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# Porn sentence appeal starts Monday

BY JEFF MITCHELL  
 Staff Writer

Former soccer coach Randy Weber, convicted on child pornography charges earlier this year, will be in court Monday as the attorney general appeals a judge's decision not to send him to jail.

Mr. Weber, 43, was sentenced to 14 months of house arrest at a hearing in February. Mr. Justice Roy Bogusky opted for the conditional sentence despite the Crown's argument the Markham resident ought to be jailed for at least a year.

The sentence was met with dismay by many in the community. A popular Toronto radio personality even went so far as to launch an on-line petition calling for a review.

In arguing for a jail term at Mr. Weber's sentencing hearing in February, Crown attorney Michael Demczur said the court should convey society's condemnation of child pornography and also send a signal to deter others from seeking out and distributing it.

"If penalties adhere to it, then people will think twice," Mr. Demczur argued.

Mr. Weber pleaded guilty to possession and distribution of child pornography. He was arrested by York Regional Police in January 2002, after an extensive investigation that had begun almost a year earlier.

Police here received a tip from Ohio law enforcement officials, who had made contact and received pornographic pictures involving children on the Internet from a user identified as Redaweber.

The user ID was traced to Mr. Weber's Internet account.

On Jan. 22, 2002, officers raided Mr. Weber's home. They seized a computer which was found to contain hundreds of pornographic images, including still photos and M-pegs — short video clips — depicting children, some of them very young, being subjected to degrading sexual acts at the hands of adults.

It was the grievous nature of the material that led to the Crown's call for

a jail term. Mr. Demczur said those who collect and trade child porn fuel an industry that depends on the exploitation of children.

Defence lawyer Keith Geurts argued Mr. Weber is not a pedophile and, therefore, not a danger to the community. He described Mr. Weber as a man who is disgusted by child pornography, but a compulsive hoarder of Internet images who relies on pornography to become sexually aroused.

Mr. Geurts argued the charges, the loss of Mr. Weber's six-figure salary at IBM and intense media scrutiny surrounding the case should all be taken into account when considering sentencing.

Mr. Justice Bogusky accepted the assessment of a psychiatrist introduced by the defence, who went along with the belief the Mr. Weber is not a pedophile.

He also appeared to sympathize with Mr. Geurts' assertion that Mr. Weber has been ostracized by the community since his arrest.



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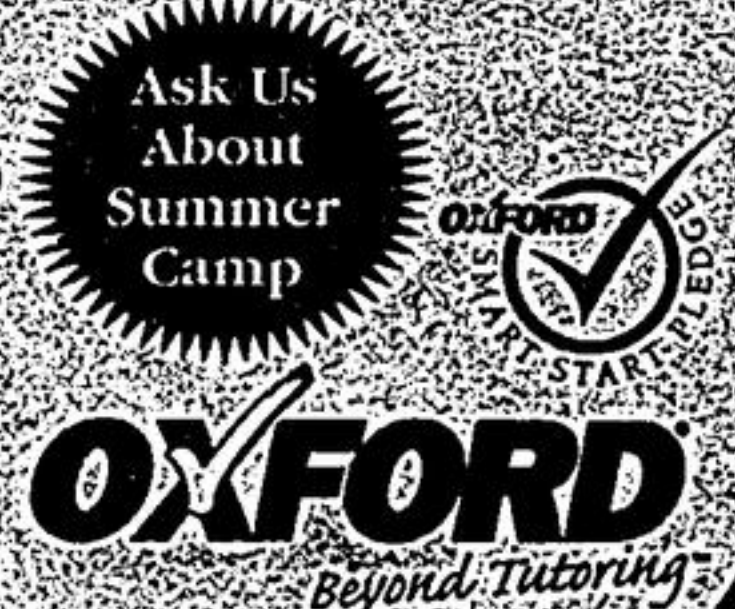


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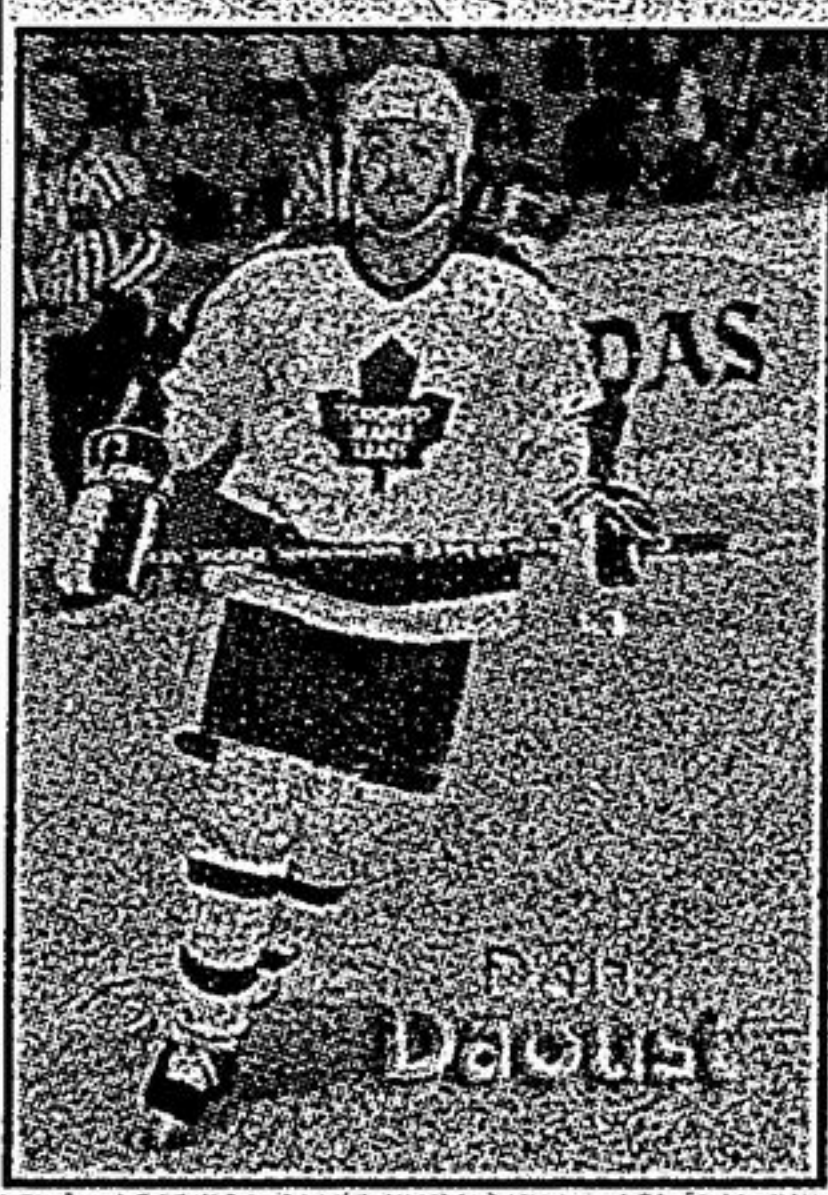
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