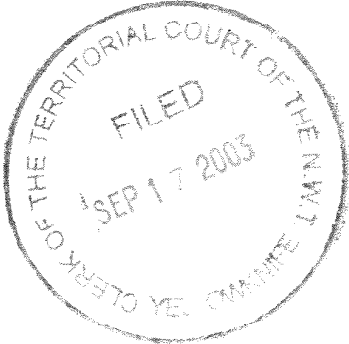


2003 NWTC A17

T-1-CR-2003000576, T-1-CR-2003000577,
T-1-CR-2003000810 and T-1-CR-2003000874

IN THE TERRITORIAL COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF:



HER MAJESTY THE QUEEN

- and -

ROBERT FURLONG

Transcript of the Reasons for Sentence delivered by The Honourable Judge R.M. Bourassa, sitting in Yellowknife, in the Northwest Territories, on the 19th day of June, A.D. 2003.

APPEARANCES:

Mr. P. Falvo:

Counsel for the Crown

Mr. G. Boyd:

Counsel for the Defendant

(Charges under 733.1(1), 145(3), 266 Criminal Code of Canada)

Furlong

1 THE COURT: I have to sentence the accused
2 for six charges - two charges of assault, two charges
3 of breach of undertaking or recognizance, and two
4 charges of breach of probation. The accused has a
5 terrible criminal record. Approximately 37 criminal
6 convictions, including 13 for offences of violence or
7 violent-related, prior assaults on his spouse, prior
8 assaults on peace officers, numerous convictions for
9 failing to comply with Court orders. He is
10 essentially unmanageable by paper. He has received a
11 variety of sentences, most of them have been short,
12 and those sentences have obviously had absolutely no
13 impact on him, in modifying his conduct, making him
14 assess his drinking habits. It has just been a
15 revolving door at the coffee shop for this man.
16 Sentences just have no impact at all.

17 I have to look at that criminal record, and for
18 the approximately 37 criminal convictions, there are
19 many victims that have paid the price of this man's
20 alcohol abuse and this man's violence. In the
21 instances before me, I have two women, one who was
22 stomped on with such force that it left imprints of
23 his shoes and the pattern of his shoes or boots on her
24 body or face. Another one who tries to help her
25 friend, beaten. The man is in a rage. He could just
26 as well have killed them. Everybody is drunk, but it
27 is Furlong that is in a rage.

1 The release documents and breach of probation, it
2 boggles the mind. It's difficult to understand how
3 come he keeps getting released, because it's clear on
4 the record that those documents have absolutely no
5 impact on modifying his conduct. It just doesn't.
6 It's a waste of time, it's a waste of paper and ink.
7 However, be that as it may, I have to sentence for the
8 breaches of probation and the breaches of undertaking,
9 and perhaps some day when he is 50 or 60, he'll
10 recognize that when he is on a Court order that there
11 will be consequences if he fails to comply with them.
12 That's all we can say at this stage, because those
13 paper orders are not having any effect on modifying
14 his conduct. All they are is -- the only effect
15 they're having is adding to the terms of imprisonment
16 that he's now receiving on a regular basis.

17 I have to take totality into account and I do. I
18 am doing that by reducing some sentences from what I
19 think would otherwise be appropriate and making others
20 concurrent. I have to take into account his pre-trial
21 custody; but in doing so, I have to -- I'm entitled to
22 look at why he was in pre-trial custody, and one can
23 only say that it is his own fault. Absolutely,
24 comprehensively, without a question, his own fault.
25 Even with all of the convictions that he had for
26 breaches of recognizances, breaches of probation
27 orders, he was released when he was first arrested.

1 He committed a series of offences, was released again.
2 And the reason why he is in custody is because he is
3 just not manageable. So, yes, I take it into account,
4 but it's his own fault and that militates against the
5 effect of the pre-trial custody.

6 I have listened to the submissions of Crown and
7 defence. In my view, applying the law as I understand
8 it and trying to achieve certain goals specifically to
9 protect people from this man and his drinking,
10 specifically to make him understand that these are not
11 little, minor matters, and specifically to condemn the
12 brutal assault specifically on Ongahak, who was
13 stomped on the face -- he's big, he's strong. That's
14 - What can I say? - unacceptable. It's barbaric.

15 Stand up, Mr. Furlong. Anything you want to say?

16 THE ACCUSED: I'd just like to apologize to the
17 victims. I was going through a stressful period that
18 time and -- I was raised up in a very, very violent
19 family and still. Jennifer, I'd like to apologize to
20 her. All the time that I was -- I met her and that, I
21 was supposed to take care of her. The only one person
22 I never took care of was myself. And I want to
23 apologize to all the people for wasting their time. I
24 just wish I could take it back, but I'm already in
25 here, so ready to take whatever you give me.

26 THE COURT: On the charge of assault on
27 Miss Ongahak, five months and fifteen days in jail.

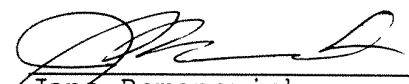
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On the charge of assault on Miss Lafond, five months, consecutive. On the first charge of breach of probation, three months, consecutive. On the first charge of breach of undertaking, three months, consecutive. On the other charge of breach of probation and breach of undertaking, three months, concurrent. I make that to be fifteen and a half months. There will be a DNA order. There won't be a firearms order.

THE COURT CLERK: Thank you, sir.

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Certified to be a true and accurate transcript, pursuant to Rules 723 and 724 of the Supreme Court Rules of Court



Jane Romanowich,
Court Reporter