

COURT OF KING'S BENCH OF MANITOBA

B E T W E E N:

HIS MAJESTY THE KING,)	<u>Janna A. Hyman</u>
)	<u>Kathryn M.T. Henley</u>
- and -)	for the Crown
)	
DAMION RYAN,)	<u>Joven Narwal K.C.</u>
accused.)	for the accused
)	
)	
)	<u>Judgment Delivered</u>
)	June 26, 2026

MARTIN J.

I. INTRODUCTION

[1] After a trial spanning nine weeks, Damion Ryan was convicted in December 2025 of three counts of conspiracy to traffic in cocaine, methamphetamine ("meth") and fentanyl; one count of conspiracy to possess proceeds of crime greater than \$5,000 (each per s. 465(1)(c) of the *Criminal Code* ("C.C.)); and one count of instructing a person to commit offences for a criminal organization (s. 467.13 C.C.). (See *R. v. Ryan*, 2025 MBKB 153.)

[2] Mr. Ryan's trial laid bare the cold-bloodedness of drug trafficking touching the highest levels in Canada. The scale and sophistication of Mr. Ryan's drug networks was alarming. The money staggering. The blasé mindset to violence generally, and indifference to drug-users specifically, immoral. Greed and domination ruled the day.

[3] Rarely do the inner workings of the so-called drug business get so plainly laid out through real-time words and deeds of drug dealers. This case did so. An undercover agent and officers, supported by a large RCMP team, gathered substantial evidence including thousands of recordings and text message exchanges, most of which was encrypted. Mr. Ryan was the kingpin. Other co-conspirators had lesser roles.

[4] This decision explains and imposes a fair, fit and principled sentence upon Mr. Ryan for his crimes. As explained in *R. v. Parranto*, 2021 SCC 46, at para 10, "[p]roportionality is the organizing principle in reaching this goal".

[5] The Crown says a total sentence of 23-25 years incarceration is fit. Applying the standard reduction of a time-in-custody credit (1585 actual days in custody multiplied by 1.5 equaling 6½ years), would result in a go-forward sentence of 16½ - 18½ years. In addition, they seek various incidental orders, including a fine in lieu forfeiture of \$236,020 (s. 462.37(3) & (4)(a)(v) **C.C.**).

[6] Mr. Ryan says such a sentence would be out of step with sentences similar offenders have received, including his co-conspirator Andre Steele. In essence it would not be fair. He says a total sentence of 15 years, less the time-in-custody credit for a go forward sentence of 8½ years incarceration is right. He agrees to the forfeiture order and other incidental orders.

II. EVIDENCE SUMMARY

[7] The evidence and findings are extensively laid out in the verdict decision. I bear in mind all of it for sentencing. That said, I will provide only a brief summary of the evidence and key findings.

[8] In 2020, an RCMP project called "Divergent" was aimed at high-level drug trafficking in Manitoba. A lifelong drug dealer became a confidential informant and then an approved police undercover agent. He was code named "66". The key co-conspirators were the following individuals.

Andre Steele

[9] Andre Steele was a drug dealer and Divergent target. 66 knew him. Mr. Steele started supplying ounces of meth to 66, supposedly for redistribution at a street level. Soon 66's pretend drug dealing operation grew beyond Mr. Steele's capacity. For a \$10,000 fee, Mr. Steele transferred 66 to his supplier, Ezra Sametz.

[10] By the spring of 2021, Mr. Steele was in custody for drug and gun matters unrelated to this matter. Nonetheless, he freely carried on his extensive drug dealing operation from custody, using jail phones and allies in Winnipeg to supply and grow his Winnipeg market. He was a mid-level dealer, supplying others. Of note, in one call, he spoke of the addictive nature of fentanyl:

... Fent, you do it one time and you feel like shit the next day. And you kinda want to do it a little bit more so you don't feel like shit. And this is where it gets addicting because you keep doing a little bit more, and a little bit more so you don't feel shitty...

[11] Mr. Ryan was Mr. Steele's lifelong friend and a top player in a notorious drug-dealing gang called Wolfpack. Mr. Steele considered Mr. Ryan to be his absolute

boss and Wolfpack "his team". He aspired to be a Wolfpack gang member. He also suggested new members to recruit, although there is no evidence that happened.

Ezra Sametz

[12] Ezra Sametz operated from Vancouver. Mr. Ryan considered him a friend. Mr. Sametz was a high-level ounce and kilogram ("kilo") supplier, with his own network. On six occasions between December 2020 and August 2021, he supplied 66 with a total of 8 kilos of meth, 21 ounces of fentanyl pebbles and 1 kilo of high-quality cocaine. He offered to get 66 "amazing" fentanyl for \$186,000 a kilo. In a deal for winz (meth), he also agreed to supply four handguns, for a package price of \$53,000. The gun sale fell through because, as he explained, the "toys" were all bought up the week before as a war had broken out in Vancouver. This was May of 2021.

[13] Mr. Sametz and 66 also talked about drug dealing generally. Mr. Sametz spoke of demand spiking during the Covid-19 pandemic, selling 9 zips (ounces) in one month and that he had "made over a million last year". In addition, he planned to establish his own direct connection to Mexican drug cartels.

[14] Unfortunately for Mr. Sametz, he also used the drugs he sold. He died of an overdose in August 2021. Two notable events happened as a result.

[15] One, Mr. Ryan had his brother-in-law, Dennis Ivziku, take over Mr. Sametz's role. Two, Mr. Steele went about trying to collect a large debt from a sub-dealer who owed Mr. Sametz, who in turn owed Mr. Ryan. As he was in jail, Mr. Steele had another person threaten to shoot the person owing the money. He invoked the Wolfpack name.

Dennis Ivziku

[16] Dennis Ivziku and 66 met in Vancouver. They talked about drug dealing. Mr. Ivziku had been running a drug dealing operation in Vancouver for Mr. Ryan, as Mr. Ryan had left Vancouver by that point. Mr. Ivziku offered to get the drugs and quantities 66 wanted. He also could source 100% raw carfentanil “for 400” (\$400,000 a kilo). He custom-made fentanyl for street-level distribution. Two exchanges are particularly revealing.

[17] In one, Mr. Ivziku explained how they could mix benzodiazepine (“benzo”) with fentanyl to increase its potency. The downside was that the overdose antidote Narcan or Naloxone was markedly ineffective for such drugs. As he said, “a lot of people od’d of it”. He explained that his Vancouver customers would refuse a drug laced with benzo, but Winnipeg customers (Mr. Steele’s) did not care. He would supply both. In another exchange, he related how a drug-dealer “was hope” for their customers:

... it’s fucked up, we hear this all the time, like, there, they hear someone od’d off it and they’re like, bro, they want it. Go get it. They think they want, just do a little bit less, you know ...

In other words, an addict’s misery is so powerful that they want the drugs others were overdosing from – street addicts will take the risk for the extra potency.

[18] Between September 2021 and February 2022, on four occasions Mr. Ivziku supplied 66 with the total of 32 kilos of meth, over 1 kilo of processed fentanyl and 1.5 kilos of high-quality cocaine.

[19] Throughout, he directly chatted and consulted Mr. Ryan about drug supplies, preparing and selling fentanyl, meth and cocaine, transporting drugs, buying cars that mechanics would modify by installing concealed compartments for \$5,000 to \$10,000 a car, growing the business and specific issues with Mr. Steele. They exchanged tips with

other criminals about concocting drugs, such as how to increase potency or cut the drugs for more yield without losing certain traits. They aimed to cut fentanyl at a ratio of 1:120. They tested batches with customers and laboratories. Mr. Ryan warned Mr. Ivziku to be "super careful when mixing" fentanyl and to have someone around with Narcan kits. Another time Mr. Ryan said to Mr. Ivziku, "this shits bunk lol", referring to fentanyl, and its "only good to kill people". They agreed to buy some because "it's pretty cheap".

[20] Other times they chatted about gangsters getting killed, such as "Tuna Hindu" getting "smoked" in Calgary, or that "Jacob" was going to get stabbed in prison, or so-and-so getting beaten, or who was in which jail or getting released.

[21] When the arrests of the group started, on the so-called take-down day, Mr. Ivziku fled. In his home, police found a 0.5 kilo of fentanyl and 30 grams of carfentanil. During Mr. Ryan's sentencing hearing, the Crown advised Mr. Ivziku had just been arrested in Mexico and was awaiting extradition.

Mr. Ryan

[22] To the fall of 2021, Mr. Ryan had been insulated. Only after 66 established himself to Mr. Steele, Mr. Sametz and Mr. Ivziku, could 66 communicate with Mr. Ryan, initially by encrypted chat messages on special phones. In December 2021, in Montreal, 66 finally met Mr. Ryan. They arranged a 15 kilo sale of high-quality cocaine for \$40,000 per kilo (\$600,000). They discussed whether some of it could be on "cuff", or credit. Mr. Ryan also offered to supply handguns, couriers and transport vehicles. Further, if 66 needed, Mr. Ryan would take care of any adverse situations 66 might get into. They spoke about Mr. Steele, Mr. Sametz and Mr. Ivziku. Mr. Ryan was aware Mr. Ivziku also was doing a

10 kilo meth deal with 66. Mr. Ryan was advising Mr. Ivziku about transporting the drugs to Winnipeg. He told 66, "That's more or less what I do. I find the fucking solutions". In describing his role he explained:

"I don't really deal with ... a lot of the day-to-day things. I always put, like, a manager in. Like I said, I'll just try to link'em up with my, my people and... you know, they can do their thing"

[23] Mr. Ryan was the boss for all that I have described. He was intimately aware of all facets of the drug-dealing. He could access multi-kilo amounts of cocaine, meth and fentanyl. The groups were sophisticated and dangerous. Mr. Ryan was a Hells Angel with an international membership and a high-ranking member of Wolfpack. Mr. Steele said Mr. Ryan had been the target of an attempted shooting in the Vancouver International Airport, escaping by sheer luck. On another occasion he was not so lucky and lost part of his calf to a gunshot. Also, in August 2021, Vancouver police issued a public advisory naming Mr. Ryan, and five others, as gang members who may be targeted for escalating violence in the Lower Mainland. Finally, I note he spoke to Mr. Ivziku about "golden visa's" and moving to a place that had good banking and no extradition.

[24] Without counting the drugs Mr. Steele sold to 66, in sum, over the course of Divergent, 66 purchased 40 kilos of meth, about 1.6 kilos of fentanyl, and 7.5 kilos of cocaine with another 10 kilos to be delivered. If I calculated correctly, he paid a total of \$686,850 for the drugs, plus owed \$43,000 that was on credit for the last shipment of meth from Mr. Ivziku.

[25] While this summary focuses the evidence, clearly the conspiracies were not operating for 66 alone. He was but one drug-dealer the conspiracies supplied, through Mr. Steele's, Mr. Sametz's, Mr. Ivziku's or Mr. Ryan's groups or networks . The intercepted

communication and discussions with 66 reveal a scale far greater, involving many buyers, sellers and enablers. As well, each of Mr. Steele, Mr. Sametz, Mr. Ivziku and Mr. Ryan had suppliers, subordinates and various third-party collaborators whether couriers, mechanics, laboratories, or suppliers of encrypted phones, stash locations, and firearms. The intercepted communications are rife with chatter of deals or potential deals for drugs valued in the \$10,000's and \$100,000's.

[26] To a large extent, Mr. Ryan was insulated within the group(s). As should be obvious, each network, and the networks jointly, had structure, continuity, resilience and resources. I mentioned for example, when Mr. Sametz died, Mr. Ryan had Mr. Ivziku step-in, and Mr. Steele used others to collect his debts. Specialty cell phones, vehicles and firearms, access to larger supplies of drugs, and clout, cash or credit, to finance the operations were shared benefits and traits of each conspiracy and network.

[27] Given the totality of the evidence that I considered, I found there was an overarching conspiracy with Mr. Steele and his group, coupled with Mr. Sametz and his group, that morphed to Mr. Ivziku and his group, and then to Mr. Ryan and his group directly. Within this scheme, Mr. Ryan had distinct agreements to traffic cocaine, meth, and fentanyl, and to possess the proceeds of the drug dealing. He was the common denominator. Further, I found the conspiracy groups had the hallmarks of a criminal organization and, in fact, was a criminal organization that he headed. There is no doubt Mr. Ryan was heavily and proudly rooted in a life of dangerous gangs, drugs and guns.

[28] As to the co-conspirators, as noted, Mr. Sametz is dead and Mr. Ivziku escaped arrest. The rest pled guilty to various charges. Mr. Steele received a 15-year sentence,

reduced to 14 years on a global totality analysis. Others with lesser roles received sentences from conditional sentence orders to 8 years incarceration for a courier who delivered 12 kilos of meth and 1 kilo of fentanyl.

III. MR. RYAN'S BACKGROUND

[29] There were several sources of information about Mr. Ryan's background; evidence from trial, a *Gladue* report, and his counsel's and the Crown's submissions on sentencing. That said, not much was revealed about the central feature of his life – notably, his climb to the upper echelons of two infamous gangs.

[30] Mr. Ryan is currently 45 years old, having been arrested when he was 41. He was born in Vancouver and has a sister whom he does not maintain a close relationship with. His maternal grandparents were from Croatia, where, to fast-forward, Mr. Ryan is a member of the Hells Angels. His paternal grandmother was Indigenous. She survived the residential school system. His father did not have Indigenous status, nor does Mr. Ryan who was wholly disconnected from any Indigenous community or culture.

[31] Mr. Ryan's father was an alcoholic and exceptionally violent at home, especially to Mr. Ryan's mother. Mr. Ryan recalls his father speaking openly of physically harming or killing other people. At one point, he was charged with murder. When Mr. Ryan was 8 years old, his parents separated.

[32] By age 11 a criminal lifestyle was starting to take hold. He moved numerous times. He and his friends were getting into trouble. Neither he nor his friends were focused on school. Although he completed courses up to grade 10, he believes he did not get past a grade 7 level. He reported general difficulty in school which he attributed in part to ADHD

(although there is no medical evidence of this diagnosis). At age 13 he started abusing alcohol and smoking marijuana.

[33] Just before his 19th birthday his maternal uncle accidentally shot and killed himself while playing with a gun. Mr. Ryan was in the area and found his uncle dead. This trauma reverberated for much of his life. As has an incident of sexual abuse he says he suffered from a different uncle during his childhood. He drank unabated and criminal activity followed. His father died while Mr. Ryan was in custody for a home invasion.

[34] Mr. Ryan moved to Greece for several years. He says he returned to Canada near the start of the Covid-19 pandemic, living in British Columbia between early 2020 and 2022. During this time he developed a relationship with Mr. Ivziku's sister. They had a baby girl who is now five years old. Among the evidence in this case are tender photographs of Mr. Ryan and his baby. Mr. Ryan told the *Gladue* report writer that becoming a father "was the only thing I ever achieved that was worth anything".

[35] As to gang lifestyle, the only reference or acknowledgement by him, other than trial evidence, was to the *Gladue* report writer, who recorded the gist as:

Damion reiterated that this lifestyle is one he learned from a young age to be one of "survival" in the face of inevitable adversity and violence surrounding him. Damion emphasized that this lifestyle, which grew to the level of gang involvement he is now publicly known for, is something he intends to depart from as he navigates his remaining time within the criminal justice system and looks to reintegrate into society in the future.

Further:

Damion reported he has lost many friends throughout his life, largely within the context of criminal activity which has been normalized since his adolescence. ... "There was lots of people I looked up to who have died – suicides, overdoses, car accidents, gun violence. I've become a bit numb to death. For a long time, I felt like death was following me."

[36] Mr. Ryan's counsel advised that he has taken up reading while in custody, has been entrusted as a custodian from time to time, has taken courses and programs, and is generally a good prisoner.

[37] Finally, Mr. Ryan does not have an extensive record. Most seriously, in 2005 he was convicted in Vancouver of several charges for a very violent drug-related home invasion and shooting. He received a total sentence of eight years. Otherwise, he has a conviction from 2016 in Vancouver for possession for the purpose of trafficking and possession of proceeds of crime. He received a four-month custody sentence. For both sets of charges, he was placed on a lifetime weapons prohibition order under s. 109 **C.C.**

IV. SENTENCING CONSIDERATIONS

General Overview

[38] A sentence imposed by a judge on an accused for serious crimes must be tailor-made in the sense that, mindful of principles of sentencing, it responds appropriately to the circumstances of the offence and the particulars of the offender. The **C.C.** sets out the fundamental purpose of sentencing is to contribute to respect for the law and the maintenance of a safe, peaceful society through just sanctions that denounce unlawful conduct; deter persons from committing offences; separate offenders from society where necessary; assist in rehabilitation; provide reparation; and promote a sense of responsibility in offenders.

[39] Further, the **C.C.** mandates that a judge consider a number of principles, including the following sections:

- 718.1: a sentence must be proportionate to the gravity of the offence and the degree of responsibility of the offender;
- 718.2(a): a sentence should be increased or reduced to account for any relevant aggravating or mitigating circumstances relating to the offence or the offender, including specific aggravating factors:
 - (iii.1): evidence that the offence had a significant impact on the victim considering their age or personal circumstances including their health and financial situation;
 - (iv): evidence that the offence was committed for the benefit of, at the direction of or in association with the criminal organization;
- 718.2(b): the parity principle that a sentence should be similar to sentences imposed on similar offenders for similar offences committed in similar circumstances;
- 718.2(c): when consecutive sentences are imposed, the combined sentence should not be unduly long or harsh; and
- 718.2(e): the restraint principle. In other words, jail should be used sparingly, with particular attention to the circumstances of Aboriginal offenders (particularly as affected by *Gladue* considerations).

[40] Section 10(1) & (2) of the ***Controlled Drugs and Substances Act***, S.C. 1996, c. 19 ("***CDSA***") sets out the purpose of sentencing specifically for drug related offences. Notably, s. 10(2)(a)(i) & (ii) deem the use or threat of violence or a weapon as an

aggravating factor, as does conviction for a prior designated substance offence (i.e. Mr. Ryan's 2016 conviction).

[41] In addition to these statutory factors are a number of common law principles that have developed over many decades of jurisprudence. Of note, counsel and judges often look to the maximum sentence Parliament set for the offence and precedents for guidance, including any established range for a particular offence that may inform tailoring an accused's sentence.

[42] Here, the conspiracies attract the same maximum sentence as the underlying crime, notably drug trafficking. Section 5(3) of the **CDSA** sets a maximum sentence of life in prison for trafficking in any of cocaine, meth, or fentanyl. Sections 354(1) and 355 **C.C.** set a maximum of 10 years imprisonment for possession of property obtained by crime over \$5,000. And, a conviction under s. 467.13 **C.C.**, instructing commission of an offence for a criminal organization, also carries a maximum sentence of life imprisonment.

[43] Before proceeding with an analysis of matters directly relevant to these charges, a few brief, general comments are warranted.

[44] First, as I have indicated, Mr. Ryan's sentence must be tailor-made for him. Sentencing is an individualized process considering and balancing a host of matters and sentencing factors. Sentencing ranges are one of those factors.

[45] Second, **Gladue** factors must be considered when assessing moral culpability, regardless of the crime charged. Further, an accused need not show a link between his **Gladue** experience and the crime. However, the presence of **Gladue** factors does not entitle an accused to a discount or a reduction of an otherwise fit sentence. In

R. v. Bunn, 2022 MBCA 34, the Manitoba Court of Appeal commented at para 96 that, “[s]ometimes, the Indigenous circumstances of the offender affect the ultimate sentence imposed, and sometimes not”.

[46] Third, in respect of sentencing ranges, I bear in mind comments from the Manitoba Court of Appeal in **R. v. Petrowski**, 2020 MBCA 78, at para 28:

[28] The Supreme Court of Canada has repeatedly reinforced that sentencing ranges are not "hard and fast rules" (*Friesen* at para 37). While they are used mainly to ensure parity of sentences, they are not "averages" or "straitjackets" (*Lacasse* at para 57). Rather, they should be seen as "historical portraits for the use of sentencing judges, who must still exercise their discretion in each case" (*ibid*).

[47] Judges are not constrained to a precedent or sentence ranges, provided the sentence they impose is proportionate and properly takes into account all relevant factors, in effect, provided the sentence is just.

[48] Fourth, the Manitoba Court of Appeal in **Bunn**, also affirmed the principle that a court can and should depart from a prior sentencing range in certain circumstances:

[72] I agree with the Crown that the principles in *Friesen* should not be limited to cases involving sexual offences against children. Historically, the law has recognized that sentences may be raised or lowered to bring them into harmony with prevailing social values. This well-established principle was recently reinforced in *R v Parranto*, 2021 SCC 46 at paras 22-23. Also see *R v Stone*, [1999] 2 SCR 290 at para 239; *Friesen* at para 35; and *R v Petrowski*, 2020 MBCA 78 at para 40.

[73] In *Friesen*, the Supreme Court stated, "[A]s this Court recognized in *Lacasse*, sentences can and should depart from prior sentencing ranges when Parliament raises the maximum sentence for an offence and when society's understanding of the severity of the harm arising from that offence increases (at para 108 (emphasis added); see also *Lacasse* at paras 62-64, 74).

[Emphasis in original]

[49] Paragraph 239 of *R. v. Stone*, 1999 CanLII 688 (SCC), [1999] 2 S.C.R. 290, bears repeating:

[239] It is incumbent on the judiciary to bring the law into harmony with prevailing social values. This is also true with regard to sentencing. To this end, in *M. (C.A.)*, *supra*, Lamer C.J. stated, at para. 81:

The objective of denunciation mandates that a sentence should also communicate society's condemnation of that particular offender's conduct. In short, a sentence with a denunciatory element represents a symbolic, collective statement that the offender's conduct should be punished for encroaching on our society's basic code of values as enshrined within our substantive criminal law. . . . Our criminal law is also a system of values. A sentence which expresses denunciation is simply the means by which these values are communicated. In short, in addition to attaching negative consequences to undesirable behaviour, judicial sentences should also be imposed in a manner which positively instills the basic set of communal values shared by all Canadians as expressed by the *Criminal Code*. [Emphasis in original.]

[50] Of course Parliament has not raised the maximum penalties for the drug trafficking or criminal organization charges as those penalties are already life in prison. However, the severe societal harms of drug dealing, particularly of the hard drugs Mr. Ryan conspired to traffic, and did traffic, has come into much greater focus even since *Parranto* was determined in 2021.

Sentence Ranges and Precedents

[51] So, what are the sentence ranges that apply, or precedents that provide guidance?

[52] Counsel advise the sentence range in Manitoba for high-level trafficking cocaine or meth is 8-12 years. (See *R. v. Grant (I.M.)*, 2009 MBCA 9; *R. v. Devloo*, 2020 MBCA 3.) As to fentanyl, the range appears to be a work-in-progress.

[53] In *R. v. Deol*, 2024 MBCA 84, the Manitoba Court of Appeal set a range of 12-18 years imprisonment for a fentanyl courier without decision-making power involved in a high-level trafficking organization. Mr. Deol was couriating 26 kilos of fentanyl, and

50 kilos of MDA. He was 44 years old with no criminal record. He received an 18-year sentence. The Court reiterated Moldaver J.'s comments in *Parranto*, at para 98, "[fentanyl trafficking] is a crime that can be expected not only to destroy lives, but to undermine the very foundation of our society".

[54] In *Parranto*, based on a review of cases up to 2020, four Justices of the Supreme Court of Canada concurred that a range for high-level fentanyl drug traffickers, often with other related charges, was 8 to 15 years incarceration. Moldaver J. and another Justice, wrote separately to focus on, "... [t]he gravity of largescale trafficking in fentanyl for personal gain and the need to impose severe penalties, ranging from mid-level double digit penitentiary terms up to and including life imprisonment" (para 86).

[55] Moldaver J. starkly laid out the dangers posed by large-scale fentanyl trafficking at paras 93-100. Specifically:

[94] . . . [fentanyl] is a highly addictive substance, which, when taken outside of controlled medical environments, puts its users at risk of serious harm, including brain damage, organ damage, coma, and death. ... Given its strength, a lethal dose will often be less than two milligrams, an amount as small as a single grain of salt ... The risk of overdose is also one that can be difficult to guard against, as traffickers often surreptitiously mix small amounts of fentanyl with other substances to create a cheaper product with the same effects, thereby drastically increasing their profitability. ... This deceptive practice leaves users vulnerable and unaware, especially as fentanyl is physically indistinguishable from other hard drugs, such as heroin, oxycodone, and cocaine.

. . .

[98] . . . it is a crime marked by greed and the pursuit of profit at the expense of violence, death, and the perpetuation of a public health crisis previously unseen in Canadian society. ... "It is the most efficient killer of drug users on the market today".

[Citations omitted]

[56] He opined that substantial sentences should neither be unusual nor reserved for exceptional circumstances noting maximum sentences are not reserved for the worst case but rather should be imposed whenever the circumstances warrant it (para 100).

[57] Finally, respecting fentanyl trafficking, Moldaver J. concluded:

[101]. ... Above all, it is a crime that kills — often and indiscriminately. It follows, in my view, that what matters most is that those individuals who choose to prey on the vulnerable and profit from the misery of the Canadian public for personal gain are sentenced in accordance with the severity of the harms they have caused. Fentanyl trafficking, and largescale trafficking in particular, are a source of unspeakable harm. Accordingly, while the range of sentences currently imposed for the directing minds of largescale fentanyl operations straddles the upper single digits and lower double digits, sentencing judges should feel justified, where circumstances warrant, in applying a higher range, consisting of mid-level double digit sentences and, in particularly aggravating circumstances, potential sentences of life imprisonment.

[Emphasis added]

[58] Moldaver J. also expressly set out various dangers posed by trafficking hard drugs like cocaine. He spoke of the direct harm of addiction, debilitating adverse health effects and death by overdose. As to the indirect harms, at para 89, he wrote:

[89] . . . an increase in all manner of crime, committed by those seeking to finance their addiction, as well as by organized crime syndicates ... Given that much of this criminal activity is violent, trafficking has come to be understood as an offense of violence, even beyond the ruinous consequences it has for those who abuse drugs and in the process, destroy themselves and others.

[59] In addition, at para 90, he noted the impact on families and intergenerational trauma particularly for children whose parents abuse drugs who are at an increased risk of physical abuse, emotional abuse and neglect. Finally, at para 91, he mentioned the “significant if not staggering” costs to society in terms of healthcare and law enforcement expenses as well as lost productivity” which was estimated in 2017 to be \$9.6 billion.

[60] Aside from these general observations, there are two Manitoba cases of note.

[61] In *R. v. Steele*, 2025 MBKB 158, Mr. Steele was categorized as “trafficking at the upper end of trafficking at the mid-level range” of cocaine, meth and fentanyl (para 77). He had pled guilty to one charge of possession of cocaine, meth and fentanyl for the purpose of trafficking, rather than conspiracy counts. The Justice accepted the range noted in *Parranto* to be 8-15 years incarceration and sentenced Mr. Steele to 15 years, reduced to 14 years after a totality assessment. Mr. Steele’s case must be distinguished from Mr. Ryan in that Mr. Ryan was his boss, operated at a high-level, not mid-level, trafficking the same drugs but in larger quantities across multiple jurisdictions. Further, except for the specific firearm charge Mr. Steele pled to, for which he received a separate sentence, virtually all the aggravating circumstances of Mr. Steele’s drug trafficking would apply to Mr. Ryan as a higher-level co-conspirator.

[62] In *R. v. Ndatirwa*, 2024 MBKB 142, Saull J. also conducted a fairly extensive review of pertinent precedents, including *Parranto* and *R. v. Mclean*, 2022 MBCA 60. He noted para 113 of *Mclean*, where the Manitoba Court of Appeal stated:

[113] The message delivered in *Parranto* is clear: absent some obvious reason that mitigates moral culpability, those who engage in commercial fentanyl trafficking at the mid or high level should receive very lengthy penitentiary sentences. That approach accords with the fundamental purpose and principles of sentencing as set out in the *Code* and the *CDSA*.

In the end, Saul J. concluded that “an appropriate range of sentence for a high-level trafficker in fentanyl, in the Province of Manitoba, is or should be 15 years to life imprisonment”, while mid-level traffickers are liable to a range of 8-15 years (para 43). I agree. Several points must be borne in mind.

[63] First, the harm generally of trafficking fentanyl, and meth, is now much clearer to society than ever before. Moldaver J. explained it from a general and national perspective

five years ago, in 2021. Second, and related, indisputably the bane of fentanyl trafficking, and meth, has gotten worse since *Parranto*. Regionally and locally, Manitoba and Winnipeg are suffering the unyielding consequences. Third, at the highest level, drug-trafficking is a premeditated, calculating business driven by huge profits. As this case shows, the bosses are insulated and hard to catch. It takes tremendous police resources and personal risk for agents and undercover officers. Here, the hard costs alone were \$900,000 for 66, almost \$700,000 to buy drugs and unspecified amounts in hotel, travel, monitoring equipment and transcription. The soft costs (i.e. salaries, witness protection, etc.) would equal that. Fourth, given the whack-a-mole nature of this crime, where there always is someone willing to step-up or into someone else's spot, the consequences must be clear and certain. A sentence must be strict enough to deter an accused and others. Fifth, *Deol* set a range of 12-18 years for a courier in a high-level operation. Certainly, the higher-ups, the people agreeing or doing the deals, making and distributing the drugs, cannot expect the same range. It must be markedly higher, as suggested by Moldaver J.

V. ANALYSIS

[64] I start my analysis by updating and localizing to Winnipeg the harms Moldaver J. wrote of in *Parranto*.

Meth and Fentanyl: A Plague in our Community

[1] No one with a lick of common sense would disagree that over the last decade the illegal drug trade in meth and fentanyl has set a plague in our community. Addictions and social ills are rampant. It is impossible to travel in certain areas of Winnipeg without

seeing open drug dealing, drug use, and the bent bodies and broken souls of street addicts. Courts are crammed with users who commit nuisance acts such as thefts to support their addiction, to serious acts of violence and homicide, often in the throes of a so-called meth psychosis. The unrelenting emergency calls, to treat an overdose before permanent brain injury or death claims another victim, are guzzling precious paramedic and hospital resources. And accidental overdosing is not left to street addicts. The tragic death of a teenager or young adult recreationally trying a street-drug is not uncommon.

[2] No community in Manitoba can keep up, even with harm reduction strategies. Some communities, including relatively isolated Indigenous reserves, are calling for states of emergency to be declared. The retiring Chief of the Winnipeg Fire Paramedic Service recently stated that the way we are going is not sustainable; overdose calls increased 13 times more than a decade ago. Reports filed for sentencing, show that for Winnipeg in 2025, 4,893 doses of Naloxone were administered by first responders to 2,725 individuals. This statistic does not include outreach or social agencies who do the same. Just last week, Winnipeg's mayor agreed to hold a special city council meeting about the City's drug crisis.

[3] According to the Office of the Chief Medical Examiner, in Manitoba, suspected drug-related deaths in 2022 reached 459 and rose to 578 in 2024 (the last year statistics were available for a complete year). Of those, 257 and 305 deaths respectively involved fentanyl or fentanyl. A 2023 Health Canada report entitled "*Spotlight: The Evolution Of Fentanyl In Canada Over The Past 11 Years*" (Longueuil: Government of Canada, 2023), highlighted that fentanyl is a synthetic opioid 50 to 100 times more potent than morphine.

It is a major contributor to the opioid crisis in Canada, accounting for 86% of all accidental apparent opioid toxicity deaths in 2021. For the six years ending March 2022, the month after Mr. Ryan's arrest, there were an estimated 30,843 apparent opioid toxicity deaths and 32,319 opioid-related poisoning hospitalizations across Canada.

[4] These statistics do not count the innocent victims accosted or endangered by drug-users, particularly those stoked by meth. Some local anecdotes will suffice to show the gravity and harm. In 2019, a 24-year-old man was convicted of manslaughter of a 19-year-old woman while in a meth-psychosis. Such cases are no longer uncommon. Another instance is of a man on meth fleeing a traffic stop, causing a fatal accident. I am also mindful of a three-month-old baby dying having ingested meth. Her parents were addicts who left drugs and paraphernalia about their home. Finally, I should note users themselves are at special risk aside from the inherent harm caused by ingesting these drugs. Recently, police were absolved for shooting to death a man high on meth who was acting erratically and threatening them with a weapon.

[5] All in, the financial and human costs of trafficking fentanyl and meth is crushing. Lives are destroyed and the community is left struggling to cope. To be clear, cocaine is also a dangerous drug.

What is a Fit, Just and Principled Sentence for Mr. Ryan for his Crimes?

[6] As Mr. Ryan's counsel noted, the aggravating factors are obvious from the facts.

[7] I do not intend to list each and every one, but rather highlight that Mr. Ryan was the boss of networks of conspirators trafficking hard drugs across numerous provinces for an extended period of time. He was a member of both the Hells Angels and Wolfpack

gangs. For a long time, he has been entrenched in gang life, rising to top levels. His “business” wreaks havoc on the vulnerable and the naïve across all social-economic strata, which ripples across the entire community. Critically, he knew this and did not care. If drug users died, so be it; the dealers would not skip a beat in moving to get the next person addicted. Nor did they care that a mix of benzodiazepine and fentanyl may render lifesaving drugs useless. The goal was to increase potency, yield and profit. The conspiracies and the related networks were one-stop shops for three hard drugs, custom mixes, cash or credit, offering encrypted phones, delivery, and weapons. The motive was greed and dominance.

[8] For example, Mr. Sametz spoke of making a \$1 million and hooking up with Mexican cartels. Mr. Steele carried on unabated from inside a jail, explaining to others how fentanyl was addictive and had underlings threaten force to collect debts. Mr. Ivziku spoke of the drug dealer as the “hope” of customers, while overdosing customers were, in effect, good for business as others wanted those drugs. He and Mr. Ryan planned business, worked together to make street fentanyl and sell huge amounts of meth. As well, Mr. Ryan directly offered volumes of cocaine, delivery, protection and guns.

[9] Absent evidence of directly importing drugs into Canada, Mr. Ryan’s networks are at the highest levels of serious drug trafficking. As Mr. Ryan said, managers were put in place so they could run their own network, while he solved the problems. The evidence makes it clear that the scope of the conspiracies was well beyond the drugs that were trafficked to 66. The reach was vast. The volume of drugs, the nature of the drugs and the ability to finance transactions conjures up the notional worst-case scenario. Especially

when considering the sophistication and cold-blooded nature of the networks and the individuals involved for whom overdosing users, violence and gunplay was just part of another day dealing drugs. Also, let alone enlisting and corrupting others, whether mechanics to install concealed spaces in cars, couriers, or cell phone providers, or others were willing to turn a blind-eye for a quick buck. The conspiracies, the networks, had all the bleak hallmarks of criminal organizations.

[10] The mitigating circumstances are very few. Mr. Ryan strikes me as a very bright, entrepreneurial person. He certainly has organizational and management skills. Yet, I am not convinced he has the will or capacity to change. He has not yet reached that place. He had his counsel read what appeared to be a prepared statement on his behalf. The upshot of it was a new understanding of the crippling effect his being in custody is having on him and his family. As well, apparently, he better understands the devastating impact of drug trafficking – he is housed with many drug users, even his former lawyer who was recently jailed for breaching drug related bail conditions who I infer from Mr. Ryan’s counsel’s comments appears shattered.

[11] However, aside from setting out his upbringing and *Gladue* factors, I have no real insight or knowledge of Mr. Ryan’s character. Except what I could glean from trial evidence, there is a complete absence of detail that would allow me to assess proclamations on his behalf at sentencing. Critically, I did not hear any real acceptance of responsibility for what he has done, nor a hint of remorse, except for being apart from his family. Perhaps unsurprisingly, I also heard nothing of giving up or leaving gang life.

[12] As to his criminal record, it disentitles Mr. Ryan to leniency. He acknowledged growing into the level of gang involvement he is publicly known for to the *Gladue* assessor. This admission, coupled with his short record shows a pension for violence related to the illicit drug industry since a young adult. Further his conviction for trafficking, although likely not on the most serious side given the sentence, nevertheless is a designated substance offence and an aggravating factor under the **CDSA**.

[13] I take into account his **Gladue** factors. However, given the factual matrix of these charges, his character and the criminal antecedents that are clear from his adult life as a gangster, I do not find that his Indigenous background, or disconnection from it, or other impacts as set out in the report, lessens the severity of his moral blameworthiness for these crimes.

[14] In sum, it should come as no surprise that Mr. Ryan's moral culpability as displayed during project Divergent is very high. His actions knowingly endangered many lives. As I have said, he was motivated by greed and power. The conspiracies were ongoing, vast and premeditated at every stage. The volume of drugs that were actually trafficked were only part of what the conspiracies represented in terms of their scale and scope. There is no question that he is a trafficker at the highest levels of the most serious drugs. Further, I do not find Mr. Ryan has taken responsibility for his actions or expressed any genuine remorse, although I recognize that he may now better understand some of the harm he has caused.

[15] Balancing all of the factors that I must, denunciation and general deterrence are obviously paramount. Mr. Ryan has much more work to do to demonstrate any real hope

of rehabilitation. He must be separated from society and subject to a period of parole before his sentence expires. I am mindful of his counsel's submission that if I were to go along with the Crown's recommendation, Mr. Ryan would be subject to Correction Services supervision, either as an inmate or parolee, until he is over 63 years of age. On this record, that is justified and necessary.

[16] Mr. Ryan's counsel's position of a total sentence of 15 years woefully misses the mark. He relies in part on a parity argument. As noted, I find the time has come to shift the range consistent with Moldaver J.' comments in *Parranto*. Further, Mr. Steele's sentence is not comparable for the reasons I set out earlier, nor is the courier range in *Ndatirwa*.

[17] Frankly, I contemplated a life sentence but decided against it for several reasons. Materially, the sentence I will impose is significant. It is a jump and departure from precedent, in circumstances where a proper range is evolving. As well, the length of the sentence coupled with Mr. Ryan's age when his sentence ends should hopefully put him beyond the point where he might re-enter the drug trade. For these reasons, in recognition of precedent, parity and restraint, I concluded the Crown's global position was close enough. The sentence I impose should not be considered a ceiling or upper-end precedent for similar offenders in similar circumstances.

[18] Counsel proposes that whatever sentences I impose, it be done in such a way that the sentence for each conspiracy and count is clear. Further, the Crown cautions that I not appear to give Mr. Ryan a "free ride" by a global sentence. Yet, part of the difficulty

in this situation is the very entangled factual matrix of all the counts and Mr. Ryan's overarching and intertwined role in all of them.

[19] The Crown recommended concurrent sentences of 12 years for the cocaine and meth conspiracies, 20 years for the fentanyl conspiracy, 2 years for the proceeds count and 3-5 years consecutive for the criminal organization charge. While I need not decide it, if this were either conspiracy to traffic cocaine or meth only, and those conspiracies had these aggravating features, I would have considered 15 and 18 years respectively as just and fit. More for conspiracy to traffic fentanyl.

[20] All of the charges for conspiracy are interrelated, albeit perhaps different co-conspirators at different times. The aggravating factors apply to each conspiracy and are significant. The conspiracy sentences would not be different if Mr. Ryan was not convicted of the criminal organization count, as I consider almost all of the features of the criminal organization to be aggravating factors for each conspiracy and network. For sentencing purposes, to avoid sentencing Mr. Ryan twice for the same facts, I consider the criminal organization charge almost ancillary. Yet I recognize it has its unique elements, which require a separate consecutive sentence for instructing others for the benefit of and in association with the criminal organization.

[21] In these circumstances, I have difficulty understanding the utility of what would amount to artificially teasing out separate notional sentences, which might either be concurrent or consecutive depending on the approach. Rather, a global sentence that accounts for, and balances, the sinister factual matrix and sentencing factors and principles to arrive at a just, fit and appropriate result that is crystal clear to the public

and other drug-dealers is important. There will be no free ride. Mr. Ryan must be sentenced for all illegal acts he committed as proven at trial (distinct from specific crimes co-conspirators' committed in furtherance of the conspiracies).

VI. CONCLUSION

[22] In the end result, I sentence Mr. Ryan to 23 years concurrent on each counts 1, 2 and 3, and 2 years concurrent on count 4. As to the criminal organization charge, by law it must be a consecutive sentence. I consider the nature of the charge and the instructions at heart of it. I sentence Mr. Ryan to 1½ years consecutive to counts 1-4.

[23] The total sentence is 24½ years. From that I deduct 6½ years credit for time-in-custody to this date. He will serve a go-forward sentence of 18 years.

[24] Pursuant to s. 462.37(3) & (4)(a)(v) **C.C.**, as the \$236,020 proceeds of crime were not recovered, Mr. Ryan is required to repay that amount by way of a fine in lieu of forfeiture within five years of his release from custody, failing which he will be incarcerated for two further years. All surcharges and costs are waived. Finally, Mr. Ryan will provide a sample of his DNA to authorities within seven days and will be subject, once again, to a weapons prohibition order for the rest of his life.

[25] A last comment, unrelated to the sentence or my analysis. While drug strategies must obviously focus on the harm to users and the community, it is vital Canadian law enforcement have a robust suite of tools to more readily catch and convict those in the top tiers. World-wide, organized drug-trafficking crime is on the rise in a way that directly

challenges social order, the law and government authority. This case provides a peek into such a milieu. Canada must be vigilant to not sleep-walk into it.

_____ J.