

R. v. Blake, 2003 NWTSC 28

S-1-CR2002000121

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN



- vs. -

LENNY GEORGE BLAKE

Transcript of the Oral Reasons for Sentence by The Honourable Justice J.E. Richard, at Inuvik in the Northwest Territories, on May 13th A.D., 2003.

APPEARANCES:

Ms. S. Smallwood: Counsel for the Crown
Mr. J. MacFarlane: Counsel for the Accused

Charge under s. 5(1) *Controlled Drugs and Substances Act*

1 THE COURT: Lenny George Blake is before the
2 Court to be sentenced for trafficking in cocaine. This
3 is a serious matter because the Courts of this
4 jurisdiction have usually sentenced cocaine
5 traffickers to a significant jail term although there
6 have been exceptions.

7 I am told that Mr. Blake is Gwich'in, is 30 years
8 of age, and has maintained steady employment in the
9 carpentry field these past two years.

10 He has a criminal record as follows: In 1991,
11 some 12 years ago, here in Inuvik, he was convicted of
12 two counts of unlawful possession of narcotics and was
13 ordered to pay fines for both offences. In 1993, here
14 in Inuvik, he was convicted of common assault and
15 placed on probation for six months. In June 2001, in
16 Yellowknife, he was convicted of sexual assault and
17 sentenced to six months imprisonment followed by 12
18 months probation.

19 In April of 2002, the RCMP conducted an
20 undercover operation, Project Getaway, in the
21 Northwest Territories, particularly in Yellowknife and
22 in Inuvik, in the illegal drug trade. Here in Inuvik,
23 one of the people targeted was Leonard Blake.

24 The agents asked Mr. Blake to get some cocaine
25 for them and on three separate occasions, he took them
26 to residences where he facilitated one gram
27 transactions or \$150 transactions. It is obvious that

1 Mr. Blake was familiar with and engaged in the illegal
2 drug trade here in Inuvik as he knew where to go to
3 get his hands on cocaine on short notice.

4 It is an aggravating factor that Mr. Blake was
5 still under the terms of a probation order when he got
6 himself involved in this illegal trafficking of
7 cocaine.

8 The illegal cocaine trade that has flourished in
9 this jurisdiction in the past several years has added
10 yet another negative dimension to the many social
11 problems that are endemic in our northern communities.
12 We already have serious and widespread abuse of
13 alcohol, appalling levels of domestic violence, and
14 the highest crime rates in the country.

15 Those persons who supply cocaine, who traffic in
16 cocaine, who facilitate cocaine transactions, are
17 preying upon the weak members of the community who are
18 addicted to the drug. There is a snowball effect of
19 crime in the community when the purchasers at the
20 street-level themselves commit other crimes or get
21 themselves involved in other harmful conduct in order
22 to satisfy their addiction. Mr. Blake and others who
23 are involved in the illegal drug or cocaine trade are
24 committing serious harm against their own community,
25 and the people, young and old, in their own community.
26 This is not an illegal activity that has no victims.
27 Quite the contrary.

1 In the sentencing of persons who are involved in
2 the illegal cocaine trade, Parliament, in both the
3 *Controlled Drugs and Substances Act* and in the
4 *Criminal Code*, has directed the Courts to promote
5 respect for the law and to contribute to the
6 maintenance of a safe and peaceful community. The
7 important objective of deterrence and the need to
8 denounce the continuing harm that is done to victims
9 and to the community has usually meant that it is
10 necessary to impose a jail term for cocaine
11 traffickers in this jurisdiction in recent years.

12 In the present case, I note that Mr. Blake's
13 offence did not consist of one isolated transaction
14 but rather a series of transactions over a three day
15 period.

16 On the positive side, it is to Mr. Blake's credit
17 that he is a steady worker and makes a positive
18 contribution to the community at times as evidenced in
19 the letters of support Exhibit S-2.

20 It is also to Mr. Blake's credit that he publicly
21 acknowledged in court that he made a big mistake in
22 getting involved in this activity and that he is ready
23 to accept responsibility for this mistake. This
24 acknowledgment of responsibility is not always so
25 clearly evident in offenders who come before the Court
26 to be sentenced. At the end of the day, the important
27 principle of parity compels the Court to impose a

1 similar sentence on Mr. Blake as previously imposed on
2 similar offenders who have committed a similar
3 offence. In this regard, counsel have made reference
4 to particular cases in their helpful submissions to
5 the Court.

6 Please stand now, Mr. Blake.

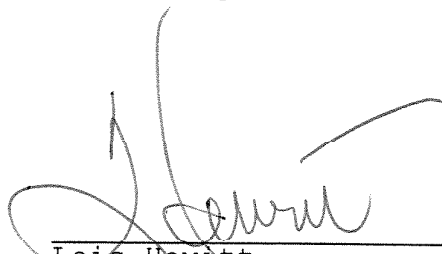
7 Lenny George Blake, for the crime that you have
8 committed, the trafficking of cocaine contrary to
9 Section 5(1) of the *Controlled Drugs and Substances*
10 *Act*, the sentence of the Court is that you serve a
11 term of imprisonment of 12 months.

12 In addition, there will be the mandatory firearms
13 prohibition order under Section 109. There will be a
14 Victim Fine surcharge in the amount of \$35.

15 You may be seated.

16 **(AT WHICH TIME THE ORAL REASONS FOR SENTENCE CONCLUDED)**

17 Certified to be a true and accurate
18 transcript pursuant to Rules 723 and 724
19 of the Supreme Court Rules.

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23 Lois Hewitt,
24 Court Reporter
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