

PROGRESSION OR REGRESSION?

I would like to offer my observations on some of the changes that have occurred within Correctional Service Canada (CSC) penitentiaries in the last ten years following the release of *A Roadmap to Strengthening Public Safety* (Sampson *et al.*, 2007). I have been incarcerated for more than 20 years. I spent almost 5 years in pre-trial custody in solitary confinement and over a decade and a half years in the federal penitentiary system. After several months in the Millhaven Assessment Unit I was moved to Kingston Penitentiary. After approximately 30 months, I cascaded to Warkworth Medium Security and within a short 18 months I was sent back to maximum-security where I spent an additional 4 years. I cascaded once again to medium-security at Fenbrook Institution, following almost 5 years. For the past few years, I have been in Beaver Creek Minimum.

When I first entered the federal system in 2001, CSC was espousing the mission statement set out by Ole Ingstrup. It appeared to me progressive, with a focus on rehabilitation as opposed to retribution. There were certain individual liberties that I felt were conducive to personal growth and responsibility. For example, you could own or purchase a personal computer, post-secondary studies were easily accessible if you could pay for it, you were allowed almost any type of personal item that fell under the institutions security guidelines and there was a general air of progression with attention to quickly cascade to lower security levels. Additionally, there was a focus on CSC “Core programming” (i.e. anger management, substance abuse, etc.). At that time, vocational training programs were non-existent, except for menial institutional jobs and limited CORCAN industries work assignments.

In 2007, the report *A Roadmap to Strengthening Public Safety* was released and five key areas were addressed: “offender accountability, eliminating drugs from prison, employability, physical infrastructure, and eliminating statutory release”. With the implementation of the recommendations, “offender accountability” resulted, in most cases, in a drop of our pay levels, usually from level A (\$6.90 per day) to level C (\$5.80 per day). The reduction in pay was to motivate prisoners to either actively pursue their correctional program or acknowledge their culpability (in cases that convicted prisoners maintained their innocence) or involvement

in an organized crime group. Under the guise of “offender accountability”, more stringent cascading parameters to lower security levels were enacted, creating bottle necks for prisoners following their correctional plans. This also resulted in the implementation of paying additional room and board, as well as a flat rate for the telephone maintenance beyond the per minute cost paid by prisoners in full. “Offender accountability” through the reduction of institutional pay has resulted in demotivation, rather than motivation for good conduct and responsibility.

Eliminating drugs from prison has been fairly successful, however, at a great cost to personal dignity to our visitors and ourselves. The drug interdiction program still uses antiquated ion scanner technology that produces many false positives that are reported in the Offender Management System (OMS), which casts a suspicious light on prisoners, which may affect future transfers, as well as access to escorted temporary absences (ETAs) or unescorted temporary absences (UTAs). Moreover, the visitors and prisoners are dog searched when an ion scanner hit is recorded and even when the dog search that follows is uneventful, the false positive is still recorded on OMS. Often there is a physical roadblock in place before visitors enter institutional property, and their vehicles and persons are searched. As you can imagine this is a high price to pay to maintain family and community contact. Eliminating illicit drugs from penitentiaries is important and helps with the overall rehabilitation of those who have drug use issues. However, it is important to uphold and maintain the dignity of visitors and prisoners, including those who are not part of this subculture.

In the area of employability not much has changed. Meaningless jobs still prevail and there are few opportunities to gain consequential job experiences or developing marketable skills. The introduction of basic workshops at minimum-security such as Small Engine Repair, Horticulture, and Basic Carpentry are okay, providing a modest amount of information, but does not give enough accreditation for prisoners to apply to an apprenticeship program. What the focus of employability has resulted in is greater internal restrictions on prisoner movement during the workday. Depending on the security level, and as was just recently implemented at Beaver Creek Minimum, if you do not have an institutional job or are gainfully employed elsewhere as in the case of work release, you must stay in your cell or on your range. Previously, you were allowed to go to the library, the gym, hobby-craft or walk the grounds. Further work is required in the area of

employability, through concrete training programs that provide prisoners with government accredited certifications or professional licensing. The gaining of marketable skills and educational upgrading are assurances to reduce recidivism and controlling long-term costs associated with crime.

Physical infrastructure changes have resulted in amalgamating different level security institutions in the same area, as well as decommissioning Kingston Penitentiary. While there maybe cost savings associated with fewer senior and administrative staff positions, when two institutions are combined like Fenbrook Medium and Beaver Creek Minimum, the higher security ethos is adapted for the entire multi-level institution. Security staff from both levels are used and the higher security staff have a tendency to use a harsher style in the lower security setting. We have earned our way to minimum or camp as it was once referred to, we are on the cusp of re-entering society, and it is important that we do so in less institutionalised ways. Multi-level security facilities on the same premises do not seem to work. Instead of ramping up the prison-industrial-complex, it would be wise to study the Norwegian model and implement the elements that work there.

The fifth key area outlined by Sampson and colleagues (2007), the elimination of statutory release, was never implemented. It should stay that way, especially given the costs of incarceration and the benefits of gradual release in terms of safe reintegration.

With many of the changes that have occurred in the intervening years, much discretion afforded to wardens has been removed, translating into a larger role for Parole Board Canada (PBC). For example, if you are serving a life sentence and housed in a minimum-security you are eligible to participate in ETAs, whether for personal reasons such as maintaining community contact or to offer to volunteer work through a community services volunteer group (CSVG). Your ETA application is presented to the PBC, after having been exhaustively reviewed and approved by the various levels within the institution. A ruling by the PBC is made and an ETA is granted. The length of the permit is usually six months and has to be renewed thereafter with another application to the PBC. It costs the system more money by adding these types of redundancies and greatly slows the progress of a prisoner's reintegration. The removal of warden's discretion also undermines their role and part of the dynamic security element they bring to the office. The warden or their designate walk the institution regularly, observing prisoners first-hand under a variety of

situations. They often know the prisoner on a first name basis, which gives them key information on their true conduct, which in addition to formal reports, contributes to a more accurate evaluation of a prisoner's prospect for success in the community when it is necessary to make a decision on an application. This style of corrections is humane and effective, and was previously practiced with successful results. A return of warden's discretion is efficacious in reducing costs and streamlining decisions.

From a Lifer's perspective, UTA and day parole eligibility dates have been delayed due to the lack of streamlining. Although the prisoner reaches an eligibility date, it is virtually impossible to get day parole on that date. The system would like to see a series of UTAs first, before considering the idea of day parole. It is a catch-22 – without the possibility of demonstrating that one is a manageable risk by participating in UTAs or work releases it would then preclude them from having a remotely reasonable chance at day parole. The current wording of the *Corrections and Conditional Release Act* (CCRA) does not allow Lifers to participate in work release before their UTA date, despite being housed in a minimum-security penitentiary. In addition, the idea of a federal prisoner having the wherewithal of earning any measurable monies to support their reintegration is very slim. As mentioned earlier, Level A pay is \$6.90 per day. After deductions that were not in place before, the pay is \$3.40 per day. These are additional impediments to a successful release and reintegrating back into society. In the recent Conservative era, streamlining of decisions was lost through the increased use of PBC decisions resulting in a bottle-neck that slows the prisoners' eventual release. In the case of Lifers, UTAs and day parole eligibility dates are moving targets that keeps an otherwise eligible prisoner from becoming a full-fledged, taxpaying citizen.

Mental health concerns are still issues that have not been resolved. Crisis intervention is marginally satisfactory, while on-going treatment to deal with issues are paltry. In addition to the myriad of problems developed from incarceration, especially mental health issues that arise because of privation, predation, isolation and marginalisation, the result is further trauma that usually goes untreated. We need to have more mental health professionals, as well as guides and mentors, to assist in our rehabilitation. I feel in many cases the index offences are a result of cognitive aberrations and an imbalance in a person's mental, emotional, spiritual and physical well-being. We can address this area by not necessarily throwing money at it, but

by including our stakeholders – the community – through the promotion of outside volunteer participation, making our penitentiary walls permeable. Penal castigation and isolation does not work, but further exacerbates the challenges facing our society.

Along with mental health issues, physical health issues have arisen because of funding cuts. Preventive health programs like dental care have been seriously curtailed, with only emergency cases being seen. A return to dental hygiene and regular checkups are a cost saver in the medium- to long-term. Effective physiotherapy is almost non-existent and the preferred way is to medicate rather than to treat the underlying issues. With an increase in medication, there is also an increase in the potential for abuse of medication that may reinforce problematic drug use. Holistic and other preventative types of medical care should be implemented.

Double-bunking and crowding is an ongoing issue. Many of the ranges are designed for a certain amount of people and when you begin to exceed those limits problems arise that usually result in additional stress, depression, violence and isolation via segregation placements. You must remember that a person goes to a penitentiary as punishment, not for punishment. Being double-bunked for any length of time is punitive and undermines the elements of rehabilitation.

The quality and quantity of food has always been an issue in penitentiaries, which has been further exacerbated with the introduction of a central food preparation centre. The meal is prepared at a central site, packaged, frozen and shipped to the receiving institution. The institution then reheats the meal which is served to the prisoners. There has been a huge increase in the use of mechanically separated meats. Previously, each institution had its own kitchen where staff and prisoners worked together. The prisoners learned valuable skills that could easily be transferred to the community through the example set out by staff. They learned alternative ways of proper comportment. The good news is that some institutions, generally camps and some medium institutions implement the Small Meal Preparation Model. This is where prisoners, select from a list of approved food items, prepare, and cook the food that they eat. It is a fantastic program where prisoners learn to cook, bake and apply the principles of food safety, nutrition, and budgeting. The food per diem is five dollars, which is a challenge, yet the meals are generally nutritious meeting Canada's food guidelines and certainly tastier. Prisoners who have never prepared a meal in their lives

have become quite proficient at it and this program instils in them a variety of skills that they can take with them when they re-enter the community.

Education and gaining marketable skills are the hallmarks of reduced recidivism. Currently, federal prisoners have little to no access to the Internet and as a result cannot access online post-secondary education programs. It is virtually impossible to get affordable and quality paper-based post-secondary studies any longer, and I believe that measures can be taken for limited electronically monitored access to educational sites. One of the goals shared by prisoners is that upon release they can hit the ground running by being prepared in advance through educational upgrading. Currently, CSC's educational mandate is to complete Grade 12, which is woefully below par. Easier access to post-secondary studies and limited Internet exposure will assist in a prisoner's safe reintegration into society, as well as reducing the costs to the system.

With the release and implementation of much found in the report *A Roadmap to Strengthening Public Safety*, CSC has become insular rather than forward-looking. The effective corrections that were practiced previously had a demonstrable drop in recidivism. Mental health issues continue to plague the federal penitentiary system and require a concerted effort to address the deficiencies with perhaps an additional focus on incorporating holistic health techniques. Double-bunking does not contribute to a person's well-being, and is detrimental to good and respectful behaviour, and this practice should be stopped. Finally, the quality and quantity of food has sparked numerous riots in the past, and it appears that we are going down that same aisle again. Decentralising food preparation not only provides respectful institutional work for prisoners, it gives them marketable skills that can be transferred upon release, while supporting the local community with contracts to provide supplies. A return to responsible and humane corrections will add to the progression of our society.

REFERENCES

- Sampson, Robert, Serge Glascon, Ian Glen, Clarence Louis, and Sharon Rosenfeldt (2007) *A Roadmap to Strengthening Public Safety*, Ottawa: Public Safety Canada