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## Court cuts drunk-driving sentences

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VANCOUVER – The difference between a drunk driver who kills someone and one who doesn't is mostly chance, the B.C. Court of Appeal ruled in reducing jail terms for three impaired drivers who killed or maimed others.

"The moral culpability of an offence is determined by the state of mind which accompanies the offender's unlawful act," Mr. Justice Josiah Wood said in his written reasons for

judgement.

"The moral culpability of the offence of impaired driving ... is the same as that of impaired driving causing either death or bodily harm."

"The fact death or bodily harm does or does not result ... is more likely to be due to chance than to any circumstance of foreseeability."

The rulings were handed down unanimously by a panel consisting of Chief Justice Alan McEachern and Justices Henry Hutcheon, John Lambert, Sam Toy and Judge Wood.

John Grezenda, 45, of Victoria had an eight-year sentence reduced to four years, David McNeil, 27, and John Sweeney, 23, had their sentences of 4½ years cut to 18 months. The court upheld the eight-year sentence of Curtis Lunn, 47.

The article EM9203 reprinted above is used in Figure 7.1 of the STAT 220 Course Materials and in Statistical Highlight #40.