

Citation: *R. v. Truesdale*, 2016 YKTC 12

Date: 20160323
Docket: 13-00586A
Registry: Whitehorse

IN THE TERRITORIAL COURT OF YUKON
Before His Honour Judge Faulkner

REGINA

v.

MATTHEW JORDAN TRUESDALE

Appearances:
Eric Marcoux
John Jevning

Counsel for the Crown
Counsel for the Defence

REASONS FOR SENTENCE

[1] FAULKNER J. (Oral): Matthew Truesdale has entered a guilty plea to a charge of trafficking cocaine.

[2] There was an agreed statement of facts filed. It is not necessary to repeat the facts *in extenso*. Briefly, what occurred is that Mr. Truesdale was part of a ring providing drugs from the Lower Mainland of B.C. to the Yukon. Specifically, Mr. Truesdale sold 1.75 kg of cocaine to a Whitehorse drug trafficker, who turned out to be a police agent.

[3] I have been presented with a joint submission that Mr. Truesdale be sentenced to a period of imprisonment of three and half years, less credit for eight months of pre-trial custody.

[4] During the sentencing submissions, Mr. Truesdale's activities were described as poor choices. However, I am bound to say that they are much more than that.

Trafficking in hard drugs is a serious crime and the corrosive effects of drug abuse are one of the most serious problems our society faces.

[5] That said, I find that the sentence contended for is within the range and I would not be justified in departing from it. Accordingly, Mr. Truesdale is sentenced to a period of imprisonment of three and one half years. However, he is entitled to credit for eight months' time already served, leaving a remanet of two years and 10 months to be served in a federal penitentiary. Given Mr. Truesdale's prior record and the substantial amount of cocaine involved, a significant penitentiary sentence is clearly warranted.

[6] In addition, there will be an order that Mr. Truesdale provide samples of bodily substances for the purpose of DNA analysis and banking.

[7] Pursuant to s. 109 of the *Criminal Code*, the offender is also prohibited from having in his possession any firearms and ammunition, explosive substances, or other items enumerated in s. 109(2)(a) of the *Code* for a period of 10 years following his release from imprisonment, and prohibited for life from possessing those items enumerated in s. 109(2)(b) of the *Criminal Code*.

[8] He will also forfeit and pay a victim surcharge of \$200, and I will direct that it be payable forthwith.

FAULKNER J.