

CANADA / JUDGMENT

R. v. Houle

2025 BCSC 2561

COURT

Supreme Court of British Columbia

DECIDED

17 November 2025

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2025 BCSC 2561 R. v. Houle

IN THE SUPREME COURT OF BRITISH COLUMBIA

Citation:

R. v. Houle,

2025 BCSC 2561

Date: 20251117

Docket: 50882-2

Registry: Penticton

Rex

v.

Tyler William Houle

Before: The Honourable Mr. Justice K. Ball

Oral Reasons for Sentence

Counsel for the Crown:

A.N. Linthorne

Counsel for the Accused:

K.K. Chase (by videoconference)

Place and Date of Hearing:

Penticton, B.C.

October 3, 2025

Place and Date of Judgment:

Penticton, B.C.

November 17, 2025

- [1] THE COURT (by videoconference): These are reasons for sentence in the matter of Tyler William Houle, who is convicted of six counts on Indictment 50882, Penticton Registry. He entered guilty pleas on Counts 5 and 6 in that indictment, and was found guilty after a trial on the remaining four counts.
- [2] As with all oral reasons, should a transcript be ordered, I reserve the right to edit to make minor corrections, put in full case citations, and complete any matters that were not read in full. I also may include more extensive quotations from the authorities cited, which I may not read in full at this time, but consider myself free to insert full quotations in the edited transcript if necessary.
- [3] The six counts are as follows:

Count 1

Tyler William HOULE, on or about the 12th day of May, 2024, at or near Osoyoos, in the Province of British Columbia, in committing an assault referred to in section 270 of Cst. L. Eikanger, did carry, use or threaten to use a weapon or an imitation weapon, contrary to Section 270.01(1)(a) of the Criminal Code.

Count 2

Tyler William HOULE, on or about the 12th day of May, 2024, at or near Osoyoos, in the Province of British Columbia, did operate a conveyance in a manner that, having regard to all of the circumstances, was dangerous to the public, contrary to Section 320.13(1) of the Criminal Code.

Count 3

Tyler William HOULE, on or about the 12th day of May, 2024, at or near Osoyoos, in the Province of British Columbia, while operating a motor vehicle while being pursued by a peace officer, did fail, without reasonable excuse, to stop the motor vehicle as soon as was reasonable in the circumstances, contrary to Section 320.17 of the Criminal Code.

Count 4

Tyler William HOULE, on or about the 12th day of May, 2024, at or near Osoyoos, in the Province of British Columbia, while (or after) operating a conveyance knowing that, or being reckless as to whether, the conveyance had been involved in an accident with a person or another conveyance, failed to stop the conveyance and give their name and address contrary to Section 320.16(1) of the Criminal Code.

Count 5

Tyler William HOULE, on or about the 12th day of May, 2024, at or near Osoyoos, in the Province of British Columbia, did operate a conveyance, a motor vehicle, while prohibited from doing so by reason of an order made under the Criminal Code, contrary to Section 320.18(1)(a) of the Criminal Code.

Count 6

Tyler William HOULE, on or about the 12th day of May, 2024, at or near Osoyoos, in the Province of British Columbia, did resist or wilfully obstruct Cst. L. Eikanger, a peace officer in the execution of his or her duty, contrary to Section 129(a) of the Criminal Code.

Circumstances of the offence

- [4] Reasons for judgment on conviction were given orally on July 16, 2025. No transcripts of these reasons has been requested to date. In any event, I reserve the right to edit the reasons for grammar and completeness.
- [5] A pre-sentence report was prepared and filed herein on August 18, 2025, and has been reviewed in-full in preparation for these reasons for sentence. A Gladue report was also filed. I will comment further on it later.
- [6] In brief, on May 12, 2024, shortly after 3:00 p.m., Ms. Collington, an experienced medical first responder, detected Mr. Houle and a woman apparently sleeping in the front seat of a large white pickup truck then parked on a boat launch ramp that provided access to Osoyoos Lake. The boat launch ramp was located immediately to the north of the home of Ms. Collington's mother, the location from which Ms. Collington first observed the white pickup truck. The engine of the pickup truck was running.
- [7] Ms. Collington requested by telephone that the RCMP perform a wellness check on these persons in the pickup truck. A single RCMP officer, Constable Eikanger, an officer with eight and a half years' experience, then assigned to duty with the RCMP detachment in Osoyoos since 2020, arrived at the boat launch ramp at approximately 3:55 p.m. wearing a regular duty RCMP uniform and driving a marked RCMP vehicle.
- [8] Mr. Houle was then located in the driver's seat of the pickup truck, sitting with the engine running on the boat launch ramp on Osoyoos Lake. When the driver was asked his name, he told the officer his name was Jesse Houle, which was not his name, which is actually Tyler William Houle. The licence plate attached to the pickup truck did not match the vehicle.
- [9] The sole passenger in the pickup truck was Paige Rist, a woman known to Constable Eikanger from previous police files. Constable Eikanger had previously been informed in the course of her duties that a pickup truck matching the description of the white pickup truck being occupied by Mr. Houle had recently been stolen.

- [10] The RCMP officer requested that Mr. Houle provide his driver's licence and registration for the vehicle. He declined to provide either document. He was also directed to turn off the engine of the pickup truck and provide the keys to the officer. Mr. Houle denied he had the keys but managed to turn off the engine. The fact that Mr. Houle did not have the keys to the pickup truck heightened the officer's suspicion that the truck was stolen. The officer told Mr. Houle not to restart the engine of the truck.
- [11] The RCMP officer then took a photograph of the vehicle identification number ("VIN") located in the front window of the truck, and that photo was marked as Exhibit 2.
- [12] She then returned to the police vehicle to make computer inquiries about the VIN number. The result of the computer inquiries provided information that the white pickup truck was stolen from a nearby winery. While conducting those inquiries, the police officer heard the pickup truck engine restart, and the engine was revved to a high level. The officer believed that, as a result, the only avenue of escape for the pickup truck was through the police vehicle and that the police vehicle was about to be rammed by the pickup truck. She moved the police vehicle closer to the rear of the pickup truck to reduce the potential for damage from being rammed.
- [13] The truck was driven backwards sharply, striking the front of the police vehicle in which the officer was still located. The collision between the pickup truck and the police vehicle was heard as a loud crashing sound by Ms. Collington: "It was a big bang."
- [14] The officer testified that ramming of the vehicle by the pickup truck was repeated a total of four times.
- [15] Ms. Collington and the RCMP officer both testified that the pickup truck was then driven through the lake water onto property to the north of the boat ramp in an apparent escape attempt, the pickup truck being mired in the soft mud at the edge of the lake, and then rocking backwards and forwards until it gained purchase and moved forward to the north.
- [16] At that point, Constable Eikanger observed Ms. Rist exit from the pickup truck into the lake via the front passenger door. Ms. Rist remained near the boat launch for a short period of time and then left the scene.
- [17] Constable Eikanger exited the police vehicle, withdrew her issued firearm, and shouted at Mr. Houle, "Stop, police. Get onto the ground. You are under arrest." This is known as a Code 5 instruction. The RCMP officer also pressed a button on her uniform that provides a 1033 signal, which broadcasts an emergency tone alert to summon other RCMP officers when an officer is in an extreme situation seeking immediate help.
- [18] Mr. Houle continued to rev the engine of the pickup truck loudly and the exhaust was belching black smoke. This was visible on one of two videos that were provided as exhibits. The videos were taken by the neighbours to the north and the south.

- [19] Mr. Houle continued to rev the engine of the pickup truck. He yelled, "Babe, get the Warn hubs," which was an instruction to summon four-wheel drive on all tires. He was looking wide-eyed out of the open driver's window, ignoring the RCMP officer's instructions to stop. At that time, Constable Eikanger testified she returned her service firearm to its holster. Finding no path to escape to the north, the truck was then backed into the lake and driven backwards, "paddle-wheeling" onto the property to the south of the boat ramp, the Collington property, where escape was blocked by a concrete wall. Then, the truck was driven forward through lake water, back to the base of the boat launch ramp.
- [20] The RCMP officer, as I have said, had exited her vehicle and repeatedly in a loud voice told Mr. Houle he was under arrest and to stop the vehicle. Ms. Collington was easily able to hear these commands from her location.
- [21] Mr. Houle responded with expletives, starting with "F-- off" and "F-- you" which were directed at the officer. Mr. Houle did not stop the pickup truck, and instead drove the pickup truck forward up the boat ramp to collide with the front passenger side fender of the police vehicle. Damage to the police vehicle was evident in a photograph of the police vehicle marked as an exhibit.
- [22] Mr. Houle then drove the pickup truck back around the police vehicle on its north side, narrowly missing contact with the RCMP officer who had been standing on the north side of the police vehicle and had to leap to the north to avoid injury from the pickup truck. Mr. Houle sped up the boat ramp entrance into the cul-de-sac where he drove away at "a fast rate of speed for the area". Mr. Houle also caused the pickup truck to strike a utility trailer parked behind the police vehicle.
- [23] Ms. Collington and another neighbour recorded some of the events of the pickup truck on video features on their cellphones. Those were marked as exhibits at trial. A number of photographs taken at the scene of the boat ramp, of which three photographs were marked as Exhibit 2, displayed the path of the pickup truck at various times. 19 other photos taken after the pickup truck left the ramp were also exhibited and the contents described.

Victim impact

- [24] A victim impact statement (the "VIS") was filed on behalf of Constable Eikanger as Exhibit 1. The VIS stated that Constable Eikanger was angry at Mr. Houle for his actions. She stated:
- I was afraid of the harm that could have befallen myself and the danger to innocent bystanders that [Mr.] Houle caused. I lost sleep and still feel deep anxiety when remembering events.
- [25] In relation to the physical impact, the VIS states:

The events of this file were one of the stress and anxiety triggers for my heart palpitations and recent work-related hypertension diagnosis. I now have to take essential medication in order to reduce the likelihood of a stroke in future. I have been diagnosed with work related PTSD [post-traumatic stress disorder] and this was one of the most physically dangerous and mentally traumatic experiences.

[26] In relation to fears for safety, the statement reads:

I fear for the safety of the public, other police officers and my own safety when dealing with [Mr.] Houle in the future. His senseless actions showed no care or concern for the harm he could cause to other people and property.

[27] Because of the consequences of this incident and the dangers posed thereby, and the effects of those circumstances, Constable Eikanger has not been able to return to work as an RCMP officer since the events which gave rise to this incident.

Circumstances of the offender

[28] Mr. Houle was born in 1980 in Elliot Lake, Ontario. There is a dispute about the parentage of Mr. Houle. He claims Indigenous status through A.J., a man he believes to be his father. I have used initials as it is unnecessary to identify that person. A.J. denies he is the father of Mr. Houle. As A.J. asserts, he first met the mother of Mr. Houle when she was already five weeks' pregnant with Mr. Houle.

[29] Mr. Houle's self-identification of Indigenous ancestry has not been verified for the purpose of the Gladue report, according to the writer of that report. It is apparent, however, that Mr. Houle lived in difficult circumstances as a child and young person because of the lack of parental care and was introduced to drug use, or rather, drug abuse, as a young teen and adult. According to his self-report, he was introduced by his mother to the use of narcotics when he was only 11 years old. His mother was frequently away from home and did not supervise him appropriately.

[30] He is reported to have graduated from high school in 1999 and obtained a Red Seal certificate in carpentry based on experience, not academic training. He suffered workplace injuries in 2020 and has not worked since before the onset of the COVID-19 pandemic, although he also asserts that continuing substance abuse has interfered with his ability to maintain employment.

[31] He suffered a fractured heel and broken hip, which has caused ongoing pain for Mr. Houle. The pre-sentence report also indicated that he would have hernia surgery the week of August 18, 2025, and is awaiting hip surgery. The injury to Mr. Houle's hip resulted from a significant motor vehicle accident. He uses a cane and orthopedic heel lift in his shoe to manage symptoms.

[32] It is his hope that upon release from custody, with job retraining, he will obtain employment.

- [33] Mr. Houle currently receives \$1450 a month while on disability. He owns no large assets and has no large outstanding debts.
- [34] He asserts he has attention deficit hyperactivity disorder and he suspects fetal alcohol syndrome disorder but has never been formally diagnosed with that condition. Mr. Houle asserts he has never attended counselling, despite numerous community-based and custodial sentences in the provincial range.
- [35] Mr. Houle is reported to be the father of four children whom he has had very little, if any, contact with since he was 23 years old, or about in 2003. He is not aware of the whereabouts of these children. He reported that he was served with a divorce petition by their mother while he was in custody well prior to the current charges or this trial.
- [36] Ms. Rist gave birth to a child, D.R., in October of 2024. Mr. Houle asserts he intends to be a committed father to D.R., although to date he has not met D.R. That relationship is fraught with difficulty, however, because it is asserted during sentencing proceedings that Ms. Rist, because of other criminal charges she faces involving a flight from police and, during that flight, ramming a police vehicle which flipped over, these offences have not yet been adjudicated but release orders in relation to those charges may render her unable to be in the presence of Mr. Houle.

Analysis

- [37] In determining a fit sentence for Mr. Houle, I am mindful of s. 718.02 of the Criminal Code which requires me to give primary consideration to the objectives of denunciation and deterrence for an offence under s. 270.01 of the Code. While the traditional sentencing principles set out in s. 718 continue to play a role, they are "subordinate[d] to denunciation and deterrence" in the circumstances of this case, quoting from *R. v. Leclerc*, 2017 BCCA 228 at para. 23.
- [38] I am also guided by the Court of Appeal's recognition in *Leclerc* of the particular vulnerability of police officers like Constable Eikanger in this case, "alone on a road in the countryside with no person to come to [their] aid, performing garden variety police work," observing that "[t]his model of solitary police deployment is the only practical one in a province with vast geography, but creates particular danger from undisciplined members of the community": at para. 28.
- [39] Similarly, the Court in *R. v. Chaston*, 2017 BCCA 430, put it this way:
- [34] The role of police officers is to protect the public. The officer was engaged in this very role when called to the break and enter committed by Mr. Chaston. Police officers are routinely required to place themselves in danger and to take serious risks to keep the public safe. Police officers hold a position of trust and high regard in the community. Their serious function and vulnerability must be recognized by the courts so those who cause them harm are held accountable with severe sentences.

- [35] I do not consider this case as one that justifies giving primacy to rehabilitation over deterrence and protection of the public. Parliament has statutorily recognized that assault of a police officer is an aggravating factor for which "the court shall give primary consideration to the objectives of denunciation and deterrence of the conduct that forms the basis of the offence" (Criminal Code, s. 718.02).
- [36] Nor was this Mr. Chaston's first offence against a peace officer: he was convicted of obstruction of a peace officer in January 2007, and of flight while pursued by a peace officer in June 2005. Mr. Chaston has been favoured many times with the leniency of conditional sentences or probation to acknowledge his repeated attempts to address his addiction. He has also breached those court orders many times. Such offences are serious: court orders are the means by which our society maintains the Rule of Law.
- [37] As is often said, the cases are helpful for their general principles and as suggesting a range of sentence. As this Court stated in *Leclerc* (at para. 48), a wide variety of circumstances falls within the general broad description of the offence of assaulting a police officer using a weapon. A sentence of incarceration is required in this case but it must take into account the apparent benefits from Mr. Chaston's almost five months at VisionQuest addressing his addiction. Incarceration now need not interfere with Mr. Chaston's rehabilitation. Instead, he can continue to pursue treatment through programming in the provincial corrections system.
- [38] Violations against police officers are unacceptable and must be denounced.
- [39] By s. 270.03 of the Criminal Code, the sentence imposed for this offence of assault of a police officer using a weapon must be consecutive to any other punishment imposed for an offence arising out of the same event or series of events.
- [40] In light of these considerations, the court in *Leclerc* at para. 48 established a broad range of one to five years' imprisonment as appropriate for violent assaults on police officers when prosecuted by indictment, as in this case, barring exceptional circumstances.
- [41] In *R. v. Schur*, 2015 BCSC 1406 ("*Schur*"), Justice Blok concluded that "in cases involving violent assaults on police officers a substantial term of imprisonment is usually necessary, though much turns on the nature of the assault and the nature of the weapon, if one is used": at para. 60.
- [42] In *Schur*, the accused committed a break and enter and was later apprehended by a lone police officer and his tracking dog on a rooftop patio. As the officer was handcuffing the accused, the accused began kicking and punching and eventually discharged a canister of pepper spray into the officer's face at point-blank range. The officer was off work thereafter for a month and required multiple medical treatments to remove pepper spray particles from his eyes.

- [43] The accused was sentenced to 14 months' imprisonment on the assault of a peace officer with a weapon charge, which was subsequently reduced based on the totality principle.
- [44] I consider Schur to be distinguishable from the case at bar for a number of reasons. First, the accused in that case had nine prior convictions for property offences and breaches of court orders. Mr. Houle, on the other hand, now has 68 convictions at the time of this sentencing, several of which have involved police officers. His record also contains violent or weapons offences, as well as a significant number of driving convictions.
- [45] Schur is also distinguishable in that as Blok J. noted, the weapon used was a noxious one in that case, which made the case materially different from cases of a deadly or lethal weapon being used: at para. 61.
- [46] In this case, Mr. Houle accelerated the large pickup truck directly at Constable Eikanger, first ramming the police vehicle in which she was sitting, on multiple occasions, and later driving the truck towards the spot where Constable Eikanger was standing, who believed she would have been injured or killed had she not fled out of the truck's path.
- [47] Further, unlike the officer in Schur, Constable Eikanger has suffered numerous ongoing health concerns as a result of this experience and to this day has not been able to return to work.
- [48] I have considered a number of other cases drawn to the Court's attention by defence counsel involving assaults on police officers with weapons, including *R. v. Dergez*, 2024 BCSC 1367, aff'd 2025 BCCA 87, where the accused doused a police officer with gasoline, was charged with assaulting the officer with a weapon, and received a 24-month sentence on that charge. Fortunately, the gasoline was not ignited.
- [49] Counsel also made reference to *R. v. Wellington*, 2024 BCPC 114 ("Wellington"), where the accused fled from police officers in a truck and dragged one of the police officers, who was caught in the door of the truck, some 20 feet before driving over his foot. The officer fortunately only suffered some bruising on his right foot and arms. That accused received a 23-month sentence on that charge.
- [50] In neither of these cases was the officer involved seriously injured nor unable to work for an extended period of time, as in the case at bar.
- [51] Wellington is of little assistance as the significant sentences in that case involved trafficking fentanyl and possession of a loaded prohibited weapon, which were repeat offences that the accused had previously received a 30-month sentence for. The global sentence in that case was 14 years, reduced to 10 years for totality.
- [52] In light of the foregoing, including the violent nature of the assault on Constable Eikanger with a deadly weapon, and the long-lasting and ongoing effects that incident has had on her, and the clear need for denunciation and deterrence of Mr. Houle's actions, as well as mitigating and aggravating factors, I find the Crown's submission for a three-year custodial

sentence on Count 1 to be served on a consecutive basis to the other sentences imposed may well be a fit and appropriate sentence on this count of assault of a peace officer with a weapon.

- [53] With respect to the remaining five counts, the maximum sentences which may be imposed by this Court are: Count 2, a maximum sentence of imprisonment for not more than 10 years; Count 3, a maximum sentence of imprisonment for not more than 10 years; Count 4, a maximum sentence of imprisonment of not more than 10 years; Count 5, again a maximum sentence of imprisonment for not more than 10 years; and Count 6, a maximum sentence or term of imprisonment not exceeding two years.
- [54] The criminal record of this accused is very intense. Prior to this case, he had a total of 62 convictions spread across the provinces of Alberta and British Columbia, including two convictions for dangerous driving, three convictions for flight from police, 12 convictions for driving while prohibited or with his licence suspended, one conviction for obstruction of a police officer or resisting arrest, one conviction for assault, seven firearms-related convictions which are of particular concern, and 11 breaches of court orders including bail orders and probation orders. There is also one breach of a conditional sentence order, which order was then revoked and the balance of that sentence served in custody. A number of previous convictions have resulted in significant federal jail sentences.
- [55] In the case at bar, Counts 2, 3, and 4 all involve a statutory aggravating factor under s. 320.22(g), that Mr. Houle was driving contrary to an order under the Criminal Code at the time of the offence, which prohibited him from driving.
- [56] As noted, I have reviewed the pre-sentence report and the Gladue report herein. The Gladue report is of little relevance because of the lack of any Indigenous connection which is confirmed by that report. In the pre-sentence report at page 8, the following statement appears: "Tyler states he acted out of fear and he has reportedly addressed his substance abuse issues."
- [57] There was no evidence at all before this Court that Mr. Houle has addressed his substance abuse issues since the offences of this case occurred. That would have been a remarkable act of mitigation, and it has not taken place.
- [58] Mr. Houle is aware of how his criminal convictions have involved following a negative set of peers and the use of illicit substances, which have resulted and continue to result in criminal activity of a serious nature, and which are dangerous to the public.
- [59] While Mr. Houle is aware of his situation, his record demonstrates he is unable to make the necessary changes in his behaviour and, as such, must be separated from society for its protection. A custodial sentence is necessary to avoid further risk to the public.

- [60] Crown counsel made a note of the difficult upbringing of Mr. Houle and the circumstances that include extensive use of illicit substances from a young age without much, if any, positive parental supervision. The Crown also noted the large number of criminal convictions and the lack of any defined attempt at rehabilitation.
- [61] Crown has also detailed submissions which suggested sentences on the six counts as follows: Count 1, three years in jail based on the serious and dangerous nature of the offence against a police officer which must be consecutive to all other counts; Count 2, three years concurrent to counts that follow; Count 3, three years concurrent to all other counts; Count 4, one year concurrent; Count 5, one year concurrent; Count 6, six months concurrent.
- [62] The Crown submitted that there should be an adjustment for totality with a sentence of three years on Count 1, and a reduction based on the totality principal to 18 months on Counts 2 through 6, for a total sentence of 4.5 years, subject to a deduction for pre trial custody of 251 days or 376 days at time and a half.
- [63] The defence submitted that the Court should take into account the particularly difficult upbringing and concerning childhood experience in a makeshift foster home and exposure to alcohol and drugs from a very young age. Sometime between the age of 11 and 14 years, he was introduced to PCP, heroin, and cocaine. Counsel asserted that he has not had a period of sobriety beyond weeks for decades, and this should diminish his moral blameworthiness due to the instability in his surroundings and his mental state.
- [64] Defence counsel also advances the proposition to the effect that the loss by the adoption of his first four children had adversely affected his use of drugs. The Court had some difficulty appreciating this suggestion. While there is no doubt drugs had an effect, there is simply no evidence that supports reliance upon that submission.
- [65] In this case, there have been very brief evidentiary references to times when Mr. Houle was working, and I assume in those periods he was earning some income. There has been absolutely no reference in any evidence before this Court to whether Mr. Houle was or has been requested to pay child or spousal support or whether he has done so. In other words, it is difficult to appreciate the factual findings the Court might make to assess a mitigating role of caring or providing for family members and family in relevant collateral circumstances where the court record is devoid of facts concerning the same.
- [66] One might certainly imagine cases where the evidence before the court is richer than it is in the case at bar. In this case, the record in that regard is scant.
- [67] A reference was made to the case of *R. v. Habib*, 2024 ONCA 830, noting that, where appropriate, courts should try to minimize the impact of sentencing on a defendant's family because interfering with families can endanger communities. At para. 47, the following appears:

Caring and providing for family members is a mitigating factor that shows good character and can increase rehabilitative prospects [citations omitted]. Courts must thus assess "all the relevant circumstances," including the mitigating role of caring and providing for family members and family separation collateral consequences, to determine a proportionate sentence.

- [68] Courts cannot determine a proportionate sentence without considering family separation consequences. Family separation consequences, however, cannot be determined in a vacuum. In this case, there is no evidence of Mr. Houle being involved in a mitigating role that the Court can assess in "all the relevant circumstances", including a mitigating role of caring and providing for family members to determine a proportionate sentence.
- [69] Without evidence, the Court would simply be asked to consider rank speculation which is an inappropriate activity. Sentencing continues to be an individualized process; that is, these convictions as applied to this accused with his record in these circumstances.
- [70] Defence counsel cited several cases, as noted. Each case has a different set of facts. I am not aware of any statements of principle that are not common. Defence counsel urges on the Court a sentence of 12 months on Count 1 to be consecutive to all other counts, and a global sentence of 24 months, to which would follow counselling and rehabilitative orders.
- [71] I also note that Mr. Houle issued an apology indicating he had not intended to hurt anyone, and that he acted the way he did because of a promise to Ms. Rist that he was going to be there for the birth of his son, something which, of course, he did not effect.

Conclusion

- [72] Having reviewed all of the matters which I have heard and read, including the circumstances of the offence, circumstances of the offender, the VIS of the constable involved, the pre-sentence report as well as the submissions of counsel, I find, the sentence proposed by Crown counsel, a three year sentence to be the fit and appropriate sentence for Count 1. Consecutive to the three-year sentence on Count 1, sentences on Counts 2 through 6, will total three years. That three year sentence will be reduced on the totality principle to a sentence of 18 months, and subject to credit for time served of 251 real days, which is 376 days, at one and a half days credit with a remaining balance of 164 days for Counts 2 through 6. The total sentence remaining to be served will be 1,260 days. There will also be a five-year order under s. 320 and a DNA order, and a lifetime prohibition under s. 109 of the Criminal Code.
- [73] THE COURT: I should make a note for Mr. Houle, because the sentence here is over two years, I cannot make what we have referred to as a rehabilitative order, but it is certainly something that you should be able to seek on your own in custody.
- [74] THE ACCUSED: Okay.
- [75] THE COURT: Thank you.

[76] CNSL A. LINTHORNE: Thank you, Justice.

"Ball J."

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Prepared on 27 October 2026 · Esheria