

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).

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 Ontario (si vous n'avez pas d'avocat).

REGINA v. WABOOSE, KASSIDY

SCOPE ID: 1503705

CHARGE(S) / ACCUSATION(S):

CC 354.(1) - Possession of Property Over / Under (refer to charge wording to determine if over / under and appropriate DNA flagging) 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 à cette matière :

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

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:

If not diverted, Crown would seek conditional discharge + 12 mos probation

Ministry of the Attorney General
Thunder Bay
Crown Attorney's Office

Ministère du Procureur général
District territorial de Thunder Bay
Procureur de la Couronne



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

125, rue Brodie Nord, 4ième étage

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

5.

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.

S. Elliot-Lehto

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

01/02/2024

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 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 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.

General Report

Ontario Provincial Police

10.1.1

Police case ID: C23095755

Occurrence #(s): E231441567

Printed: 2023/10/27 08:21

Occurrence: **E231441567 Possess stolen property @2023/10/26 18:04**

Author: #15094 ST. ONGE, A.

Report time: 2023/10/27 03:56

Entered by: #15094 ST. ONGE, A.

Entered time: 2023/10/27 03:56

Report:**Benchmark Occurrence:** No**Complaint:** Precious ABRAHAM reporting that someone broke into her apartment by the attic**Occurrence Location:** 305 Third St W Unit D**History:** N/A**Investigation:**

On the 26th of October 2023, Greenstone OPP were dispatched to a Break and enter at 305 Third St W. The complainant, Precious ABRAHAM(2001/01/27) advised that someone broke into her apartment by the attic and stole misc items.

PC St. Onge, PC Currie, PC Roy arrived on scene spoke with ABRAHAM and Isaiah BOLDUC(1997/██████). They advised that they went to the store. ABRAHAM returned to the residence by herself and BOLDUC went else where. Upon ABRAHAM's return she noticed BOLDUC's Jackson guitar and amp outside. When she entered the residence she noticed the house to be in a mess. She went upstairs and saw that the attic hatch had been kicked in. ABRAHAM called BOLDUC to come home as they had been broken into. BOLDUC advised that the neighbour's Andrew SUTHERLAND(1998/██████) and Bethany GAGNON(1997/██████) had threaten them in the past saying they were going to break into the residence by the attic, BOLDUC got nervous and screwed 2 2x6 pieces of lumber to the attic hatch as the attic has access to both unit D and C.

PC St. Onge observed a broken board on the ground with a 2x6 in it, BOLDUC advised that that board was the attic hatch door. PC St. Onge also observed a second piece of 2x6 on a top shelf in the closet where the attic hatch is. The trim surrounding the hatch was broken on the outside. It appears that the boards were ripped down and not kicked in. No debris was observed on the ground that would indicate someone entered into the residence via the attic ie insulation. PC St. Onge attempted to look into the attic however was unsuccessful and he caused insulation on fall on the top shelf.

BOLDUC further advised that he was upset and went to SUTHERLAND's residence however SUTHERLAND did not open the door and simply said that's my stuff.

ABRAHAM advised that the individual left the residence by the back door. Police asked ABRAHAM how she knew that and she advised that the washing machine is usually up against the back door but it had been moved and foot prints in the snow led to unit C.

PC St. Onge went outside and observed foot prints in the snow turning towards unit C however the foot prints were no longer visible due to no more snow and it's unknown if the foot prints actually led back to unit C.

PC St. Onge, PC Currie, and PC Roy attended Unit C and spoke with SUTHERLAND and GAGNON. Neither individual wanted to provide police a statement however advised that Cassidy WABOOSE(2002/██████) was watching their place while they went uptown to get pizza and when they came back WABOOSE told them that she got stuff from the neighbours and she showed them what she took. SUTHERLAND allowed police in to arrest WABOOSE as she was upstairs in the residence. At 18:41hrs, WABOOSE was arrested, and escorted to PC Roy's cruiser. SUTHERLAND and GAGNON gave police back all of BOLDUC and ABRAHAM's belongings.

Police reattended unit D and obtained an audio statement from both ABRAHAM and BOLDUC.

PC Roy advised PC St. Onge that after WABOOSE was RTC and Caution that ABRAHAM and Bree TOWEDO(1993/██████) were involved in staging the B/E as ABRAHAM claims that BOLDUC was cheating on her and that ABRAHAM wanted to get back at BOLDUC.

At 19:10hrs ABRAHAM was arrested for public mischief.

PC St. Onge spoke with BOLDUC and he confirmed that ABRAHAM accused him over a week ago of cheating but he declines it happened.

Both ABRAHAM and WABOOSE were transported to the Greenstone OPP detachment. Once back at detachment PC St. Onge wanted to obtain an audio/video statement with WABOOSE regarding what she disclosed to PC Roy, however an odour of alcohol was emitting from WABOOSE's breath and she admitted to consuming weed.

Duty counsel was contacted for WABOOSE as per her request. When duty counsel called back WABOOSE refused to exit the cell and stated she no longer wanted to speak with counsel. WABOOSE was now slurring her speech. Police will need to conduct a statement with WABOOSE when she is sober.

At this time, WABOOSE was arrested for possession of property obtain by crime under \$5000 and ABRAHAM was arrested for failure to comply with undertaking as she did not report her change of address and she told police she had been living at 305 Third St W for approximately 2 weeks now.

Witness Interview(s):

Suspect(s) / Vehicle(s):

Notification(s): Sgt Beaulieu

Disposition: Cleared by charge / open still under investigation.