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IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

- and -

GEORGE SAMUEL PORTER

Transcript of the oral sentencing delivered by His Honour Judge R.M. Bourassa, sitting at Gjoa Haven, in the Northwest Territories, Friday, February 13th, A.D. 1987.

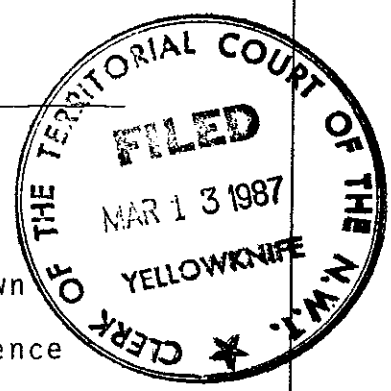
APPEARANCES:

MR. R. FLAHERTY

Counsel for the Crown

MR. J. VERTES

Counsel for the Defence





ADJUDICATION & DISPOSITION

COURT NUMBER 123865

CHARGE READ: July 18, 1986 T.B. Davis
DATE JUDGE

CROWN ELECTION: Summary Conviction: Indictment:

ACCUSED ELECTION: Referred Dismissed 21/9/86
DATE JUDGE OR JUSTICE

PLEA: Guilty: Not Guilty:

FAILURE TO APPEAR: Dec 5, 1986 T.B. Davis
DATE JUDGE OR JUSTICE

Bench Warrant Issued:

EVERY TIME THIS INFORMATION IS DEALT WITH APPROPRIATE ENTRIES SHALL BE MADE ON THE REVERSE

DISPOSITION: Convicted: Dismissed: Withdrawn:
FINE: _____
J.P. COSTS: _____
POLICE COSTS: _____
RESTITUTION: 10,000.00
TOTAL: 10,000.00
DEFAULT: _____
TIME TO PAY: 2 years after release
SUSPENDED SENTENCE:
CONDITIONAL DISCH: ABSOLUTE DISCH:
PROBATION FOR: 2 years after release
IMPRISONMENT FOR: 6 months
Feb 13/87 M. Bourassa
DATE JUDGE OR JUSTICE

STATISTICS: DATE OF BIRTH: 60-08-26 M F
DRIVER'S LICENCE: _____
MARITAL STATUS: Married

Sworn before me this 5th day of June
A.D. 19 86
at Gjoa Haven, N.W.T.
P. [Signature]
A Judge or Justice of the Peace in and for the Northwest Territories

Appearance Notice Promise to Appear Recognizance

J.P. or Judge's Number: 11025/6/D 130/1650
THIS IS THE INFORMATION OF Timothy John HANLEY
(Insert full name, residence and occupation of informant)
a member of the Royal Canadian Mounted Police
of Gjoa Haven, Northwest Territories
HEREINAFTER CALLED THE INFORMANT

THE INFORMANT SAYS THAT (If the informant has not personal knowledge, state that he has reasonable and probable grounds to believe and does believe and state the offence)
he has reasonable and probable grounds to believe and does believe that
George Samuel PORTER

did between the seventeenth day of April, 1985 and the sixth day of January, 1986 at or near the hamlet of Gjoa Haven in the Northwest Territories, did steal monies the property of Canada Post Corporation of a value exceeding one thousand dollars contrary to section 294(a) of the Criminal Code.

CARD
DIS
T.P.
D.P.S.
J.P.
M.V.B.

[Signature]
Signature of Informant

confirmed, 19 _____ Justice of the Peace

1 THE COURT: Well, amongst many other things, Sonny Porter
2 has proven himself to be a thief. We can lock our doors against
3 a thief. We can run away and hide from someone who wants to
4 assault us. But we have no protection, and we cannot protect
5 ourselves from those that live under the same roof as us and
6 those that are trusted and share our lives with us such as
7 Sonny Porter. I would imagine that he would leave the Post
8 Office every night locking the door so that thieves from the
9 outside couldn't get in, while he walked out with the money he
10 stole from inside. He used his education, his good job, his
11 intelligence to steal from people that trusted him. I think
12 it is very sad. He brings shame on himself. He brings shame
13 on his family's name. He brings shame to his community.

14 As pointed out by both lawyers, our law, everyone's
15 law, says that when people are in that situation and they steal,
16 there must be a jail sentence. The hope is that other people
17 that get in a position similar to Sonny's will think twice
18 before they ever try and help themselves to money or abuse
19 their position.

20 This is not to say that Sonny Porter is all bad.
21 Certainly he isn't all bad. He is still young, and if he uses
22 his intelligence and learns from this, he can be an
23 asset to the community; he can be a good father and a good
24 husband. I think reconciliation and restoring the community
25 peace is important. Sonny is going to pay a penalty for what
26 he did, but then that will be the end of it, and I hope that
27 he puts it behind him and gets on to better things, and, as well,

1 that others in the community that might be tempted to do what
2 he did think twice. Like many crimes, they are easy to commit
3 and it only takes a moment to commit them, but it takes a long,
4 long time to repair the damage. Amongst other things, I am
5 going to order that he pay back Ten thousand dollars. I
6 know that is going to be difficult. It is not something he can
7 do as fast as he stole it. The unfortunate part of it is that
8 his wife and his three little kids are going to have to suffer
9 while he pays that money back, because that is money that
10 won't be available for them simply to live on. This always
11 happens in criminal offences. It is always other people that
12 are hurt perhaps more than the particular individual involved.
13 In some cases it gets so bad the whole community is hurt
14 and loses its reputation or gets a reputation of being a
15 terrible place.

16 He has pleaded guilty and has accepted
17 responsibility for what he has done. The pre-sentence report
18 speaks well about him. In trying to balance the factors
19 involved, both good and bad, my sentence is as follows:
20 Stand up, please, Mr. Porter. Is there anything you want to
21 say before the Court passes sentence on you?

22 MR. PORTER: Yes, Your Honour. I know I brought shame to my
23 family, and I have learned from my mistake, and I feel I won't
24 do a thing like this again.

25 THE COURT: On this matter I am going to impose a term of
26 imprisonment of six months. In addition to that, I am going
27 to place the accused on probation for two years. The only term

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of the probation order is that he pay restitution to the Clerk of the Court for payment to Canada Post in the amount of Ten thousand dollars.

Mr. Flaherty?

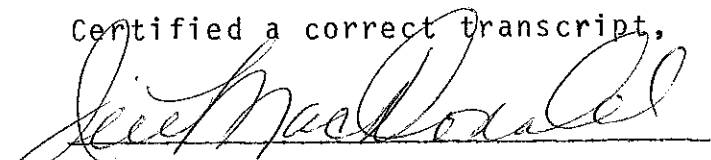
MR. FLAHERTY: I was going to suggest you could keep him on probation for up to three years, Your Honour. Two years, he is going to be hard pressed to pay.

THE COURT: I would further say, Mr. Porter, that you may apply to the Court at any time for an extension of your probation or to modify the terms or conditions of your probation order. It is not my intention to drive you mad in seeking this restitution. However, the quicker it is paid off, then the quicker this matter will be behind you and gone. I am sure Mr. Vertes can advise you as to the consequences of willfully refusing to comply and what willfully means and the discharge of, this order.

MR. FLAHERTY: The order, then, will commence upon his release after serving his sentence?

THE COURT: Yes.

MR. VERTES: Thank you, Your Honour.

Certified a correct transcript,

Jill MacDonald, Court Reporter.