

IN THE TERRITORIAL COURT OF YUKON
Before: His Honour Judge Faulkner

Regina

v.

Ronald Edward Reeves

Appearances:
Kevin Drolet
Gordon Coffin

Counsel for Crown
Counsel for Defence

REASONS FOR SENTENCING

[1] FAULKNER T.C.J. (Oral): In this case, Ronald Reeves has entered pleas of guilty to a charge of assault causing bodily harm and to a charge of breach of probation.

[2] The offences arose on the 9th day of July, 2003, at which time Mr. Reeves was on probation for an assault on his common-law partner, Tabitha Barnett. On July 9th, Mr. Reeves started consuming alcohol and ultimately a dispute arose between Mr. Reeves and Ms. Barnett in the course of which Mr. Reeves punched Ms. Barnett in the face and head a number of times, resulting in contusions on her neck and face. Mr. Reeves held his hands to her throat and ultimately pushed her, which resulted in her falling down and suffering a cut on the back of her head.

[3] One of the terms of the probation order at the time was that he not possess or consume alcohol.

[4] Mr. Reeves has a horrendous prior criminal record with some 48 entries upon it. A significant number of these entries are for assaults. As I have already indicated, he was on probation at the time of the commission of this offence for assaulting the self-same victim. It appears that this assault arose within a month of him being sentenced with respect to the prior incident.

[5] Mr. Reeves has already been in custody for a period of two months and he, of course, is entitled to credit for that time.

[6] The Crown is seeking a sentence of imprisonment of a further 12 months, a sentence which Mr. Coffin, on behalf of the accused, did not seriously dispute.

[7] The situation with respect to Mr. Reeves is an unfortunate one. He appears to have no control whatever over his anger or violent impulses when he is under the influence of alcohol. When he has been drinking he represents a menace to the public safety.

[8] His track record makes it clear that there is really no alternative to custody for this offender. Indeed, Mr. Reeves himself has realized that he needs a period of time to dry out and stabilize himself.

[9] On the positive side, with respect to Mr. Reeves, is the fact that he is clearly a man with some ability and could make something of himself if he could turn the insight that he has into his problems into some actions with respect to those

problems. His ability and his potential are demonstrated by the fact that he has recently found success in obtaining carpentry training and, as well, was able to find employment in that field.

[10] I am satisfied that the sentence proposed by the Crown is appropriate.

[11] With respect to the charge of assault causing bodily harm, Mr. Reeves, you are sentenced to a period of imprisonment of 12 months.

[12] With respect to the charge of breach of probation, two months, time served.

[13] Pursuant to the provisions of the *Criminal Code*, you are prohibited from having in your possession any firearm, ammunition or explosive substance for a period of ten years following your release from imprisonment. You are directed to surrender any such items now in your possession to the R.C.M.P. at Whitehorse, Yukon.

[14] Further, pursuant to the provisions of the *Criminal Code*, you are hereby ordered to provide samples of bodily substances for the purpose of DNA analysis and banking.

[15] In the circumstances, the victim fine surcharges are waived.

[16] MR. DROLET: Your Honour, my friend and I have prepared a form of order for your approval with respect to the forensic DNA sampling.

[17] THE CLERK: Your Honour, there was a witness warrant

as well for, Tabitha Barnett.

[18] MR. DROLET: Yes, Ms. Barnett. The warrant in that regard was executed and Ms. Barnett was released upon a recognizance pursuant to s. 705; she did attend court as required by that recognizance. I would ask that the warrant, if it is still on the system, be shown as executed.

[19] THE COURT: Very well.

FAULKNER T.C.J.