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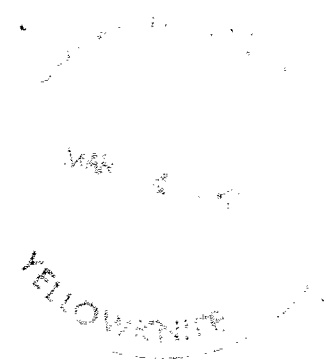
IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

BETWEEN:

HER MAJESTY THE QUEEN

- and -

ROBERT ALEXIE JUNIOR



Transcript of the Sentencing Proceedings held in
Fort McPherson in the Northwest Territories, on the
13th day of December A.D., 1990, His Honour Judge
B. A. Bruser presiding.

APPEARANCES:

MS. L. CHARBONNEAU

For the Crown

MRS. H. ROGERS

For the Defence

(CHARGED UNDER SECTION 266 OF THE CRIMINAL CODE)

1 THE COURT: Thank you.

2 Robert Alexie Junior has been found guilty of
3 assaulting his common-law spouse Debbie Jerome on two
4 occasions. The first occasion was December 30th, 1989
5 and the second was March 25th of this year. On both
6 occasions there are remarkable similarities as to what
7 occurred. The defendant had been drinking to excess,
8 grossly to excess. On the first of the occasions, he
9 had been drinking for four or five days. On the other
10 occasion, he had been drinking for about two days,
11 interrupted by a 12-hour period during which he slept.
12 The incidents occurred in the matrimonial home and on
13 both occasions there was a child of the relationship
14 present. Both assaults involved the defendant striking
15 the victim in the face with his hand.

16 A record has been filed as an exhibit by the Crown.
17 The record has been admitted. There are three
18 convictions for assault on the record. The convictions
19 today are now numbers four and five. The third assault
20 conviction of February 13th 1986 was on the same victim.
21 These are the second and third convictions, then,
22 since that year for assaulting Debbie Jerome.

23 The victim said rather angrily when questioned by
24 one of the lawyers during one of the trials, "Why should
25 I hit him? He is bigger than me."

26 The defendant is a solid looking person. He has a
27 good build and appears to be in good health. The victim

1 is smaller, not petite but definitely smaller. She does
2 not want the defendant to go to jail. There are
3 probably a number of reasons for her not wanting you to
4 go to jail, Mr. Alexie. The Court has heard that amongst
5 the reasons are financial considerations. You have told
6 the Court that you are the sole bread winner in the
7 family. Her views, though, do not govern the sentence of
8 the Court. They are important factors to take into
9 account but they do not govern.

10 What does govern is the protection of the public. Your
11 lawyer has said that you do not pose a threat to other
12 people. I accept that submission. Nevertheless, she is
13 a member of the public. She is a person whose protection
14 is very important to the Court. Public protection in the
15 general sense, and her protection in particular, are the
16 most important factors in sentencing you today.

17 The sentence of the Court will be a blend intended to
18 discourage you from repeating conduct of this sort and to
19 discourage other people of a like mind and to assist you
20 in your rehabilitation. You are desperately in need of
21 alcohol counselling. You are desperately in need of
22 anger management control. You are desperately in need of
23 marital counselling. It is astounding that the
24 relationship continues in the face of the abuse that the
25 Court has heard today. Debbie Jerome has to be given a
26 tremendous amount of credit for sticking with you. She
27 might have walked out a long time ago.

1 For about 17 months you have been the Chief of the
2 Fort McPherson Band. That is a very important public
3 position. The Chief is in the limelight in the
4 community not only in the course of his work but also in
5 how he conducts himself throughout the community and
6 elsewhere at all times. One would have expected that a
7 chief who has a severe alcohol problem would have tried
8 earlier to have come to grips with it in order to enable
9 him to do a better job for his community. In my view,
10 given all the circumstances, there has to be a period of
11 imprisonment.

12 For the assault of December 30th, there will be 30
13 days imprisonment and there will be 45 days consecutive
14 for the assault on March 25th, 1990. After you are
15 released from prison, you will be on probation for a
16 period of one and a half years. During the 18-month
17 period, you are to keep the peace and be of good
18 behavior, appear before the Court when and as required by
19 the Court to do so; you will be under the supervision of
20 a probation officer; you will report to the probation
21 officer within seven days of your release. That will be
22 to the probation officer in the community where you are
23 then living. I assume it will be in this community.
24 You will take counselling when and as directed by the
25 probation officer. The counselling is to include but
26 does not have to be restricted to: alcohol awareness
27 counselling, participation in alcohol abuse treatment

1 programs as directed by the probation officer, anger
2 management control and marital counselling.

3 I have a great deal of sympathy for your family and
4 for you. I trust you will not be before the Court again
5 convicted of an offence like this.

6 Can your client pay a \$35 victim of crime surcharge in
7 each matter?

8 MRS. ROGERS: Yes, Your Honour.

9 THE COURT: That is the maximum amount allowed by law.

10 There will be a \$35 surcharge regarding each matter or in
11 default, three days consecutive for each.

12 How long will you need to pay a total of \$70?

13 MRS. ROGERS: I believe he has the money with him today, Your
14 Honour.

15 THE COURT: I will give you 14 days from today, December 27th.

16 You are going to miss Christmas and I have taken
17 that into account in arriving at the sentence. I think
18 it is a pity that the children will not have their
19 father home for Christmas.

20 Were it not for the Christmas season, I would have
21 sentenced globally, probably to a term of three or four
22 months. The spirit is still with us.

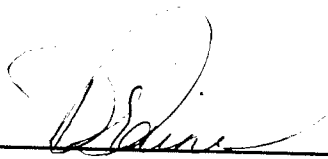
23 Is there anything else that might be included in the
24 probation order to help the family, the defendant and the
25 community? Do you have anything else to recommend?

26 MS. CHARBONNEAU: I don't have anything, sir.

27 MRS. ROGERS: I don't, Your Honour.

1 THE COURT: That is all.

2 Certified a correct transcript



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