

Beaver Creek Institution

A.C.C.L.

I received a life-25 sentence in the late 1990s and was imprisoned in the Pacific Region until recently, where I transferred to Collins Bay and then Beaver Creek Medium, followed by a placement in the minimum. Below, I offer my observations on the detrimental changes to the federal penitentiary system and what reforms are required to enhance correctional outcomes.

CSC’S APPROACH TO CRIMINALIZED DRUG USERS

While residing at Collins Bay I was fortunate to be part of a group that met 50 judges from across Canada. I was amazed at how much they did not know about the federal penitentiary system they send people to. Repeatedly, they expressed that they thought that the people they were sending to federal penitentiaries would get the help they needed. They were horrified, you could see the look on their faces when prisoners spoke up and told them the realities of Correctional Service Canada (CSC) institutions. The bare minimum for employment and skills, and programs to help drug users, were the same program set everyone takes. There is no real help for those addicted to drugs behind bars. CSC will argue that they give them methadone and that they can take a program. CSC will say they are combating the ‘war on drugs’ by fortifying the walls and fences, adding drug dogs and searches, using ion scanners, which is outdated machinery. CSC believes the problem is with drugs coming into the penitentiary, yet you will notice that the union of guards does not allow the ion scanner to be used on their members. CSC does not adequately help the addict whatsoever and before coming to Ontario, I was in British Columbia where there is a great need for drug intervention and harm reduction because so many people die from overdoses every year, on the street and inside. The lower East Side of Vancouver is indescribable and saying it is the poorest neighbourhood in all of Canada is not saying enough. Fortifying fences and pushing family away, is only compounding the problem.

While I was in British Columbia, Greg Hanson and I got to sit down with Minister of Public Safety Stockwell Day to discuss recidivism. This was as the federal government was going from penitentiary to penitentiary interviewing prisoners and staff creating a report called *A Roadmap to Strengthening Public Safety*. I also took a course called “Prison Legal Advocate” with Michael Jackson from the University of British Columbia and other lawyers. They opposed this roadmap to no avail.

At that time, prisoners who did two-thirds of their time would go home, on parole and have to abide by rules and stipulations until their warrant expiry. These days, those same prisoners often have to reside in a halfway house and the system is backed-up immensely. Prisoners who get parole are often waiting for weeks or months for a bed to open. The beds taken by those who do not need them are preventing others from accessing the resources they are seeking. For instance, a prisoner who was addicted to drugs and had no family did not want to be released from prison unless he could go to a halfway house so he could have a chance. CSC would not let him reside at a halfway house, so on the day of his release he locked and barricaded himself in his room, refusing to come out. CSC initiated a lockdown, fragged him (used a bomb), and smoked him out of his cell. They then proceeded to pepper spray, hand-cuff and escort him out to the street. The next day, while they were packing up his cell, the prisoner now on the streets took his own life as he said he would do because he was tired of the struggle. I have a lot of stories like this one and I have developed a lot of empathy for drug addicts. They need help and the program module (i.e. the Integrated Correctional Program Model – ICPM) we have now by itself will not help.

With this said, the ICPM program is the best I have ever taken because it made me think not just about my index offence, but all my offences and what led me to them, challenging my behaviour and helping me learn about myself. CSC used to have violence prevention programs, family programs, drug programs, alcohol programs and the list went on. The problem was that prisoners would have to take sometimes between two and six programs during their stay and could not get them done in time for a parole hearing. Thus, the prisoner would be stuck in the penitentiary until the programs were complete and in most cases, were let out at statutory release. This ICPM is supposed to help prisoners address their programming needs and free up the facilitators so all prisoners can take a program. However, in practice, this is not the case, as CSC only has one program to offer with a huge waiting line to take it. The other problem with the ICPM is it addresses our problem needs in intervals. It has been awhile since I took the program, but weeks one and two would be about associates, weeks three and four would be about crime for gain, with weeks five and six about drugs and alcohol, followed by weeks seven and eight about something else. There is only a two-week entry into the moderate and a one month entry in the high ICPM that talk specifically about drugs. If you are addicted to drugs that is

not enough support for your entire sentence to prepare you for the street and not consume drugs.

Years ago, CSC had Drug Free Units and they were somewhat a relief until they kicked prisoners off the unit for using, rather than helping them when in need. Security imperatives took over, as more searches, urinalyses and control became the norm. Previously, these units gave support to prisoners on the unit with a 24-hour toll free hotlines for help and daily circles. Prisoners also somewhat policed themselves and staff were specially trained for the needs of those on the range. When a prisoner was released and stayed off drugs they were an inspiration to all.

ON “FAINT HOPE”

As I already stated I am a Lifer. It took me more than a decade and a half to reach a minimum-security setting, and I made it there the day after my 15-year review pre-screening hearing for parole under the “Faint Hope Clause”. The Harper government took away the “Faint Hope Clause” or 15-year review, which allowed Lifers to go through a pre-screening by a judge who determines if your case could go before a jury who could reduce your parole eligibility date. The criteria for it was stringent, requiring that all your programming be completed and that you demonstrate progress such as being in a minimum-security institution at the time of your application for pre-screening. Having ETAs and UTAs under one’s belt is also an expectation. Given that I was in a medium and did not pass my pre-screening, I cannot apply again for five years. Under the old system it was two years. This change, along with many other penal reforms put forward by the Conservatives, were done in name of Clifford Olson and other exceptionally troubling prisoners, who were never getting out because necessary protections were already in place in our laws. The news media had a responsibility to mention this in their coverage of the punishment agenda, but often failed to do so as Conservative laws, policing and practices were implemented.

In my case, CSC would not send me to a minimum saying that if I received a bad decision in my hearing that I could be an escape risk, so they waited until after my hearing date to send me. The court says it is a prerequisite that I be in a minimum to apply and pass the pre-screening.

When CSC transferred me the very next day after my failed hearing suggests that I was setup to fail. When I came to minimum listening to the words of the judge and Crown, I sought to apply for ETAs and UTAs only to find out that I cannot get UTAs until I am eligible for day parole, which is three years before my full parole eligibility date. I am essentially being barred opportunities to prepare myself for release and the way the system is setup for Lifers, it seems that many of us that can safely re-enter the community will be incarcerated beyond our full parole eligibility dates.

ON THE SECURITY THREAT GROUP

The Harper government and CSC brought in what they call STG (Security Threat Group) claiming that the face of Canadian prisoners is changing. As the Canadian population has become increasingly diverse so too has the federal prison population, and by diverse CSC means gangs and people with gang affiliations. This label is inappropriately applied to many prisoners sometimes on the basis of the neighbourhood where arrested in, where they sit and eat at a table in the penitentiary cafeteria, if they work out in the gym with a “known gang member”, and the like. It is very easy to be labeled and tremendously hard to be removed from the list.

Prisoners labeled as part of the STG are prejudiced with respect to the delivery of institutional services. STG prisoners cannot access pay higher than level “C” and are reported as not following their correctional plan. Furthermore, they cannot have jobs of trust within the institution. CSC more or less labels them a social pariah by telling others if they continue to associate with you then they too will be listed. This all has an impact on one’s security classification as well and one’s ability to access gradual release mechanisms.

It needs to be noted that for most, *if* a person belongs to such a party when they are arrested, they no longer belong to the party – they are “hung up”. While awaiting trial, one who manages to get bail is required to follow non-association stipulations that prevent such relations from being maintained. The same goes for parole following a conviction and serving time behind bars. The STG label limits options for affected prisoners, which undermines their rehabilitation and reintegration. To respect procedural fairness, the STG has to be changed and stop being abused.

MIXING POPULATIONS

I am not an advocate for prisoners who choose protective custody. For years, I did not know how they lived and did not care. However, now all the penitentiaries are mixed and the lower you go in security, the more susceptible you are to having dealings with protective custody prisoners.

CSC institutions used to be general population or protective custody. Years ago, CSC decided to mix both and here is what I have noticed over the years. These protected prisoners are protected for a reason and that reason varies such as their offence, things they have said, but mostly their behaviour. What I mean by behaviour is such prisoners are the ones who bud in lines, who feel entitled to everything, who have the “I don’t give a shit” attitude, and are rewarded for their bad behaviour because they become sources for security intelligence officers. Most of them are drug users who run from penitentiary to penitentiary owing money and telling security intelligence what they want to hear.

I am a grandfather and an uncle to about dozens of children. When I was in Beaver Creek Medium I was surrounded by prisoners who previously harmed children. These prisoners were verbally abused every day in one form or another – and I mean every day. That made me think about their rehabilitation and how they can move forward with all this abuse in a positive way. They must hold onto a lot of resentment and the people that will suffer are people on the street, and that could be one of my children, grandchildren or relatives. So now I pay special attention to what help CSC is providing these prisoners. Unfortunately, CSC only offers up a program and if completed then they are following the correctional plan. These prisoners have different needs than others such as counselling, therapy and all sorts of things that are not provided to them since the two populations amalgamated. This needs to change for all of our sakes.

When there was Protective Custody, these prisoners would be better positioned to get the help they needed and to not be abused every day. While I am not their advocate, I do not want to see people harmed on the outside or go through the trauma these people inflict. I feel that if I say nothing then I am a party to the damage they could cause once released. The General Population and Protective Custody facilities have to come back.

INCENTIVE AND REGULAR PAY

Prisoners lost the incentive pay that they made at CORCAN. This is a big deal especially in these times when the cost of living has gone up for everything. The incentive pay helped parents send money home to their families, pay the phone bill to keep in touch with their loved ones, gave a prisoner a sense of satisfaction while they were working all day. That CSC took away the incentive is damaging, both to the work program and to the rehabilitation of prisoners.

Few work opportunities provided by CSC lead to the transfer of meaningful skills and certifications. There is always an exception to the rule and Collins Bay has the best welding CORCAN program I ever been to with the chance to get a ticket every three months. A prisoner can get up to I think twelve tickets for welding. These tickets are only good in Ontario, but this is better than not being qualified at all. Here, at Beaver Creek, CORCAN has prisoners making tents and tool belts for Home Hardware, leaving us with absolutely no skills unless of course one wants to make the same amount of money outside as inside working for a sweat shop.

Prisoners need the incentive pay back, and all vocational and work programs need to provide prisoners with marketable work skills for employment. While on paper, Commissioner's Directive 720 *Education Programs and Services for Inmates*¹ promises this, CSC only offers the bare minimum at most of its institutions, leaving prisoners with minimal skills. This needs to change.

THE CONSTRUCTION OF NEW UNITS AND ITS IMPACT

In the context of declining crime rates, the Harper Government built units inside the fences of existing penitentiaries almost everywhere, despite owning property beyond them. Did they build these ridiculous penitentiary units on the inside of the fences to circumvent having to tell the public in town hall meetings and avoiding opposition to having multi-level facilities in their neighbourhood?

The pitfalls of these new facilities are numerous. Our yards have shrunk to nothing. Some of the buildings are unused eyesores (e.g. they have a 56-

bed unit here at the minimum and it has not been opened yet; they also have a program building that has never been used for programs, and it sits there empty with the heat and lights on). Since these buildings have been built, prisoners have been paying additional food and accommodation fees, while the cost of living inside (e.g. canteen, groceries and vending machines) has gone up. As already stated STG only get level C pay, and it is extremely hard for a prisoner to get and maintain level A pay.

We prisoners are basically paying for new units that should have never been built that have consumed our yards, taken from us our free time and space, created additional crowding problems in process via double-bunking, and made the environment more dangerous. We have paid for this with the violation of our rights and freedoms, including the right to be treated fairly.

We used to have socials and food nights. The Conservative government thought it was too much that prisoners could order and eat takeout food from local restaurants that occupy space around the penitentiaries. The guards' union said drugs come in through socials so they were cut, our groups and ethnic groups were cut and yes also religious groups such as Wiccan were cut. All of these cuts are undermining community connections that facilitate safe reintegration. Moreover, the food night CSC cut off local MA & PA restaurants we once helped, which also promoted a good working relationship between them and the community. Who does not want to make \$30 times hundreds of people in one afternoon? Socials were a way for us to visit our families for a few hours in a nice setting and a chance for a family to see that things are all right for their parent in prison, and a good time for parole and correctional officers to meet and see their case load in a family setting. It is as-if anything that contributed positively to the lives of prisoners had to go under the previous government, consequences be damned.

POST-SECONDARY EDUCATION AND COMPUTERS

While prisoners, before and after Harper, can take post-secondary courses if they pay for them, the problem we are facing now is that all courses are online. The colleges and universities used to send books and that does not happen. The guards' union and CSC are going to have to get with the times. We are living in the dinosaur age. We need computer and Internet to gain an education on our own dime. Computers are a big part of the outside world

and people like myself who have been in since the 1990s do not have the experience with email, texts and so on. Computers are used in all places for everything and not knowing anything about them puts us Lifers at a great disadvantage. The fact we are not allowed to have computers in our room is nonsense. At the very least, we should have limited access to the Internet and learn how to use it. Considering that most banking and payments are done electronically, it would make sense that we would know how to do it. While all attempts at advancement in these areas are thwarted, CSC and the guards' union tell the public they are preparing us for the future. We are being prepared for failure and job insecurity, and that is not right.

PURCHASING IS BEHIND THE TIMES

As part of the previous Conservative government's Deficit Reduction Action Plan, CSC's Executive Committee decided to standardize purchasing and procurement practices. Consultation on the list of personal effects was conducted in late spring 2013 with regions, institutions and prisoners. When they say consulted prisoners, they meant they sent a memo telling us what will be happening. Prisoner purchasing and allowable item limits have to be addressed. Right now, the purchasing system is being monopolized by one company. Before the Harper government, we were able to order allowable effects from local vendors helping the community we lived in, at the same time keeping our own identity. Not long ago, prisoners wore the same clothing and numbers, which, along with many other deprivations, dehumanized the incarcerated leading to riots among other things. From the riots of yesteryear, the CCRR and CCRA came to be. This was seemingly forgotten by the Harper government, the guards' union and CSC who brought us backwards.

ON ACCOUNTABILITY

With *The Safe Streets and Communities Act* which received royal assent, several changes were made to the CCRA, including several measures put in place in the name of accountability. The problem with CSC's new version of accountability is they always hold us accountable for our actions and hurl labels upon us arbitrarily (e.g. STG), while not being accountable for fulfilling their own obligations. This antagonistic approach is not helping

in rehabilitation and in fact are doing the complete opposite. Moreover, when the legislation sought to clarify that the “protection of society” was to guide CSC decision making, it made it sound as if this goal was not a chief priority before. We all know that the safety of the public has always been first and, to this end, a more collaborative ethos needs to be put in place inside Canada’s federal penitentiaries to work towards this outcome.

CONCLUSION

I have covered many issues above that I am extremely passionate about. I believe people can change. I believe in rehabilitation and that people are genuinely good. Even as I am surrounded by negativity, constantly pounded, and put down by CSC, I have to believe in what people on the outside and parolees tell me when they say to hang in there, that when I am out things will be different and people are good.

ENDNOTES

- ¹ Correctional Service Canada (2017) *Commissioners Directive 720 Education Programs and Services for Inmates*, Ottawa. Retrieved from <http://www.csc-scc.gc.ca/acts-and-regulations/720-cd-eng.shtml>