

Toronto Lawyer Won't Be Going to Jail for Attacking St. Thomas Family with Bat



Summary: Toronto lawyer Mark Phillips attacked a family with a baseball bat but will not go to jail for his actions.

A St. Thomas, Ontario family was attacked in December with a baseball by Mark Phillips, a Toronto lawyer. Phillips, 36, attacked the family, calling them terrorists during, what his lawyer claims was, a drug-induced psychosis, according to [CBC News](#).

Phillips, a personal injury attorney, pleaded guilty in a St. Thomas court to one count of assault causing bodily harm. He received a conditional discharge and three years of probation. He was facing more serious charges of aggravated assault but was able to plea to a lesser charge.

Apparently, the attorney's mental health had been suffering the months before the incident happened. The day of the attack, Phillip smoked three or four joints, then drove to London and then nearby St. Thomas, all along yelling at people he believed to be Muslims. His lawyer Steven Skurka told Justice John Skowronski that Phillips believed the people he argued with on December 7 were targeting him.

Phillips has been working with a psychiatrist since his arrest, who wrote that Phillips "had no insight that his marijuana use was affecting his mental state." Once Phillips stopped smoking marijuana, his thoughts cleared up. Weeks after his attack on the family, Phillips finally saw the YouTube video the family had taken of him attacking them. He had just been released from jail and his body was finally clear of any drugs.

In the video, Phillips lunges at the Estepa family, originally from Colombia, with a baseball bat in his hand. He read a letter in court about the incident, "What I did was irrational, irresponsible and deeply unacceptable. I'm horrified and embarrassed and I feel ashamed."

The family testified that they were in the parking lot, talking with each other in Spanish when Phillips confronted them. They said he called them terrorists and that they were not welcome in Canada. The father, Sergio Estepa, stepped forward to protect his 13-year-old son Nick from Phillips, who then struck Sergio with the bat. Sergio sustained cracked ribs from the blow.

Sergio arrived in Canada 18 years ago in order to get away from violence. He said in his victim impact statement, "I raised my son to be proud, to be proud of our ethnicity, to be compassionate, because it's up to us to build a better society."

Phillips' parents confirmed with his doctor that they had noticed changes in their son's behavior in the weeks before his outburst. They noted he was having strange delusions and getting paranoid.

During the sentencing hearing, Judge Skowronski said, "Canada is a country of immigrants with different names, different accents, different skin colours. That's what built Canada, why people want to come here, why people who are here are proud to be here. Events like this take the shine off that. ... To the Estepa family, I say this is not normalcy. This is an aberration that took place because of a mental illness."

Ultimately, the judge ruled that Phillips' actions were not a hate crime but a result of drug use coupled with his fragile mental state. Included in his sentence is a required 240 hours of community service with a preference of working with immigrants when possible. He must also maintain counseling and is banned from Elgin County except for business purposes. He is not allowed to use "non-prescription drugs or marijuana." Once his sentence is completed successfully, Phillips will not have a criminal record.

Do you think the sentence was fair? Share your thoughts with us in the comments below.

To learn more about attorneys under the influence, read these articles:

- [Topeka Attorney Justin K. Holstin Disbarred for Being Drunk During Hearing](#)
- [Hollywood City Attorney Caught Driving While Drunk](#)
- [Defense Attorney Arrested For Taking Guns, Drugs As Payment](#)

Photo: cbc.ca