

ONTARIO COURT OF JUSTICE

HIS MAJESTY THE KING

V.

JEFFREY LEWIS

P R O C E E D I N G S D U R I N G
P L E A O F G U I L T

BEFORE THE HONOURABLE MADAM JUSTICE BURTON
On September 27, 2022, at THUNDER BAY, Ontario

APPEARANCES:

T. Bud

P. Vo

Counsel for the Crown
Counsel for Jeffrey Lewis

(i)
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1.
R. v. Jeffrey Lewis
Arraignment

TUESDAY, SEPTEMBER 27, 2022

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5 CLERK OF THE COURT: Jeffrey Lewis, you stand charged that on or about the 23rd day of February in the year 2021, at the City of Thunder Bay in the said Region, did by verbally and knowingly utter a threat to Sonya Whitecrow, to cause death to Sonya Whitecrow, contrary to s. 264.1(1)(a) of the *Criminal Code*. The Crown has elected to proceed summarily. To this charge, how do you plead, guilty or not guilty?

10 JEFFREY LEWIS: Guilty.

15 CLERK OF THE COURT: Thank you. And further, you stand charged that on or about the 23rd day of February in the year 2021, at the City of Thunder Bay in the said Region, knowing that Sonya Whitecrow is harassed, or being reckless as to whether Sonya Whitecrow is harassed, did without lawful authority repeatedly communicate directly or indirectly with Sonya Whitecrow, thereby causing Sonya Whitecrow to reasonably in the all the circumstances fear for her safety, contrary to s. 264(1)(2)(b) of the *Criminal Code*. The Crown has elected to proceed summarily. To this charge, how do you plead, guilty or not guilty?

25 JEFFREY LEWIS: Guilty.

CLERK OF THE COURT: Thank you. That completes the arraignment, Your Honour.

THE COURT: Thank you. All right, Mr. Bud?

30 MR. BUD: Yes, thank you. Yes, this incident occurred on February 23rd, 2021. The victim in this matter being a Sonya Whitecrow was having

issues with another tenant in her apartment building who was saying various racial slurs towards her. Ms. Whitecrow, Sonya Whitecrow resides with her brother, Sagen Whitecrow and her cousin James Wilson. Just a moment, Your Honour. MS. VO: I apologize, Your Honour, Ms. Wood originally had carriage of this matter and we had worked out sort of an agreed statement of facts. Obviously Mr. Bud is here today and he was not sent that email, so I am just forwarding that to him if I may?

THE COURT: All right. Yes, this matter was brought in from another courtroom. We have got a judge sick and so everything has been shuffled around today and is landing in different places, so.

MS. VO: Thank you, Your Honour.

MR. BUD: Yes, thank you. On February 23rd, 2021 at approximately 1621 hours CMHA Crisis Response Services requested the police to attend apartment number two at **Address**. As a result of this call the police began an investigation into a possible hate crime. In speaking with Sonya Whitecrow police learned that Sonya resides with her brother, Sagen Whitecrow, and her cousin James Wilson in apartment number two at **Address**

In the early morning hours of February 23rd, 2021 Sonya Whitecrow made a noise complaint in the apartment when she accidentally banged a door into the desk behind it. Later around 7:30 a.m. she

5 heard the upstairs tenant, Mr. Jeffrey Lewis, come downstairs. The walls between the apartments are thin and through the walls she heard Jeffrey saying, "I will kill you, slamming doors, waking me up, dirty Indians." About half an hour later she heard him return and continue loudly speaking slurs of various kinds, again, including "dirty Indians". Later in the afternoon she heard Jeffrey in his upstairs apartment with company loudly saying, "You know those dirty Indians living on the main floor, if I see them out in the public or the bus stop I'm smashing their heads in."

15 Sonya provided 25 recordings that she made in her apartment from January 20th to February 26th, 2021 to the police. In the recordings Jeff....

20 THE COURT: Just a second. You guys need to listen to this.

JEFFREY LEWIS: Okay, sorry.

THE COURT: So back up a moment, you indicated Ms. Whitecrow had recordings from....

25 MR. BUD: Yes. So Ms. Sonya Whitecrow provided 25 recordings that she made in her apartment from January 20th to February 26th, 2021, and she provided this to the police. In these recordings Mr. Lewis can be heard saying threatening, violent and inappropriate remarks about indigenous people and members of the LGBTQ community. She further advised police that she began hearing Jeffrey's remarks in May of 2020 shortly after she began living in the apartment

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5 fulltime due to the Covid 19 pandemic. She indicated that he began powwow chanting in June of 2020. Sagan Whitecrow, the brother, corroborated hearing Jeffrey Lewis yelling racial slurs.

10 Ms. Sonya Whitecrow advised police that she was fearful that Jeffrey would carry out these threats. She identifies as an indigenous woman and that these events had a significant impact on her mental health and wellbeing. And so those would be the facts with respect to these two offences.

15 MS. VO: Those facts are acknowledged, Your Honour.

THE COURT: Findings of guilty.

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Certification

Certificate of Transcript
Evidence Act, Subsection 5(2)

5 I, Elaine Paquette, certify that this document is a true and
accurate transcript of the recording of September 27, 2022, in
the Ontario Court of Justice held at 125 Brodie Street North,
Thunder Bay, Ontario taken from Recording 4211-CR103-20220927-
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Maendel.

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April 2, 2023

Date

Elaine Paquette

Authorized Court Transcriptionist

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