

Probation Not Automatic Penalty For First Offender Says Pearse

Being convicted of a first offense doesn't automatically mean probation, Magistrate Russell Pearse warned last week in Magistrate's Court in granting a six-month suspended sentence to a 17-year-old Richmond Hill youth.

Magistrate Pearse said he agreed with Defence Counsel John Lawlor, that there seemed to be hope his client, James A. Mills, 21A Yonge Street, North, could rehabilitate himself. Mr. Lawlor said that the youth, who stole two cars with another youth last November, was "easily led". Mills, however, was happy at home, wanted to live at home and also improve his educational standing, Mr. Lawlor said.

He said the youth had already spent five weeks in custody. "I don't want young people to think that, just because this is the first time they've been convicted of anything, that it automatically means a suspended sentence," Mr. Pearse said.

As terms of his probation, Mills must report to the probation officer once a month, observe an 11.30 pm curfew, stay away from his accomplice in the matter, George Czar, 17, of Toronto, refrain from drinking liquor and stay away from any public beverage places, inform the probation officer of any change of address, get permission from him if he wishes to leave town, and post a bond of \$500 to keep the peace for six months.

His companion in crime, George Czar, didn't fare as well. Czar received three months on both counts, the sentences to run concurrently.

In asking for a lenient sentence for his client, Mr. Lawlor said Czar was a "particularly bright, young man," and people found it hard to believe he shouldn't be able to make something of his life.

George Lenneville, Oak Ridges, who told the court he would like to "put things together and settle down," was sentenced to 20 days on a charge of assault occasioning bodily harm, and 10 days on a common assault charge. Both sentences are concurrent.

Lenneville was convicted December 8 of twice beating a youth over a private matter.

Two Toronto youths, Donald Cowan, 20, and Fred Karczewski, 17, who were convicted of breaking into and stealing a quantity of cigarettes and candy from Western Produce, Woodbridge, November 24, were given opposite sentences.

Cowan, who has a previous

record for breaking and entering, was given three months, while Karczewski was remanded to the House of Concord until January 19.

Mr. Pearse told the youth, however, if it wasn't, he would be dealt with in another way.

Mr. Pearse also granted probation to another youth on one charge, but fined him on another.

"You have possibilities if you use your head and stay out of trouble," the magistrate told

Hannu Hyytiainen, 17, of To-Neal Drive, Richmond Hill, who pleaded guilty to two charges of theft of a car and driving while under suspension.

Hyytiainen, who will also have to observe an 11.30 pm curfew, was given one year's suspended sentence on the first charge, and fined \$150 or 60 days on the second.

Gail Chartrand, 17, of 379

She later forged a check on the club in the amount of \$115 and cashed it.

Brian Johnston, 19, of 8 William Street, Woodbridge, who spat in a constable's face when arrested, was fined \$50 and costs on a charge of drinking liquor while under age, and remanded to December 22 on another charge of creating a dis-

turbance. Vaughan Township Police Constable Kenneth Smith told the court the youth had been reprimanded and later asked to leave for making a noise in a Woodbridge restaurant December 10. He was in a drunken condition and refused to leave or pay for his coffee, the constable said.

Later on in the evening, the youth spat in his face, the witness said.

Johnston, who denied being drunk, or of making a disturbance, asked for a remand on the disturbance charge to arrange for three witnesses. Crown Attorney Arleigh Armstrong asked for a substantial sentence on the drinking charge, and said the accused's conduct indicated his irresponsibility.



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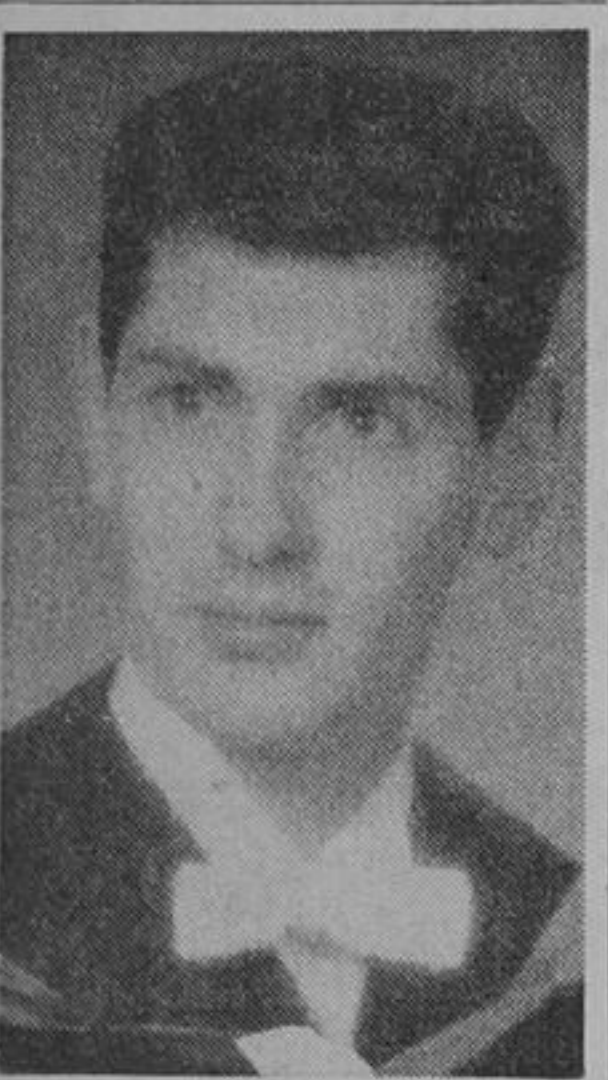
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