

Scenario 1: K-file Assault, uttering threats, possession of a weapon dangerous

Your client has been in a relationship for 4 months. During the evening of Friday, February 22, 2013, the accused and the complainant went out for a night of drinking and dancing. After a stop at the Lamplighter in Gastown, the accused and the complainant took the Skytrain into Surrey and ended up at Pancho and Lefty's in Whalley. After a Colt 45 too many, the accused and the complainant got into an argument. The accused left, and the complainant followed, continuing to nag the accused about some perceived slight or other that happened months ago. Fueled by alcohol and anger, the accused spun around, and punched the complainant on the jaw. The complainant fell to the ground and the accused jumped on top of the complainant to continue the assault and yelled "I'm going to kill you!" Bystanders who observed the assault stopped the accused from causing more damage and called the police. Upon arrest, a folding knife was found in pocket of the accused's jacket. The complainant tells the police that this was not the first time assault or threats has happened in the relationship, though this was the first time the police was called. The complainant has been calling you every day leading up to the sentencing asking for the no contact to be dropped as the complainant wanted to resume the relationship.

Crown is seeking a suspended sentence with conditions of keep the peace, report, reside, no go, no contact, counseling as directed, no weapons.

Scenario 2: Theft under, assault

The Loss Prevention Officer at Walmart observed the accused went in to the Walmart, select 20 packages of Gillette razor blades, 4 jars of Oil of Olay facial moisturizer, and 8 packages of Dentene gum which the accused concealed in the accused's backpack. The accused then placed 2 packages of prime rib and 2 packages of cheddar cheese down the accused's pants. The accused left the Walmart passing numerous cash registers without paying. Upon exiting the store, the LPO approached the accused and advised him that he was under arrest. The accused threw the backpack at the LPO and started to run away, but the accused's pants fell due to the weight of the packages of cheese and meat, and the accused tripped and fell in the parking lot. When the LPO went to handcuff the accused, the accused kicked the LPO in the shins. The accused was finally brought under control by the LPO and store manager and the police were called. The LPO was not injured.

The Crown is seeking a suspended sentence, with conditions of keep the peace, report, reside, no go any Walmart in BC, no contact with the LPO.

Scenario 3: Causing disturbance in a public place

The accused was drunk, and was blocking the entrance to the BC Liquor Store at 39th and Cambie in Vancouver, BC. The accused was aggressively pestering patrons for money. When store staff asked the accused to leave, the accused started shouting profanity and refused to budge. Police were called.

The Crown is seeking a suspended sentence, with conditions of keep the peace, report, reside, no go within 1 block of any BC Liquor Store in BC, abstain from the consumption or possession of alcohol, counseling as directed

Scenario 4: Possession of a weapon dangerous to the public peace, PSP stolen cheques

Your client was being searched by the sheriffs at the search gate of 222 Main Street before attending court for a matter another LSLAP student had conduct of. Inside the accused's backpack, the sheriffs found bear spray and a folding knife, as well as cheques that were reported to be stolen from the Bean Around the World around the corner from the courthouse several weeks ago.

The other LSLAP student got your client a conditional discharge for shoplifting a week after this offence occurred. The client had spent a night in jail as a result of these offences.

Crown is seeking a suspended sentence, conditions of keep the peace, report, reside, no weapons, no knives except in the course of preparing or consuming food or during lawful employment, not to possess any negotiable instrument, identity document, financial document, credit card, or debit card in a name other than your client's own

Client 1: Andrew Smith
Age? 20 **Birthdate?** Nov 24/1981 **Born where?** Langley, BC
How long residing in LM? Entire life

Family: **Marital status?** single **#Kids? – age & gender** none
(if separated, access / custody status?)

brothers / sisters? Supportive? Oldest of 3 children
Parents around? Supportive? Still together? Father left home when he was 8
years old
(parents' separation or death may be a mitigating factor if it negatively affected
client's upbringing, etc.)

Any childhood difficulties? (abuse, neglect, illness, etc.) Was beaten by father from
when he was a toddler until his father left the family

Address: 24106 54 Avenue, Langley, BC
How long resided there? 8 mos **With whom?** Roommate **Rent / Own?** Rent **How much rent
/ mortgage?** \$625/mo

Education? Where? What grade of high school finished? Dropped out of Kwantlen
after 1 year general studies
Any post-secondary, trades, tickets, classes?

Employment? Employer name? Job title / description? Pay? General labourer
How long employed? Hours & days of work? (important if Crown or defence is seeking
curfew) Sporadic – works 2 days a week max
**On social assistance? If on Disability, what is the disability and how long have client
been disabled?**

Any drugs / alcohol or other addiction issues?
Which drugs? Crystal meth
How long addicted? 2 years
How long clean? 2 weeks
**Any attempts to get clean? Any attempts at a recovery house or counseling? When? How
long was client clean for? When did client start again & why?** None, doesn't really want to
try either

Any mental health issues? ADHD

Any medical issues?

Any meds taken regularly?

Any criminal record? None

For sentencing ONLY – do not ask at initial interview

Any explanation for offence? Any expression of remorse or regret?

Letters of reference?

Sentencing plan

Client 2: *John Lemaire*
Age? 45 **Birthdate?** Jan 24/1968 **Born where?** Montreal, QC
How long residing in LM? 8 years

Family: **Marital status?** *widowed* **#Kids? – age & gender** *1 daughter (18)*
(if separated, access / custody status?)

brothers / sisters? Supportive? *Middle child, Estranged from family*
Parents around? Supportive? Still together? *Father died of cancer just before offence*
(parents' separation or death may be a mitigating factor if it negatively affected client's upbringing, etc.)

Any childhood difficulties? (abuse, neglect, illness, etc.) *Father served 19 years in prison for the second degree murder of his mother when he was 3 years old*

Address: *4680 Northview Court, Burnaby, BC*
How long resided there? With whom? Rent / Own? How much rent / mortgage?

Education? Where? What grade of high school finished? *Grade 11*
Any post-secondary, trades, tickets, classes? *Journeyman electrician*

Employment? Employer name? Job title / description? Pay? *Mover for Two Small Men with Big Hearts, minimum wage*
How long employed? Hours & days of work? (important if Crown or defence is seeking curfew) *Employed 4 months, works 4 days a week, 8am to 8pm*
On social assistance? If on Disability, what is the disability and how long have client been disabled?

Any drugs / alcohol or other addiction issues? *Yes*
Which drugs? *Alcohol, oxycontin – from an old back injury*
How long addicted? *12 years*
How long clean? *“Only uses once or twice a week, and smokes marijuana for the pain”*
Any attempts to get clean? Any attempts at a recovery house or counseling? When? How long was client clean for? When did client start again & why? *Going to AA*

Any mental health issues?

Any medical issues? *Was injured after falling and hurting his back as a result of running from the cops 12 years ago*

Any meds taken regularly?

Any criminal record? *None*

For sentencing ONLY – do not ask at initial interview

Any explanation for offence? Any expression of remorse or regret?

Letters of reference?

Sentencing plan

Client 3: Colleen Lemaire
Age? 18 **Birthdate?** Apr 13/95 **Born where?** Aldergrove
How long residing in LM? Entire life

Family: **Marital status?** Boyfriend **#Kids? – age & gender** None
(if separated, access / custody status?)

brothers / sisters? Supportive? Step-sister and step-brother, close
Parents around? Supportive? Still together? Bounced around in the foster system from the age of 6 before being adopted at age 12
(parents' separation or death may be a mitigating factor if it negatively affected client's upbringing, etc.)

Any childhood difficulties? (abuse, neglect, illness, etc.) Was abandoned by parents

Address: 415 3rd Ave, New Westminster, BC
How long resided there? 2 yrs **With whom?** W/Boyfriend **Rent / Own?** Rent **How much rent / mortgage?** \$525/mo

Education? Where? What grade of high school finished? 2 years at Cap College
Any post-secondary, trades, tickets, classes?

Employment? Employer name? Job title / description? Pay? Flagger for Valley Traffic
How long employed? Hours & days of work? (important if Crown or defence is seeking curfew) Just started working, 4 days a week, work hours varies
On social assistance? If on Disability, what is the disability and how long have client been disabled?

Any drugs / alcohol or other addiction issues? None
Which drugs?
How long addicted?
How long clean?
Any attempts to get clean? Any attempts at a recovery house or counseling? When? How long was client clean for? When did client start again & why?

Any mental health issues? None

Any medical issues? None

Any meds taken regularly?

Any criminal record? None

For sentencing ONLY – do not ask at initial interview
Any explanation for offence? Any expression of remorse or regret?
Letters of reference?
Sentencing plan

Client 4: *Francesca Jones*
Age? 32 **Birthdate?** Aug 9/1980 **Born where?** *Fort Worth, Texas*
How long residing in LM? *8 months*

Family: **Marital status?** *Single* **#Kids? – age & gender** *1 – 7 yo daughter*
(if separated, access / custody status?)

brothers / sisters? Supportive? *2 younger sisters*
Parents around? Supportive? Still together? *Dead*
(parents' separation or death may be a mitigating factor if it negatively affected client's upbringing, etc.)

Any childhood difficulties? (abuse, neglect, illness, etc.)

Address: *NFA*
How long resided there? With whom? Rent / Own? How much rent / mortgage?

Education? Where? What grade of high school finished? *Grade 11*
Any post-secondary, trades, tickets, classes?

Employment? Employer name? Job title / description? Pay?
How long employed? Hours & days of work? (important if Crown or defence is seeking curfew)
On social assistance? If on Disability, what is the disability and how long have client been disabled? *On social assistance for depression, liver disease*

Any drugs / alcohol or other addiction issues? *Alcohol, heroin*
Which drugs?
How long addicted? *3 years*
How long clean? *Still using*
Any attempts to get clean? Any attempts at a recovery house or counseling? When? How long was client clean for? When did client start again & why? *Wants to get clean but don't know how*

Any mental health issues? *Depression*

Any medical issues? *Tuberculosis*

Any meds taken regularly?

Any criminal record? *None*

For sentencing ONLY – do not ask at initial interview

Any explanation for offence? Any expression of remorse or regret?

Letters of reference?

Sentencing plan