

Notice of Motion

Sentences for Drug-Related Criminal Offences

THAT the City of Kelowna write to the Solicitor General of British Columbia for his support as a first step in lobbying the federal Attorney General of Canada to explore ways to encourage the judiciary to impose stiffer sentences upon conviction for drug-related infractions.

Background

At the November 8, 2004 Regular Meeting of Council, Councillor Cannan introduced the following Notice of Motion:

Consequences – Drug Related Crimes

Councillor Cannan commented on the need for proper fines and tougher consequences for drug related crimes and suggested a resolution be forwarded for debate at the 2005 OMMA and UBCM Conventions. Will work with staff to prepare a resolution for consideration by Council.

Lower courts in British Columbia have been handing out light sentences for drug-related offences based on higher courts overturning their more reasonable sentences. Increasing the risk for persons who contemplate criminal behavior combined with tougher sentences would send a message to those engaging in illegal drug-related activities that this type of criminal behaviour has serious consequences and is not tolerated by the community at large.

At the 2004 UBCM Convention, RCMP Assistant Commissioner Gary Bass presented an over view of organized crime in our country. Assist. Comm. Bass also shared some startling statistics from a research paper, entitled "Emerging Crime Trends and Criminal Justice Issues in the Province of British Columbia", which he co-authored with two Simon Fraser University Professors.

For example, the Criminal Court Survey for 2001 showed 16 juveniles convicted of trafficking were sentenced to secure custody for a median length of 5 days and 19 youth were sentenced to open custody for a median of 30 days. At the adult level, 39% of adults convicted for trafficking received no prison term at all. For those who did receive a prison sentence, 56% received a sentence of less than 3 months. Half of those received a sentence of less than one month. Between 1998 and 2003 the median sentence for drug trafficking in Canada declined from 120 days to 90 days.

One of the recommendations from last weeks Four Pillars Committee presentation was for local government to lobby senior governments to see that stiffer sentences are imposed upon persons who are involved in illegal activity.

Having the Province in support of this initiative would be a good first step in lobbying the federal government on this issue. Upon hearing back from the Provincial Government, an appropriate resolution for OMMA, UBCM and/or FCM will be brought forward for Council consideration.

I look forward to discussing this issue with my Council colleagues and the community as we strive to make our streets safer and improve the quality of life for all citizens who presently are often innocent victims as a result of criminal behavior.

In summary, the profitability potential of persons contemplating criminal activity has to decrease combined with an increase in the chance of these persons being convicted with a serious sentence as a consequence of their actions.

Ron Cannan
City Councillor

Stephen Fleming
Acting City Clerk