

125 Brodie Street North, 4th Floor
Thunder Bay, ON P7C 0A3

125, rue Brodie Nord, 4ième étage

(807) 626-7155
Fax: (807) 626-7199

DEC 12 2023

ADULT CHARGE SCREENING FORM FORMULAIRE DE VERIFICATION DES ACCUSATIONS PORTÉES CONTRE UN ADULTE

NOTICE: This form tells you the criminal charges you are facing and where possible, the sentence the crown is seeking.

Bring this form and any attached disclosure to your lawyer or to the Legal Aid Office (if you don't have a lawyer).

Avls : Ce formulaire vous indique les accusations criminelles portées contre vous et, dans la mesure du possible, la peine que demande le procureur de la Couronne.

Apportez ce formulaire et toute divulgation ci-joint qui vous a été communiqué à votre avocat ou au Bureau d'Aide juridique Ontario (si vous n'avez pas d'avocat).

REGINA v. KASHKISH, DYLAN WARREN

SCOPE ID: 1054256

CHARGE(S) / ACCUSATION(S):

CC 173.(1) - Indecent act x 1

CC 430.(4) - Mischief under \$5,000 x 1

CC 334. - Theft under \$5,000 x 1

1. The Crown intends to proceed / Le procureur de la Couronne a l'intention de procéder :

- As charged above / selon les accusations ci-dessus
 As follows / de la façon suivante:

2. The Crown elects to proceed / Le procureur de la Couronne choisit de procéder :

- Summarily / par procédure sommaire
 Summarily if limitation period waived / Par procédure sommaire si le délai de prescription ne s'applique pas
 By Indictment / par acte d'accusation
 Deferred / Décision différée

3. This is an appropriate case for /

Il s'agit d'une affaire à laquelle les programmes suivants pourraient s'appliquer à cette matière :

- Direct Accountability / Responsabilisation directe
 Domestic Early Intervention Program / Programme d'intervention précoce - violence conjugale
 Possible Mental Health Diversion / Déjudiciarisation possible pour cause de troubles de la santé mentale
 Possible Indigenous Diversion / Déjudiciarisation possible pour Autochtones
 s. 810 Peace Bond / Engagement de ne pas troubler l'ordre public selon l'article 810

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This position is dependent upon /
Cette position dépend de ce qui suit:

NO CR
COVID-19 Recovery

Diversion recommendations:

20 hrs community service
counselling for mental health/substance abuse or otherwise as directed
Written apology to Mark and Karen Young to be forwarded to them by the
diversion program at your expense

Diversion to be followed by a s. 810 peace bond for 12 months \$150 no
deposit (not to attend within 100 m of 257 Egan St, no contact with Mark or
Karen Young, no contact with Clayton Megan)

4. The Crown is seeking the following sentence upon an early guilty plea /
Le procureur de la Couronne demande la peine suivante en cas de plaidoyer de culpabilité précoce:

***If not diverted, the Crown will seek a suspended sentence and probation (report, counselling as directed for mental health/positive peer groups/substance abuse? or otherwise as directed, not to attend within 100 m of 257 Egan St, no contact with Mark or Karen Young except to write a written apology approved as to form and content by your probation officer and to be forwarded to them via mail at your expense, no contact with Clayton Megan)
DNA secondary***

5. Upon a finding of guilt, the Crown will seek the following orders /
En cas de déclaration de culpabilité, le procureur de la Couronne demandera les ordonnances suivantes:

DNA Sample s. 487.051 (Secondary designated offence(s)) / Échantillons d'ADN, art. 487.051 (infraction(s) secondaire(s))

Restitution s. 738 / Restitution, art. 738

The foregoing is based on information available on this date and may be subject to change upon further review or receipt of additional disclosure. Final sentencing decisions are up to the judge who hears your case.
Les choix ci-dessus se fondent sur les renseignements disponibles à la date de signature de ce formulaire et peuvent changer en cas de révision supplémentaire ou sur réception de divulgation additionnelle. Les décisions ultimes relatives à la peine seront rendues par le/la juge qui entend votre cause.

A. Brown

On behalf of the Crown / au nom du procureur de la Couronne

12/15/2021

Date

TO APPLY FOR LEGAL AID: Please bring / send this form to a Legal Aid Office and complete your application as soon as possible. More information is available at 1.800.668.8258 or www.legalaid.on.ca.

POUR DEMANDER L'AIDE JURIDIQUE : apportez ou envoyez ce formulaire au bureau d'Aide juridique Ontario et remplissez votre demande dès que possible. Renseignements : 1 800 668.8258 ou www.legalaid.on.ca

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CONDITIONS OF DISCLOSURE:

If you do not accept any of the following conditions you should return this disclosure to the Crown and come to a different agreement with the Crown or seek a court order with respect to disclosure.

1. You may use these materials for the purpose of making full answer and defence only.
2. You must keep these materials secure. *Disclosure is confidential information. The contents are not to be published, distributed or shared with anyone but your lawyer.*
3. Counsel may permit access to these materials to persons acting under his/her supervision.
4. If counsel is retained you will deliver all disclosed material to that counsel and the same conditions will apply.
5. In the event a different counsel is later retained, the former counsel will return the disclosure to the Crown Attorney's Office immediately. New counsel may obtain the disclosure along with this notice from the Crown Attorney's Office.
6. All future disclosure on this file is subject to these same conditions.

NOTICES:

1. Take notice that where any record of a judicial proceeding, book document, entry, or business record forms a part of this or any further future disclosure, the Crown intends to produce the same at the preliminary hearing and/or trial pursuant to the provisions of the CANADA EVIDENCE ACT.
2. Take notice that pursuant to s. 657.3(3) OF THE CRIMINAL CODE, that where a report or written opinion of an EXPERT WITNESS (including his/her name, area of expertise, and qualifications) forms part of the disclosure in this case, the Crown may seek to adduce the expert opinion evidence at the preliminary inquiry and/or trial of these charges.
3. Take notice that in the event you choose to proceed with a preliminary inquiry, pursuant to s. 540 the Crown will seek to tender credible or trustworthy information contained in the statements of witnesses made in writing or otherwise recorded that are provided in this or subsequent disclosure.
4. Take notice that in the event you are convicted or a finding of guilt is found in relation to an offence under s. 487.04 it is the intention of the Crown to seek an order for taking samples for the purpose of DNA ANALYSIS.
5. Take notice that in the event you are sentenced or found not criminally responsible in relation to an offence under s. 490.011 it is the intention of the Crown to apply for an order requiring a person to comply with the SEX OFFENDER INFORMATION REGISTRATION ACT.
6. If you are French speaking, you have the right to have your trial heard in French (or possibly as a bilingual proceeding). You must exercise that right by requesting that your trial be held in your official language of choice. If you wish to proceed in French, you should advise the judicial officer or duty counsel when you attend court. Duty counsel or a lawyer of your choice can explain your language rights more fully.

CONDITIONS RELATIVES À LA DIVULGATION:

Si vous êtes en désaccord avec l'une des conditions ci-dessous, vous devez retourner la divulgation au bureau du procureur de la Couronne. Vous aurez alors le choix de négocier une entente avec le procureur de la Couronne, ou encore de demander une ordonnance du tribunal relative à la divulgation.

1. Vous devez utiliser la divulgation uniquement dans le but de préparer votre défense pleine et entière.
2. Vous devez garder ces matériaux sécurisés. *La divulgation est confidentielle. Son contenu ne peut être publié, distribué ou partagé avec qui que ce soit, à l'exception de votre avocat.*
3. L'avocat peut autoriser des personnes agissant sous sa tutelle à consulter la divulgation.
4. Si vous retenez les services d'un avocat, vous devrez remettre toute la divulgation à cet avocat. Les présentes conditions continueront à s'appliquer.
5. Dans l'éventualité où vous changez d'avocat, votre ancien avocat devra immédiatement retourner la divulgation au bureau du procureur de la Couronne. Le nouvel avocat pourra obtenir la divulgation ainsi que le présent avis en se présentant au bureau du procureur de la Couronne.
6. Tout autres document venant s'ajouter à la divulgation est assujéti aux présentes conditions.

AVIS :

1. Veuillez noter que si le procès-verbal d'une instance judiciaire, un dossier, une entrée ou des documents commerciaux font parties de la divulgation ou toute divulgation future, le procureur de la Couronne peut présenter ces documents en preuve à l'enquête préliminaire et au procès conformément aux dispositions de la LOI SUR LA PREUVE AU CANADA.
2. En vertu du paragraphe 657.3(3) du CODE CRIMINEL, si un rapport ou un avis écrit par un TÉMOIN EXPERT (y compris le nom, le domaine d'expertise et les qualifications) fait parties de la divulgation, le procureur de la Couronne peut présenter cette preuve experte à l'enquête préliminaire et au procès.
3. Si vous choisissez d'avoir une enquête préliminaire, le procureur de la Couronne, en vertu de l'article 540, peut présenter en preuve les renseignements crédibles ou dignes de foi contenus dans les déclarations des témoins qui ont été faites, par écrit ou par moyen d'un enregistrement qui font parties de la divulgation ou toute divulgation future.
4. Si vous êtes condamné ou déclaré coupable d'une infraction visée à l'article 487.04, le procureur de la Couronne demandera une ordonnance du tribunal pour le prélèvement de substances corporelles aux fins de la banque de données ADN.
5. Si vous êtes déclaré non criminellement responsable ou si vous recevez une peine concernant une infraction visée à l'article 490.011, le procureur de la Couronne peut demander une ordonnance du tribunal exigeant que vous vous conformiez à la LOI SUR L'ENREGISTREMENT DE RENSEIGNEMENTS SUR LES DÉLINQUANTS SEXUELS.
6. Si vous parlez le français, vous avez le droit que votre procès se déroule en français (ou peut-être comme une instance bilingue). Vous devez exercer ce droit en demandant que votre procès se tienne dans la langue officielle de votre choix. Si vous souhaitez que votre procès se déroule en français, vous devriez en aviser le fonctionnaire judiciaire ou l'avocat de service lorsque vous comparez. L'avocat de service ou votre avocat peut vous expliquer plus en détail vos droits linguistiques.

Case file synopsis

Thunder Bay Police

Printed: 2021/08/17 12:39 by 1243

Case file: C21002593; P21052090; MEGAN, CLAYTON KIRK / KASHKISH, DYLAN
WARREN

Author: #4010 DOUGHERTY, R. Report time: 2021/07/22 12:37
Entered by: #2457 O'NEILL, C. Entered time: 2021/07/22 22:53
Remarks: Crown Brief

Occurrence Details

On Thursday July 22, 2021, at 1237 hours Thunder Bay Police Communications Centre received a 9-1-1 call from complainant, Karen YOUNG regarding a male who had just defecated on her front lawn then proceeded to wipe himself with his own sock then proceed to place this sock on her front door handle.

Facts in Issue

At 1934 hours Thunder Bay Police Constable Ryan DOUGHERTY #4010 in the company of Constable Jordan POPOWICH #4015 attended 257 Egan Street and spoke to YOUNG who stated that she was currently having on going issues with the male at 255 Egan Street.

YOUNG stated she returned home later in the afternoon to find a sock hanging from her front door handle. Constable DOUGHERTY observed video surveillance of a male later identified as, Clayton MEGAN on his deck with another male when the unidentified male enters YOUNG's yard and remove a metal dog sign with MEAGN placing the sign in a flowerpot. The unidentified male returns to the yard dropping his pants, leans against a tree and defecates in YOUNG's lawn and proceeds to wipe himself with his own sock and enters YOUNG's porch hanging the sock on her front door handle.

Officer's attend 255 Egan Street and conduct a Niche Records Management System (RMS) search of currant occupants and conduct a door knock. Constable DOUGHERTY requested to speak with MEGAN outside, as there were young children present, about what occurred earlier in the day, MEGAN states his friend Dylan was the accused male that defecated on the lawn.

At 1958 hours MEGAN is placed in custody for Possession of Property Under \$5000 355(1)(a) under the Criminal Code for the metal dog sign that is currently in a flowerpot on his deck.

At 2002 hours MEGAN was read his rights to counsel and cautioned to which he states he understands.

At 2030 hours a message is left for MEAGN's lawyer of choice, Michael HARGADAN informing him of MEGAN charges.

MEGAN identity was confirmed by a Certificate of Indian Status photograph.

Relevant History

Clayton MEGAN is known to the Thunder Bay Police with a subject profile on Niche RMS.

Investigative Status

Completed

END OF REPORT

2457-2021/07/22 2251 hours

Occurrence Details

On Thursday July 22, 2021, at 1237 hours Thunder Bay Police Communications received a 911 call from complainant Karen YOUNG regarding a male who had just defecated on her front lawn, then proceeded to wipe himself with his own sock then proceed to place this sock on her front door handle.

Facts in Issue

At 1934 hours, Thunder Bay Police Constable Ryan DOUGHERTY #4010 in the company of Constable Jordan POPOWICH #4015 attended 257 Egan Street, and spoke to YOUNG, who stated that she was currently having on going issues with the male at 255 Egan Street.

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Officer's attend 255 Egan Street and conduct a Niche Records Management System (RMS) search of current occupants and conduct a door knock, Constable DOUGHERTY requested to speak with MEGAN outside as young children were present about what occurred earlier in the day, MEGAN states his friend Dylan KASHKISH was the accused male that defecated on the lawn.

On July 24, 2021, at 2056 hours, Constable DOUGHERTY attend 519 May Street and spoke with KASHKISH, he informed his that a warrant for his arrest would be issued and inquired if he would like to turn himself in.

At 2102 hours, KASHKISH was arrested for Indecent Act 173(1), Mischief Under \$5000 and Theft Under \$5000 all under the Criminal Code.

At 2131 hours, a message was left with duty counsel informing them that KASHKISH wished to speak to them regarding his charges.

KASHKISH identity was confirmed by a Ministry of Transportation of Ontario (MTO) photograph.

Relevant History

KASHKISH is known to the Thunder Bay Police with a subject profile on Niche RMS.

Investigative Status

Completed.

End of report.

2456 - 24-07-21 23:41:05



Thunderbird Friendship Centre

301 Beamish Avenue West
P.O.Box 430
Geraldton Ontario
Phone 807-854-1060
Fax 807-854-0861

**AUTHORIZATION OF VERBAL/WRITTEN CONSENT TO
ACCESS DIVERSION BRIEF AND DISCUSS CASE
-ATTESTION-**

I, Dylan Kashkish consent, as verbally authorized or authorized in writing, to have the Thunder Bay Crown Attorney's Office share documentation and information regarding my charges listed below with the Thunderbird Friendship Centre.

Client's name if client is a youth _____

This information may include any information held by the Thunder Bay Crown Attorney's Office that may assist the Thunderbird Friendship Centre and the Thunder Bay Crown Attorney's Office in evaluating my application for diversion, such as (but not limited to):

- The Crown Synopsis
- My criminal record (if applicable)

I, Dylan Kashkish confirm that this form has been read to me and any questions that I have asked have been answered to the best ability of the service provider

SCOPE FILE#	CHARGES

as per
phone
consent Dylan Kashkish

Date Feb 16 2024

Person Providing consent (or authorized parent/guardian)

- Melissa Groom

M. Groom Feb 16 2024.

Person Obtaining Consent

Signature



Thunderbird Friendship Centre

301 Beamish Avenue West
P.O.Box 430
Geraldton Ontario
Phone 807-854-1060
Fax 807-854-0861

**AUTHORIZATION OF VERBAL/WRITTEN CONSENT TO
OBTAIN/RELEASE INFORMATION
-ATTESTION-**

I, Dylan Kashkish consent, as verbally authorized or authorized in writing, to have Melissa Groom, Alternative Justice (Diversion) Program, at the Thunderbird Friendship Centre, obtain and/or release information for the purpose of coordinating services.

Name of Client if client is a youth _____

I, Dylan Kashkish confirm that this form has been read to me and any questions that I have asked have been answered to the best ability of the service provider

Dated on the February 16 2024. I understand that this consent is

Valid for one year from the date signed, unless revoked in writing by me.

Matawa Health Cooperative Thunder Bay (807)344-4575

(Agency/Individual)

(Address)

<sup>As per
phone
consent</sup> Dylan Kashkish

Feb 16 2024

Client Signature (Or Authorized Parent/Guardian)

Date

M. Groom
Service Provider's Signature
Melissa Groom

Feb 16 2024
Date



MATAWA HEALTH
CO-OPERATIVE

Main Office
233 S Court St, 1st Floor
Thunder Bay, ON P7B 2X9
Tel: (807) 344-4575
Toll Free: 1-833-625-3611
Fax: (807) 346-2371

Clinic Site
101 Syndicate Ave N, Suite 510A
Thunder Bay, ON P7C 3V4
Tel: (807) 346-2370
Toll Free: 1-833-625-3611
Fax: (807) 346-2371

Brianna Beale

REFERRAL FORM

Client aware of referral to Matawa Health Cooperative Consent Forms Attached Verbal consent given External Internal

REFERRANT INFORMATION

Nursing Station Health Care Provider Other: (Please specify) Alternative Justice Date: Feb 20/24
Name of Referent: Melissa Croon TBFC (diversion) Referent Phone: (807) 854-1060 x 214

CLIENT INFORMATION

Last Name: Kashkish First Name: Dylan Preferred Name:
D.O.B: DD/MM/YYYY 05/10/1994 Sex: M Pronouns:
Phone Number: 807-788-7091 Email: rezboy2013@live.ca Alternate Contact:
Address: 90 Sunset Dr. PO Box 91 City/Town: Aroland Province: on Ont
Postal code: P0T1B0 Community/First Nation: Aroland First Nations Living in TBay Status METIS NON STATUS

Status Number:

GUARDIAN/ APPOINTED DECISION MAKER INFORMATION

Name: n/a Phone Number: Email:

CLIENT HEALTH INFORMATION

Past Medical History Attached Medication List Attached Allergies:
 Laboratory Test(s) Attached

HEALTH SERVICES

Diabetes Foot Care Traditional Healing STOP Program (smoking cessation)
 Dietitian/Nutrition Primary Care Wound Care

COMMUNITY/PUBLIC HEALTH SERVICES

Health Education Pre/Post Natal Sexual Health (STBBI)
 Immunization School Health Presentation Health Care Follow-up, In community

MENTAL HEALTH SERVICES

Grief and Loss Referral and Service Navigation Suicide Prevention Youth Services 8 years +
 One on One Counselling Substance Use/ Addiction Concern Wellness Check

REASON FOR REFERRAL (e.g. background information re: client)

Mental Health counselling requested by Crown Attorney for Alternative Justice Program.

sent via email to Brianna Feb 20/24

PLEASE FAX ALL COMPLETED REFERRAL FORMS TO (833) - 662-2287—Confidential EMR Fax or (807) 346-2371—Confidential Fax