

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

125, rue Brodie Nord, 4ième étage

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

YOUTH CHARGE SCREENING FORM FORMULAIRE DE VERIFICATION DES ACCUSATIONS PORTÉES CONTRE UN JEUNE CONTREVENANT

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).

Avis : 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

REGINA v. ABRAHAM, CROSBY

SCOPE ID: 1469551

CHARGE(S) / ACCUSATION(S) :

CC 430 (4) - Mischief 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

By Indictment / par acte d'accusation

Summarily if limitation period waived / Par procédure sommaire si le délai de prescription ne s'applique pas

Deferred / Décision différée

3. This is an appropriate case for /

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

C.L. Peace Bond / Engagement de ne pas troubler l'ordre public selon la common law

s. 810 Peace Bond / Engagement de ne pas troubler l'ordre public selon l'article 810

Extrajudicial Sanctions (EJS) / Sanctions extrajudiciaires (SJ)

Possible Mental Health Diversion / Déjudiciarisation possible pour cause de troubles de la santé mentale

Possible Indigenous Diversion / Déjudiciarisation possible pour Autochtones

Youth Justice Committee (YJC) / Comité de justice pour la jeunesse (CJJ)

Suggestions for EJS / Suggestions pour SJ / CJJ :

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

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 :

Diversion

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 :

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 des 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.

L. Taylor

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

10/02/2023

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. 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 reprenez 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 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.

Crown Brief Synopsis

Ontario Provincial Police

Valid as of 2023/09/03 04:17:49
Printed by #15618 BERARD, D.

Case file synopsis

Case file: **C23068429: E231037830; ABRAHAM, CROSBY**

Author: #15618 BERARD, D.

Report time: 2023/08/05 04:12

Entered by: #15618 BERARD, D.

Entered time: 2023/08/05 04:12

Remarks:

Narrative:

On the 12th of August at 181 Beaver Road, Long Lake 58 at 1928 hours, Crosby ABRAHAM was arrested and charged with Mischief-destroys property.

CROSBY ABRAHAM was identified by Police Records Management System

CC 430(1)(a) Mischief - destroys or damages property (ABRAHAM, CROSBY) (E231037830)

Crosby ABRAHAM was witnessed destroying a brand new play set located at **171 Beaver Rd in Long Lake 58, Longlac, ON**

Crosby ABRAHAM was released on a Form 10 Undertaking with a court date of October 4th, 2023, at 10:00AM at 115 Dieppe Road in Longlac, ON

Natasha Johnson

General Report

Ontario Provincial Police

10.1.1

Police case ID: C23068429

Occurrence #(s): E231037830

Printed: 2023/09/03 04:17

Occurrence: E231037830 Mischief @2023/08/02 23:25 [YP]

Author: #15618 BERARD, D.
Entered by: #410064 GRAHAM, J.

Report time: 2023/08/31 10:32
Entered time: 2023/08/31 10:45

Report:**Benchmark Occurrence:** No.**Complaint:**

On August 2nd, 2023, at approximately 23:25 hrs, PCC received a call of a mischief, suspect not present, at 171 Beaver Street in Long Lake 58. Caller, **Natasha JOHNSON**, using TextNow app reporting that her children's play set was pushed over and broken by a couple of children. It happened approximately 15 to 20 minutes ago and she also stated that there are four witnesses saying they know who did it. PCC overheard male in the background talking over caller stating that the neighbour across the street from the caller knows who did it. Caller claiming she saw two kids running away. Caller attempted to follow them but kids were too fast.

Occurrence Location: 171 Beaver Street in Long Lake 58, Ontario.**History:** Not applicable.**Investigation:**

On August 2nd, 2023, at approximately 00:42 hrs, police arrived on scene and spoke with the complainant who advised that she had just purchased the play set earlier today for her children. Natasha explained to officers that it happened approximately 15 minutes prior to calling it in. She mentioned that she heard a loud bang coming from outside. When she looked out she observed Crosby ABRAHAM (DOB: 15MAR2011) running away with another unknown child, but did not witness them damaging the play set. She also stated that her sister-in-law, Selena MAZINAKOUSKANG (DOB: [REDACTED] 99), and her boyfriend, Todd BOUCHARD (DOB: [REDACTED] 90), were walking by 171 Beaver when they observed Crosby and another kid push down the play set. She also mentioned that the people who reside at [REDACTED] across from caller's house may have seen it happen.

At 00:51 hrs, police arrived at [REDACTED] and spoke to Selena and Todd who both stated they saw it, but Todd kept repeating he did not want to get involved and declined in providing a statement. Selena was also very hesitant but eventually agreed to provide a statement as she stated what happened is not right. Police made sure to inform Selena that she does not have to provide a statement if she

doesn't want to but she agreed to provide one.

At 00:56 hrs, police conducted an audio statement with Selena.

At 00:58 hrs, statement was concluded.

At 01:11 hrs, police arrived at 181 Beaver Street which is the residence of Crosby Abraham. They conducted a door knock leading to negative results. The lights were all out and did not appear to have anybody at the residence.

At 01:15 hrs, police arrived at [REDACTED] and spoke to homeowner, Gail TOWEGISHIG (DOB: [REDACTED] 63), who advised she did not see anything happen but explained that her grandson, Cameron, saw Crosby and another male around the area but did not see anyone do anything.

At 01:20 hrs, police departed the scene. Throughout further investigation they formed reasonable grounds for Mischief under for Crosby Abraham.

Witness Interview(s): A witness interview was conducted with Selena Mazinakouskang at 00:56 hrs, shortly after the incident.

Suspect(s) / Vehicle(s): Crosby Abraham (DOB: 15MAR2011).

Property: Children's play set.

Support Unit(s): Not applicable.

CPIC: Not applicable.

Notification(s): Not applicable.

Distribution: Not applicable.

Disposition: Crosby Abraham was located and arrested on August 12th, 2023, at 19:28 hrs, and was released on a Form 10 Undertaking.

Crown Brief Cover

Police service: Ontario Provincial Police
Police case ID: C23068429 Occurrence #(s): E231037830
Regina vs. ABRAHAM, C.
OIC: #15618 BERARD, D.
Case class.:

1.1

Accused name: ABRAHAM, CROSBY
Birth date: 2011/03/15 Criminal record: No

<u>Charge</u>	<u>Offence date</u>	<u>YP status</u>
CC 430(1)(a) Mischief - destroys or damages property	2023/08/02	YP 12-17 criminal offence



Thunderbird Friendship Centre

301 Beamish Avenue West

P.O.Box 430

Geraldton Ontario

Phone 807-854-1060

Fax 807-854-0861

CONSENT TO OBTAIN/RELEASE INFORMATION

I Crosby Abraham hereby give consent to Melissa Groom, Alternative Justice (Diversion) Program, at the Thunderbird Friendship Centre to obtain and/or release information for the purpose of coordinating services.

Name of Client if client is a youth Crosby Abraham Longlac Client

Dated on the Mar 20/24. I understand that this consent is

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

Nichole Whatley ACMHW TBCCFC - Anger management

(Agency/Individual)

(Address)

X Shannon Deperry (mother)

Mar 20/24

Client Signature (Or Authorized Parent/Guardian)

Date

Shannon Deperry

M. Groom Melissa Groom TASP

Mar 20/24

Service Provider's Signature

Date



Thunderbird Friendship Centre

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

**CONSENT TO
ACCESS DIVERSION BRIEF AND DISCUSS CASE**

I, X Shannon Deperry consent 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 Crosby Abraham

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)

SCOPE FILE#	CHARGES

X [Signature]

Date Mar 20 / 24

Person Providing consent (or authorized parent/guardian)

Melissa Groom TASP

[Signature]

Person Obtaining Consent

Signature