



Province of
British Columbia

Ministry of
Attorney General
CORRECTIONS BRANCH

iver South Probation Services
Second Floor, 3457 Kingsway
Vancouver
British Columbia
V5R 5L5
Telephone: (604) 660-2370
Fax: (604) 660-5255

PRE-SENTENCE REPORT

COURT FILE NO.: 32179A

JUDGE: J. R. Groberman

COURT: Richmond Provincial

DATE REQUIRED: November 4, 1993

PREPARED BY: David Phillips
Probation Officer

DATE PREPARED: November 1, 1993

CROWN COUNSEL: B. Shaw

DEFENCE COUNSEL: R. Dempsey

PART I

NAME: GAO, Feng

AGE: 34 years

ADDRESS: 258 East 58th Ave.
Vancouver, B.C.
Basement Suite

BIRTH DATE: January 29, 1959

BIRTHPLACE: Canton, China

TELEPHONE: 323-8110

COMPLAINT: June 17, 1993, Vancouver, B.C. - Fail to comply with a
Recognizance, Sec. 145(3) CCC.

July 27, 1993, Richmond, B.C. - Subject found guilty, matter
adjourned to allow for preparation of a Pre-Sentence Report.

REMAND STATUS: Non-custodial.

GAO, Feng

S. 22
S. 19

SOURCES OF INFORMATION

Feng Gao

Subject

Psychiatrist, U.B.C. Hospital
U.B.C./V.G.H. Psychiatry
U.B.C Hospital
U.B.C. Computer Science
U.B.C. Computer Science
Psychiatrist
Strathcona Mental Health Team
Multi-Service Network
Probation Officer,
Vancouver Crown Counsel

Mr. F. Hitchcock

Police Report to Crown Counsel
B.C. Provincial Case File
Canadian Police Information Centre -

SOCIAL HISTORY

Feng Gao, thirty-four, is the eldest of two children born to Ms. R.F. Wang and Mr. C.Y. Gao, in Canton, China. His parents continue to reside in China, while his sister Ning Gao lives in New York. Mr. Gao indicates he maintains contact with both his parents and sister. His mother recently arrived from China on a 6 month visitor's visa. At present, Mr. Gao resides with his mother in a basement suite in Vancouver.

Mr. Gao recalls no significant events during either his childhood or adolescence. He notes "growing up in Canton was okay". He enjoys a "good relationship" with his parents and characterizes their family as "close".

Mr. Gao left China in 1982, travelling to California to attend University. Upon completion of his studies he moved to Vancouver in 1988, and has remained here since that time. Mr. Gao states he enjoys living in Vancouver and has no plans to relocate in the near future. He is not married and has no children.

GAO, Feng

S.19

S.22

EDUCATION / EMPLOYMENT HISTORY

Mr. Gao completed an undergraduate degree in Computer Science at Zhong Shan University in Canton in 1982. He then attended the University of California, Berkeley, where he completed his Doctorate in Mathematics in 1988.

In 1988 Mr. Gao accepted a position teaching at the University of British Columbia, in the Computer Science Department.

U.B.C. department of Computer Science confirms this employment. he was employed there from July 1, 1988 to June 30, 1992. His position was that of Assistant Professor and was to be for a fixed-term of 3 years, but was extended to a fourth year.

Mr. Gao believes this term would have been extended had he not been "deceived" by the Department head, Dr. M. Klawe. Mr. Gao indicates he applied for the "tenure track program", which would have led to a further 3 years at the school and the possibility of a permanent, tenured position. Mr. Gao indicates he has two areas of expertise, "Theoretical Computer Science and Numerical Analysis" and says he was told there were no positions available in the tenure-track program in his areas. As a result, according to Mr. Gao, he was informed it would be helpful for him to withdraw his application in exchange for a one year extension to his original contract.

He contends he later determined there was a position in one of his areas of expertise which he was not considered for. The University did not hire anyone for that position but he feels he was a "strong candidate" as he had taught the course and did "good research". He believes Dr. Klawe "intentionally" misinformed him there was no position in his area because she did not want him to stay. Mr. Gao believes this was a personal issue, saying he had previously spoken out against Dr. Klawe and feels it was "departmental politics."

After unsuccessfully attempting to have his issues dealt with by the department Mr. Gao filed a formal grievance with the University. According to the Subject he received a letter from Dr. Strangway, U.B.C. President, indicating there was no basis to his allegations and the matter was considered dealt with. Mr. Gao feels it was improperly investigated and that Dr. Klawe "fabricated" evidence against him. He says he would like the case re-opened so he can be vindicated.

GAO, Feng

advises he was hired on a fixed-term contract and there was no strong possibility of his being accepted to the tenure-track program. / adds due to funding problems Mr. Gao's areas of expertise were not priorities. / indicates that Mr. Gao was extended for a fourth year at U.B.C. as "lecturer", which was in no way related to his withdrawing his application to the tenure-track program.

note it was obvious after approximately 30 months at the University that Mr. Gao was experiencing some problems. / department members offered whatever support and advice they could, but says Mr. Gao tended to "ignore" people.

the department and the University did everything they could to help Mr. Gao, but he would focus all of his energy into rationalizing his claim he was intentionally deceived.

his research virtually ceased.

advises upon the termination of his contract on June 30, 1992, Mr. Gao refused to vacate his office and was eventually physically removed by campus R.C.M.P. /

At present Mr. Gao is not employed and is being supported by Unemployment Insurance. He hopes to obtain a teaching position in the future but first wants gain some measure of satisfaction in his dealings with the University.

GAO, Feng

FINANCIAL SITUATION

As noted Mr. Gao is receiving Unemployment Insurance benefits at present. He earns the maximum \$420 per week. He advise of debts to credit cards totalling between \$4500 and \$5000. He also says he owes his previous landlord \$1700 in back rent.

He reports owning his own vehicle, a 1987 Alpha Romeo sedan. He claims no other assets.

MEDICAL HISTORY / DRUG AND ALCOHOL USE

Mr. Gao is in good physical health at present and recalls no serious illnesses or injuries during either childhood or adolescence.

The Subject states he consumes alcohol occasionally, with friends at social events. He denies any non-prescription drug use.

PSYCHOLOGICAL SITUATION

Mr. Gao has previously been admitted to the Psychiatric Department of the Health Sciences Hospital at U.B.C., on three occasions. The first occurred in December 1992, after placing a phone call to a former colleagues residence it was felt he was in a psychotic state. He was apprehended by the R.C.M.P., under the Mental Health Act, and taken to hospital.

Mr. Gao says he was examined by Psychiatrists and was diagnosed as suffering from "delusional disorders". He feels Dr. Klawe was responsible for his being held at the hospital and believes she sent "fabricated documents" saying he was "violent" to block his release.

Psychiatrist, treated Mr. Gao on his initial stay at U.B.C. Hospital. acknowledges diagnosing Mr. Gao as suffering from delusional disorder and indicates he was treated with anti-psychotic medication. feels the Subject showed significant improvement when taking medication, saying he was less "fixated and pre-occupied" with his beliefs he had been intentionally wronged. advises Mr. Gao spent approximately 3 weeks in hospital but was released when he appealed to the hospital review panel. notes his release was against recommendation.

GAO, Feng

In late January 1993, Mr. Gao was admitted to the Psychiatric ward of Vancouver General Hospital and was transferred to U.B.C. Hospital. He spent 3 weeks there prior to being released again by the review panel, against the wishes of / , who was the supervising doctor on that occasion.

| - - - - - advises Mr. Gao was given appointments for follow-up treatment upon his release from hospital but attended only one time. / notes he has made a "nuisance" of himself at the hospital, calling and coming in repeatedly. He has had to be removed by security staff as he refuses to leave voluntarily.

|
feels it would be better for him to be seen in a clinic setting.

Mr. Gao was again committed to hospital in October 1993./

| advises Mr. Gao continually attended at U.B.C. hospital and would refuse to leave. his actions are disruptive, requiring security to be called almost daily. He was held at V.G.H. Psychiatric ward for 5 days but was released. On the day he was released Mr. Gao attended U.B.C. hospital and again had to be removed by security. This pattern has escalated over the last few weeks, with Mr. Gao even gaining access to the hospital wards and attempting to have different Doctors deal with him.

says Mr. Gao has continually attended the hospital after being told he must leave resulting in both security staff and the R.C.M.P. being called.

Mr. Gao was also referred to /

| Psychiatrist./ , agreed to see Mr. Gao after receiving a referral from U.B.C.. / attempted to "steady" Mr. Gao and see if there is any way to "get him to let go of his obsessions". / describes Mr. Gao as a "tremendously insistent" individual who wants the "justice" he believes he is entitled too.

GAO, Feng

S. 19
S. 22

Shortly after starting treatment with Mr. Gao, / withdrew / services as the Subject was not abiding by a "treatment contract" which forbade him from attending U.B.C. hospital.

Mr. Gao himself does not believe he suffers from any form of mental illness. He acknowledges he can become "obsessed" at times, but says it occurs when he feels he is "right" and others will not listen to him.

COURT HISTORY

Present Offence

PREVIOUS RESPONSE TO CORRECTIONS

Mr. Gao's previous response to Court orders has been marginal. The matter now before the Court involves a breach of a recognizance. Mr. Gao has been arrested on 2 separate occasions for violating the conditions of his recognizance. Of note, the second arrest occurred only 2 days after he was released from custody for breaching his recognizance.

S 19
S 22

Mr. Gao has previously been on remand at Vancouver Pre-Trial Services Centre. Mr. F. Hitchcock, Probation Officer, operates the Mentally Disordered Offender (M.D.O.) Program and has had dealings with Mr. Gao.

He feels any further community supervision must be intensive with built-in Court review dates to set strict guidelines for Mr. Gao.

S 15

ATTITUDE TOWARDS OFFENCE

Mr. Gao acknowledges responsibility for his actions and says he realizes he should not have called the victim's office. He adds however, he "really wanted someone to help" him with his problems at U.B.C. and felt a lawyer was a "natural choice". He believes he can control himself now and advises the Court he would abide by any and all conditions if placed on Probation.

GAO, Feng

SUMMARY / EVALUATION

Before the Court for sentencing is Feng Gao, 34, on a charge of Breaching a Recognizance. This is his initial conviction.

Mr. Gao, who was born in Canton China, currently resides with his mother in Vancouver. /

The Subject came to Vancouver in 1988 to accept a teaching position at the University of British Columbia, Computer Science Department. He remained there for 4 years before his contract expired. The Subject feels he was wrongly dealt with while at U.B.C. and indicates his problems stem from trying to gain some measure of satisfaction.

He is not employed at present, receiving Unemployment Insurance benefits. He is in good physical health and neither drugs or alcohol seem to be a significant factor at present.

Mr. Gao has been committed to hospital on 3 occasions in the last year. He appears to become easily obsessed with both people and places and refuses to abide by limitations imposed which attempt to stop him from attending areas or contacting people. He has continually attended U.B.C. hospital demanding services after having been removed by both Police and Security staff. /

Mr. Gao has also been charged in Vancouver with similar offences, occurring in the last month.

Although this is his first conviction, Mr. Gao has spent time in custody on remand for previously breaching Court orders. This offence involves his breaching a Recognizance by continually harassing a lawyer.

He expresses some remorse for his actions, saying he realizes he should not have continued to try and contact the victim. Mr. Gao appears to lack insight into how his obsessive behaviour impacts on people and seems only concerned with satisfying his own needs with no thought to the possible consequences of his actions.

In considering a disposition, as this is his first offence and in considering the principles of deterrence, primarily specific, the Court may be satisfied with a significant period of community supervision.

GAO, Feng

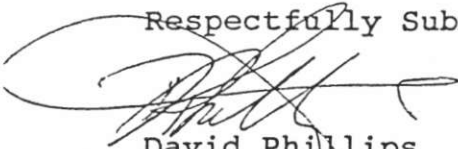
S. 19
S. 22
S. 15

If this is the case it is respectfully recommended any such order contain specific conditions, including;

- 1/ To report as directed
- 2/ To maintain his residence and to advise of any change in his address to his Probation Officer within 24 hours
- 3/ To seek/maintain employment
- 4/ To attend for, participate in and complete any such counselling as directed by the Probation Officer, including Forensic Services
- 5/ To not be found on the University of British Columbia Endowment Lands
- 6/ To not be found within 50 metres of the University of British Columbia Health Sciences Hospital or the U.B.C. Department of Computer Science
- 7/ To have no contact with the victim, / , and to not attend within 50 metres or either the residence or offices of /

The Court may also wish to consider including scheduled Court reviews to monitor the Subject's performance and assess the need to alter any such order.

Respectfully Submitted,



David Phillips
Probation Officer.