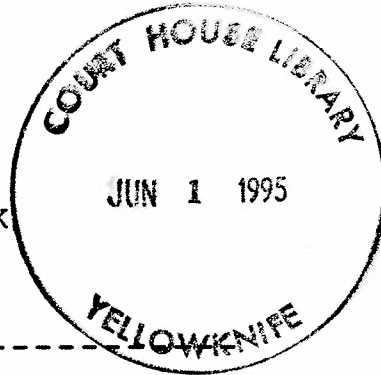


IN THE TERRITORIAL COURT
OF THE NORTHWEST TERRITORIES

HER MAJESTY THE QUEEN

- and -

DAVID NANORAK



Reasons for Sentence given by His Honour Judge
R.M. Bourassa, at Rankin Inlet, Northwest
Territories, on the 22nd day of November A.D. 1994

APPEARANCES:

Ms. U. Arvanetes, Appeared for the Crown
Mr. D. Blais, Esq., Appeared for the Defence
Cheryl Mendryk, Ms., Court Reporter

(Charged under Section 271 of the Criminal Code)





WARRANT OF COMMITTAL UPON CONVICTION MANDAT DE DÉPÔT SUR DÉCLARATION DE CULPABILITÉ

Form
Formula 21
Section
Article 570 &
806
Court
Tribunal
File No.
Dossier n°

CANADA
Northwest Territories
Territoires du
Nord-Ouest

To the Peace Officers in the Northwest Territories and
the keeper of any common gaol in the Northwest Territories:
Aux agents de la paix des Territoires du Nord-Ouest et
au gardien de prison des Territoires du Nord-Ouest :

WHEREAS
ATTENDU QUE **DAVID NANORAK**
was, on the
a été, le **22nd** day of
day of **NOVEMBER**, 19**94**, convicted by
hereinafter called the offender
ci-après appelé le contrevenant, déclaré coupable par
JUDGE **R.M. BOURASSA - TERRITORIAL COURT**

NAME OF
JUDGE AND
COURT
NOM DU
JUGE ET DU
TRIBUNAL

of having committed the following offence(s) and it was adjudged that the offender be sentenced as follows:
des infractions suivantes et que les peines suivantes lui ont été infligées :

a) OFFENCE: STATE OFFENCE(S) OF WHICH OFFENDER WAS CONVICTED	INFRACTION: INDIQUER L'INFRACTION POUR LAQUELLE LE PRÉ- VENU EST CONDAMNÉ	SENTENCE: STATE TERM OF IMPRISONMENT FOR THE OFFENCE	PEINE: INDIQUER LA DURÉE DE L'EMPRISONNEMENT POUR L'INFRACTION	REMARKS: CONCURRENT OR CONSECUTIVE	REMARQUES: CONCURRENTES OU CONSECUTIVES
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194-28531 Sec. 271 CC
94-381 June 26, 1994

TWENTY FIVE (25) MONTHS

*Repulse Bay
Sexual Assault on
m.*



or
ou b) ~~forfeit and pay the sum of~~
~~paie la somme de~~ ~~dollars to be applied according to law and also pay to~~
~~dollars à appliquer selon la loi, et verse également à~~
the sum of
la somme de dollars in respect of
dollars à l'égard des
costs and in default of payment of the said sums forthwith be imprisoned at
frais et, à défaut de paiement desdites sommes immédiatement, soit enfermé à
the term of
la période de pour
the accused to the said prison are sooner paid.
le transport du prévenu à ladite prison ne soient plus lui payés.

YOU ARE HEREBY COMMANDED,
IL VOUS EST PAR LES PRÉSENTES ORDONNÉ,

in Her Majesty's name, to arrest the offender if it is necessary to do so in order to take the offender into custody and to take and convey
au nom de Sa Majesté, d'arrêter le prévenu, si cela est nécessaire pour l'amener en détention, et de le conduire sûrement
him/her to **ANY FEDERAL PENITENTIARY** and deliver him/her to
et de l'y remettre au
the keeper thereof, who is hereby commanded to receive the accused into custody and to imprison him/her there for the term(s) of his/her
gardien à qui il est par les présentes ordonné de recevoir le prévenu et de l'y incarcérer pour la durée de sa peine, et pour ce faire, les
sentence, and this is a sufficient warrant for so doing.
présentes vous sont un mandat suffisant.

Dated this **22nd** day of
Fait le **22** jour de **NOVEMBER**, 19**94**.

at **RANKIN INLET**

in the Northwest Territories,
aux Territoires du Nord-Ouest.

NWT 1987/0992

[Signature]
THE COURT CLERK / LE CLERK DU TRIBUNAL TERRITORIAL
GREFFIER DU TRIBUNAL, JUGE DE PAIX, JUGE OU
JUGE D'UN TRIBUNAL TERRITORIAL
R.M. BOURASSA



THE COURT: This man has pleaded guilty to a sexual assault on a young girl.

The rationale and the reasoning and the thinking that went on in this man's mind can only be described as twisted. It may very well be that the father of the young girl in some other distorted way feels that he's to blame. He's not to blame and neither is the girl to blame.

Surely there isn't anyone in any society, or any society, that doesn't want children protected from people like David Nanorak. Can anyone say that we want little girls attacked, lured off the streets? Can anyone really say that that's the right thing to do regardless of the situation? I don't think that can be heard to be said anywhere in the world.

I'm taking into account that this man exploited her disability, and that is shameful. In my respectful view, and it's a highly aggravating factor. She is not able to defend herself, to make a reasonable judgment perhaps as well as another 14-year old might. He exploited it, her disability and he knew it.

I agree with the Crown that this fits within the category in law known as a major sexual assault. I take in great aggravation that there was planning, that this was deliberate, and that

Gabe's

1 there was an evil motive here to hurt and attack
2 this girl for motive of revenge. I point out that
3 he knew what he was doing was wrong. The very
4 fact that he tried to get rid of the girl out of
5 the window as soon as he heard her aunt indicates
6 he knew what he was doing was wrong.

7 I'm concerned about the victim. It is not
8 uncommon for a young girl or a woman to be
9 targeted within a community for a variety of
10 reasons, but specifically, targeted for, and being
11 the constant subject of, sexual advances and
12 sexual attacks by predatory males. I believe I
13 have to impose a sentence that discourages others
14 from trying to use this girl sexually as she
15 matures physically; from targeting her as an
16 individual in the community that can be picked on
17 for sexual purposes.

18 The accused has no prior criminal record and
19 that's a substantial mitigating factor. The other
20 mitigating factor is the fact that he pleaded
21 guilty virtually the first opportunity. He could
22 have dragged this out for a year or a year and a
23 half. I don't know how well the young girl would
24 do, in terms of testifying, but apart from that,
25 his plea has at least saved her from the
26 difficulty of testifying.

27 By the prompt guilty plea he showed some

Gabe's

1 remorse. The Ontario Court of Appeal has
2 indicated that up to one third of what would
3 otherwise be an appropriate sentence should be
4 taken off to reflect a timely guilty plea.

5 Stand up, please, Mr. Nanorak. Is there
6 anything you want to say before I impose
7 sentence?

8 THE ACCUSED: No.

9 THE COURT: 25 months in jail.

10 MR. BLAIS: Thank you, Your Honour.

11 MS. ARVANETES: Thank you.

12 (SENTENCING CONCLUDED)

13 -----
14 I, Cheryl Mendryk, C.S.R.(A), hereby certify
15 that I attended the above Sentencing and took
16 faithful and accurate shorthand notes and the
17 foregoing is a true and accurate transcript of my
18 shorthand notes to the best of my skill and
19 ability.

20 Dated at the City of Calgary, Province of
21 Alberta, this 4th day of December, A.D. 1994.

22
23
24 Cheryl Mendryk per O.H.
25 Cheryl Mendryk, Ms.
26 Court Reporter.
27

Gabe's