ONTARIO COURT OF JUSTICE

HER MAJESTY THE QUEEN

V.

KURTIS EDWARDS

10

EXCERPT OF PROCEEDINGS
PLEA OF GUILT

15

BEFORE THE HONOURABLE MR. JUSTICE KENKEL On December 4, 2020, at NEWMARKET, Ontario

20

25

30 APPEARANCES:

R. DeChellis
Kurt Edwards

Counsel for the Crown Self-represented

ONTARIO COURT OF JUSTICE TABLE OF CONTENTS Page 08 Arraignment Submissions by Mr. DeCHELLIS Page 15 10 15 20 25 30 Transcript Ordered: December 04, 2021

February 02, 2022

February 02, 2022

Transcript Completed:

Ordering Party Notified:

ERATUM

Please note that these proceedings were conducted through Zoom, thereby making some portions of the recording difficult to discern. This transcript has been transcribed to the best of my ability

CLERK OF THE COURT: Thanks very much, I am going to start. Mr. Edwards, can you hear me, sir?

KURTIS EDWARDS: Yes, I can.

CLERK OF THE COURT: Mr. Kurt Desmond Edwards, you stand charged on or about the 18th day of December, in the year 2020, at the City of Vaughan in the Regional Municipality of York, did wilfully damage, vandalize the rear truck bed door of a motor vehicle, the property of Fabio Bucci, the value of which did not exceed \$5,000, and thereby commit mischief, contrary to s. 430(4) of the Criminal Code.

Furthermore, you stand charged on or about the 18th day of September, in the year 2020, at the City of Vaughan in the Regional Municipality of York, did wilfully damage front panels of a garage door at the Address, the property

10

5

15

20

25

of owners of Address, the value of which did not exceed \$5,000, and thereby commit mischief, contrary to s. 430(4) of the Criminal Code.

Furthermore, you stand charged on or about the 18th day of September, in the year 2020, at the City of Vaughan in the Regional Municipality of York, did wilfully damage a garage, the property of Shelly Gilman, the value of which did not exceed \$5,000, and thereby commit mischief under s. 430(4) of the Criminal Code of Canada.

Furthermore, you stand charged on or about the 18th day of September, in the year 2020, at the City of Vaughan in the Regional Municipality of York, did wilfully damage a garage door, the property of owners of Address, the value of which did not exceed \$5,000, and thereby commit mischief under s. 430(4) of the Criminal Code of Canada.

Furthermore, you stand charged on or about the 18th day of September, in the year 2020, at the City of Vaughan in the Regional Municipality of York, did wilfully damage the rear driver's side – Your Honour, the rear driver's side passenger door of a motor vehicle, the property Susan Stern, the value of which did not exceed \$5,000, and thereby commit mischief, contrary s. 430(4) of the Criminal Code of Canada.

5

10

15

20

25

10. Arraignment

And furthermore, you stand charged on or about the 18th day of September, in the year 2020, at the City of Vaughan in the Regional Municipality of York, did wilfully damage a motor vehicle, the property of owner of a white Chevrolet pickup truck bearing Ontario marker AK55727, the value of which did not exceed \$5,000, and thereby commit mischief, contrary to s. 430(4) of the Criminal Code of Canada. How would the Crown like to proceed?

MR. DeCHELLIS: Summarily.

CLERK OF THE COURT: Mr. Edwards, how do you plead, sir, to the six charges as arraigned, guilty of not guilty, sir?

KURTIS EDWARDS: Guilty.

CLERK OF THE COURT: Thank you, please listen to the allegations.

THE COURT: Okay, let's hear the facts.

MR. DeCHELLIS: It wasn't very complicated, Your Honour, but I will go through them. On December the 18^{th} , 2020 at around 6:00 p.m., police received a call from the complainant who were witnesses to what they believed to be a hate in York Region, I crime, at Address guess in Vaughan, to it being Sabbath prayers and a Jewish high holiday, they were unable to speak and give a witness statement, and one of them was advised to tell the police what happened. advised that around 1820 hours they seen the accused, (indiscernible), skinny build, five foot ten, wearing a black hat, a black sweater, a face mask, and a backpack, writing on it

10

5

15

20

25

"Jews hate black". The accused was confronted and asked him what he was doing, at which point he yelled that he didn't like Jews and started walking towards the front of the house to a public pathway. At this point he witnessed the male writing on the back of their Toyota van "Jews hate black". They had never seen him before and it was learned that there were multiple calls at that point. Just give me a second here. Okay, and that was at 1624 hours.

On the 21st of September the police attended a residence, Abi Ven Chethrit, A-B-I, this is the named complainant in the assault allegation that he hasn't pled to that will be part of probation. The last name is V-E-N C-H-E-T-R-I-T. Upon arrival they spoke to Abi, and it was learned that on December the 18th at approximately 1825 hours he dropped his father off at the Sephardic Kehila Centre, this is going to be part of probation, S-E-P-H-A-R-D-I-C, Sephardic....

KURTIS EDWARDS: Oh, okay, can I - sorry, can I just say something. If I am not pleading guilty to that, to that - if I didn't plead guilty to that (indiscernible)....

THE COURT: Because it is being read out, so the reason is because it is going to be part of the probation that you stay away from there.

KURTIS EDWARDS: That's all, okay.

MR. DeCHELLIS: And also the assault allegation with the gentleman while you are not, while you

5

10

15

20

25

were not supposed to go near him as well.

KURTIS EDWARDS: Okay.

MR. DeCHELLIS: So it's Sephardic Kehila, K-E-H-I-L-A, Centre located at Address in Vaughan. As this person was walking up the ramp to the synagogue, he was approached by the accused who started yelling and made numerous comments that were derogatory about being Jewish. So there was that confrontation, I am not getting into the details because he is not pleading to it, but just that I bring it up for probation. It looks like there was video footage that helped tie it to the accused, Your Honour.

On Sunday, February 20th they attended the address, that address in Vaughan, where the words were written on wall that "Jews hate black" on the garage door at Address. This is the Shelly Gilman address. Then they were dispatched to - just a second here, I am going to try to find it. I am going through the synopsis but like the general synopsis, Your Honour, that would be like the, like the police do an individual smaller paragraph to account - there we go, here we go.

For count one, so you had the flavour, Your Honour, obviously from what I have read, but this is more what the accused will have to admit. So count one, December 18th, 2020, the accused attended Address in Vaughan. This is the - there was a while Chevrolet four door

5

10

15

20

25

pickup truck bearing Ontario marker AZ11578, the property of Fabio Bucci, and written on that was "Jews hate black" on the rear truck bed door of the vehicle. This was the accused who did that. Step two is, I've already described count two as the one he is not pleading to in the area. Count three is he attended Address and wrote the phrase "Jew of the world", that "Jews hate black" with a black permanent marker on the front panels of the garage door to the residence.

Count four is Address, the vehicle in that area he used permanent red marker to write "Jews hate black" and "Jews around the world" on the garage, the property of Shelly Gilman. Count five, and so I said - okay, count five, on or about the 18th of December he was in the area of in the City of Vaughan. He approached that address and used a permanent black marker to write "Jews hate black" and "Jews around the world" on the garage door, that was

Count six is he attended Address in the City of Vaughan, vandalizing a Honda CR-V, Ontario plate BJA C787, the property of Susan Stern, and he wrote "Jews around the world" on the driver's side door. And then the last count is count eight, also on December 18th, he vandalized a white Chevrolet pickup truck bearing marker AK55727, the property of Weston Edwards with a blue plated marker and he wrote "pedo"

10

5

15

20

25

rapist" and "lover of young girls" written on his vehicle. Those are the allegations, Your Honour. He was on probation at the time.

THE COURT: Okay, so those are the allegations of the mischiefs?

MR. DeCHELLIS: Yes.

THE COURT: Okay, those allegations, sir, on the mischief charges you have pleaded guilty to, are those facts correct, Mr. Edwards?

KURTIS EDWARDS: I don't know of the exact dates, I don't know if I heard correctly about what the dates, I don't know if there are different dates on them or if they are all the same dates.

THE COURT: It was all one date.

KURTIS EDWARDS: All on one day?

THE COURT: All September 18^{th} , all September 18^{th} .

KURTIS EDWARDS: Okay, yeah, they are right.

THE COURT: Okay, based on the admission there will be a finding of guilt on each count. So I have him starting custody since October 18th, it does seem like there was a bit of a delay, do we know the start date of the custody, is that....

MR. DeCHELLIS: Give me one second, I can tell you. Yes, it looks like he was arrested on October 18th, ...

THE COURT: Okay.

30

5

10

15

20

Certificate of Transcript Evidence Act, Subsection 5(2)

I, <u>Elaine Paquette</u>, certify that this document is a true and accurate transcript of the recording of <u>December 4, 2020</u>, in the <u>Ontario Court of Justice</u> held at <u>50 Eagle Street West</u>, <u>Newmarket</u>, <u>Ontario taken from Recording 4911-201-20201204-084833-6-KENKELJ</u> which has been certified in Form 1 by Marco Magnante.

10

15

February 02, 2022

Date

Elaine Paquette
Authorized Court Transcriptionist

20

25