

## **Stony Mountain Institution**

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The following is my personal experience with respect to Correctional Service Canada's (CSC) human rights abuses under the Harper government's punishment agenda. The way I discerned this punishment agenda developing was similar to how other countries in the past would centre out a powerless and branded segment of society to oppress. They incite vicious hatred against the group and categorize them into one group of 'enemies'. This method conveniently separates them from the rest of normal society.

Once the Harper Conservatives were able to instill this into the public whenever some tragedy occurred in the communities, it would beat the justice and public safety drum loud. Often leading the correctional oppression against the criminalized was Mr. Vic Toews, who was Justice Minister from February 2006 to January 2007 and the Public Safety Minister from January 2010 to July 2013. He seemed to dislike all the federal prisoners whom he labelled as 'offenders', contributing to the division between the Canadian people and the incarcerated. He especially seemed to dislike the prisoners serving life terms for murder, which are sentences that can leave one behind bars indefinitely. He stated, along with many other Conservatives, that Canadian people convicted for murder should never be out in the community on parole, which sent the message to all community parole services across Canada to revoke and return to prison as many Lifers they could get away with under the guise of public safety. Not satisfied with the re-incarceration of many of these prisoners, the retribution continued. He dismantled Life Line, the only program CSC had for prisoners sentenced to life under some form of state supervision. His office then created policies to make it more difficult for Lifers to attain any form of release. First, the policy of requiring Lifers to go before the Parole Board Canada (PBC) panels for Escorted Temporary Absences (ETAs) contributes to the unnecessary delays and is used as a punishment stick. This practice also stripped the power of penitentiary wardens to approved ETAs to eligible prisoners who earned it. Re-incarcerating all those paroled Lifers also clogs up the rehabilitation and release process for the ones still working for freedom. It is bizarre to require a Lifer to repeat the ETA process when they have been in the community for extended periods of time. This glaring punishment policy needs to be removed, with wardens again having the power to approve medical, compassionate and re-socialization ETAs.

Another punishment policy against Lifers is the requirement to wait for five years to apply for parole after every hearing when you were denied it. The previous policy was all Lifers were to be reviewed every two years once they were eligible for supervised release. For example, when a prisoner was granted day parole to a halfway house and adjusted to society well, the next step for him or her after seven to eight months is full parole. The five-year waiting policy means the decision to deny you full parole will result in one having to reside at the halfway for another four to five years. Halfway houses should not be used in cases where Lifers have a home to live in and sustainable incomes to feed themselves. Reducing the periods between parole hearings would free up much needed bed space for paroled prisoners who need the help. For those still inside the joint, you can be warehoused for years. The institutional parole officers often fail to review and update Lifer files for parole review.

My next observation with respect to Harper's punishment agenda has to deal with the parole supervision in the community and parole preparation inside the institutions. This factual information is gleaned from my personal experience and from listening to other prisoners recounting their experiences of having their human rights violated by the staff working inside the Canadian prison gulags.

When I was on parole in the community, the Winnipeg parole service was quite determined to have me back behind the walls of Stony Mountain Institution. I have fought off several attempts to return me to the penitentiary by successfully overturning alleged parole breaches. However, I have also been returned to prison nine years past my parole eligibility date for failed drug tests associated with using my doctor prescribed medication and for having friendly chats with someone I was in a halfway house with that resulted me in being labelled as someone associated with a gang member. At Stony Mountain minimum, I am not allowed an ETA to pay and keep my driver's licence current.

As it is, federal prisoners can be returned to penitentiaries for minor breaches of parole. The various minor parole breaches could be for drinking a bottle of beer, being late for curfew or talking to anyone with some type of conviction or accusation. This social behaviour is the norm in a free and democratic society. Only if alcohol or drugs were involved in the offence(s) that landed you in prison is a parole breach appropriate. Instituting parole breaches for associating with accused or persons with criminal records when

most people I know have been in conflict with the law sets people up for isolation or failure. After all, it is not likely for many prisoners to get to hang out with the elites of society that have not been criminalized. This policy should only apply to those involved in gangs or criminal organizations. Parolees should be allowed to socialize with real people.

Under the Conservatives, I also witnessed parole breaches occurring because of a 'deteriorating attitude'. This is such an ambiguous label that allows a community parole officer to fabricate any reason to terminate your legal release. If you are an assertive and low-maintenance type of individual, your parole officer can resent that and assume they have no control over your life. They may think you are displaying an entitlement attitude to be treated with respect and dignity. These are some of the personal parole experiences I had and from what other prisoners related to me. For instance, if you disagree or stand-up to the parole officer for abusing their power over you, the end result is a negative parole report that states you have 'deteriorating attitude', which justifies revocation and re-incarceration. For my example, I took a higher paying job, a behaviour that was – for reasons unknown to me – perceived as a symptom of a 'deteriorating attitude' for simply making a positive change.

I was told by an institutional parole officer that their bosses instructed them to slow down the release process for Lifers. While I was sceptical when I heard this, I believe this is also true from what I saw in minimums. I did time in Saskatchewan and Manitoba penitentiaries mostly. Some guys wait excessively long time to start ETAs. I know one fellow who has waited for over five years for one. In other cases, paper work has been lost or misplaced. Sometimes, the institutional parole officer fails to follow the guidelines of their duties. In the process, proper rehabilitation procedures get put on the back burner and prisoners stay locked up unnecessarily. I have seen and heard of institutional parole officers taking a prisoner not serving a life sentence before the parole panel about thirty days before their statutory release date to give the illusion that prisoners are being paroled efficiently.

What needs to change are current parole case work procedures, which ought to be recorded to ensure that the rehabilitation process is being facilitated by CSC, as well as engaged in by prisoners. As it is now, institutional and community parole officers are given too much trust and power to assess and manage prisoners and the case files. There should be a deterrent to prevent them from abusing their power and duties of their

office. Also, these recordings would serve to protect the parole officers from unfounded grievances from prisoners, while safeguarding the human and legal rights of the criminalized. The current setup is one whereby you have the prisoner versus the parole officer's word whenever revocation or any case management decisions have to be made. Due to bias that sees trustworthiness given to a CSC official over a prisoner who is labelled as untrustworthy, most of the time, people will automatically take the word of the former. Both parties have to be held accountable and be responsible in the rehabilitation process for it to work properly and fairly.

Lastly, I wish to touch upon the deteriorating situation with respect to human rights and the rule of law within CSC institutions where guards have total control over different facets of penitentiary life. When you go inquire about a matter at the visits and correspondence (V&C) department you often find a guard working there who does not have the time of day for you. It would be akin to going to your community post office to find a disgruntled uniformed postman working there. They have opened my privileged correspondence (e.g. letters sent to the House of Commons in Ottawa and legal offices). Papers associated with a human rights complaint were lost. I can only assume this takes place across the federal penitentiary system, whether in V&C or elsewhere in institutions. The unspoken policy is to treat us merely as 'offenders' that the rest of society despises. The obvious contradiction with this hateful attitude and general mistreatment of prisoner is, on one hand, they appear to be part of the correctional treatment process with programs and case work to get us ready to part of society and to uphold the values of it. On the other hand, these abuses and their mistreatment defeat that noble aim. When you are being disrespected and viewed as something less than a human being, the motivation to change and accept the social and human values of society can be difficult. The carrot should be put back, alongside the stick is my point.

In conclusion, the stern operating message that is needed from the current government to all its employees is that this hateful behavior towards prisoners must stop immediately. They are paid to be impartial, uphold the laws and not abuse our human rights. The guards need to return to their proper roles of preventing escapes and violence. Bring back regular staff to retain other operational positions of the institutions. This will remove the current police state mentality. Also, it will provide the opportunity for prisoners to interact with other community members from society. The managers of

parole officers and general parole officers have to be better monitored to insure their offices are fair and properly assisting those that are part of their caseload. In fact, the current government needs to weed out all the staff refusing to follow or uphold the policies and guidelines of the correctional treatment process. The current abusive policies left over from the previous government are hindering the rehabilitation process, creating an unhealthy penitentiary environment, which makes it toxic for all concerned to do time or work there. Things have gotten so bad, CSC's mission statement that once hung at admissions and discharges was tossed into the trash can at Stony Mountain minimum. This is not how things should be.