, all rise. Court is
11 closed.

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13 **ADJOURNED SINE DIE**

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15 Certified pursuant to Practice
16 Direction #20 dated December 28, 1987.

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Tara Taylor-----

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Tara Taylor, CSR(A), Court Reporter

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