

And justice for none

June 14, 1999

Today an impaired charge causing death is punishable with a maximum sentence of fourteen years. Grit legislation tabled in May would see that increased to a life sentence. Reform, eager to look tough on crime, backs the bill. Of all groups, the Bloc stopped it from being fast-tracked through the Commons.

“We cannot be more severe for drunk drivers than serial killers,” said MP Michel Gauthier. Paul Bernardo has been given one life sentence for the rape and murder of two school girls – Clifford Olson likewise for killing God only knows how many. Under this bill, an otherwise law abiding citizen who had a few beers with his mates after work could end up in a cell next to either of the above for an equal period of incarceration.

The same legislation raises the maximum sentence for causing injury while driving impaired to ten years. There's a man in prison for multiple, premeditated murders who's up for parole after ten years! In another case, a young man was sentenced to five and a half for cold blooded murder but could be out in as little as two on good behaviour.

The latter incident involves a native perpetrator on whom our judiciary, since 1996, has been instructed to go soft because of his disadvantaged background. Some offenders have been sentenced to an extended camping trip to get in touch with their roots or something. I'm entirely serious!

And for the record I'm not anti-native, but I'm all for equal treatment under the law. Currently, a native could quite intentionally shank me and get little more than a slap on the wrist. (See above incident.) On the other hand, if after the aforementioned bill passes I accidentally kill that same native after having a few cold ones, I'm hooped. Hello, Paul!

People have beaten others to death, used drunkenness to get the charges reduced and been paroled in two years. Under these proposed changes, one could be sentenced to ten for accidentally injuring someone. Not to belittle the latter crime, but there's a raging disparity here. Drunk driving is indefensible obviously, and it needs to be severely punished, but if one is drunk and murders, the weapon used, be it a lead pipe or a car, is not overly relevant to the deceased and should not be a factor in sentencing. Nor should a man's skin colour be used against him in a court of law. Ever. Full-stop.

UPDATE: Following a 2022 amendment to the Criminal Code, drunkenness, if pursued vigorously enough before committing a crime, can be used not only to get a reduced sentence, but as a Get Out of Jail Free Card. It's a Charter issue, which is just the latest in a long list of reasons that document should be shredded.

Returning to the issue of skin color and the application of justice, in the summer of '09 an acquaintance answered a 5:00 pm knock at the door to get a knuckle sandwich right smack in the beak for his troubles. With the largest of three intruders then holding him at knife point, the others looted his home before the trio took their leave. When informed that the perps walking away from his home were native, the officer who took the call responded, and I quote, "Well... come in and fill out a report sometime."

So thirteen years after the Supreme Court was instructed to go soft on natives, assault and armed robbery by them didn't so much as warrant dispatching a cruiser! American Supreme Court Justice Samuel Chase: "...where justice is not *impartially* administered to all; where *property is insecure*, and the person is liable to violence *without redress by law*, the people are not free"¹⁶ (emphases added). The year was 1803, the above is quoted from a letter to then sitting President Thomas Jefferson, and if that's the standard, we are enslaved indeed.