

IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:

HER MAJESTY THE QUEEN

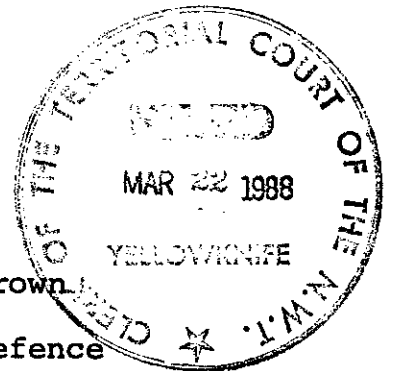
VS

TOMMY KAKFWI

Sentencing of T. Kakfwi held before His Honour Judge
R.M. Bourassa, sitting at Fort Good Hope in the Northwest
Territories on Thursday, March 3rd, A.D. 1988.

APPEARANCES:

MR. T. HUMPHRIES: Counsel for the Crown
MR. D. SPALDING: Counsel for the Defence



(Charges under Section 242(4), and 233 ~~WOWA~~ of the
Criminal Code.)

1 THE COURT: I don't know what the population is
2 of Fort Good Hope. I think it's around 5 or 600. I notice,
3 Mr. Kakfwi, we have over 100 charges dealing with kids on
4 the docket and over 120 or 30 charges with adults. It seems
5 to me this community needs some leadership, someone like you
6 with an education, with experience, with a good background
7 are in a position to provide that leadership.

8 The conduct that the Crown Attorney has described to
9 me is the antithesis of leadership. It's the absolute
10 opposite. There have been people killed in the Northwest
11 Territories -- there was a little girl in Tuktoyaktuk that
12 was run over by a guy on a snowmobile and killed. There was
13 a woman run over by a snowmobile in Pond Inlet and had her
14 legs broken. There were one or two boys killed in Snowdrift
15 who were fooling around, racing around with snowmobiles in
16 a crowd. At your age, with your education, I have
17 difficulty accepting that you panicked when you saw the
18 police. You knew you weren't supposed to be driving.
19 Putting the kids in this community in danger like that is
20 just unacceptable. Stand up please, Mr. Kakfwi. I'm taking
21 into account that you've pleaded guilty. I take that into
22 mitigation and it has substantial weight. In my view, a
23 short term of imprisonment is necessary. I can't see,
24 notwithstanding your position and your current situation,
25 any reason for treating you any differently than anyone
26 else. I'm taking into account, as I said, that you pleaded
27 guilty and that is reducing what I would think would

1 otherwise be appropriate. I'm taking into account what
2 your lawyer has said on your behalf. I trust that following
3 this experience, you will recognize your responsibilities
4 when it comes to driving.

5 With respect to the charge of driving while
6 disqualified, you're to be sentenced to a term of
7 imprisonment of one month. With respect to the charge of
8 dangerous driving, one month and 15 days consecutive. On
9 the charge of dangerous driving, you will be prohibited from
10 driving a motor vehicle for one year pursuant to the
11 Criminal Code. That will be one year from today's date.

12 MR. SPALDING: Thank you Your Honour.

13 (SENTENCING CONCLUDED)

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15 I, Karen Myren, Court Reporter, hereby certify that I
16 attended the above Sentencing and took faithful and accurate
17 shorthand notes and the foregoing is a true and accurate
18 transcript of my shorthand notes to the best of my skill and
19 ability.

20 Dated at the City of Clagary, Province of Alberta, this
21 16th day of March, A.D. 1988.

22
23
24
25 *Karen Myren*
26 Karen Myren,
27 Court Reporter.

KM/mjp