

Car thief escapes jail

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A provincial court judge was told Friday that a Six Nations man has the intellect of an eight-year-old and just wants to help others.

The fact the “others” he chose to help were part of a suspected Six Nations car theft ring posed a sentencing conundrum of sorts for Judge John Takach.

The prosecution was seeking six months of jail for Darrell Henry, 29, who pleaded guilty in March to theft over \$5,000 and dangerous driving. On that date, the court also ordered a pre-sentence Gladue report, which is prepared on offenders of aboriginal background.

Henry was arrested June 2, 2011, after he played a real-life version of bumper cars in the Silver City theatre parking lot on the east Mountain, ramming police and civilian cars in a bid to flee in a stolen vehicle. Police had to break the driver’s window and pull him from the car.

Henry was one of three men under surveillance because they had been scoping out possible vehicles to steal from Hamilton parking lots earlier that day. But he was the only one police caught.

Defence counsel Beth Bromberg painted a picture of an emotionally abused man of limited intellect who was subject to neglect as a youngster.

“He is soft-hearted and just wants to help others,” Bromberg said.

“The difficulty is he was helping criminals,” the judge interjected.

Bromberg countered it would be a tragedy for her client, who has no record, to be incarcerated because his vulnerability would leave him easily victimized.

Prosecutor Michael Fox pushed for jail. While Henry may have come under the influence of criminals more cunning and crafty than himself, Fox reminded court the accused “tried to drive himself out of the trap he was placed in” in the theatre parking lot.

Tkach was bothered by the facts.

“On the facts, there are hints or suggestions he was part of a stolen car ring. He was involved with others casing out cars in parking lots, such as mall locations, where people have been known to have their cars stolen,” the judge said.

Henry would have faced a stiff jail sentence if there was more evidence of his involvement in such a ring, he noted.

Tkach sided with Bromberg. He handed Henry a suspended sentence, placed him on probation for 24 months and ordered him to perform 50 hours of community service. He was also placed on a curfew for the probationary period and prohibited from driving for two years.

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