RESPONSE

Moving Beyond the Prison Pandemic: Reducing the Use and Harms of Imprisonment, Working Towards Decarceral Futures

Prison Pandemic Partnership in Collaboration with Sara Tessier, Patricia Whyte, Wendy Bariteau, Christophe Lewis, Deepan Budlakoti, Lindsay Jennings, Trish Mills, Sherri Maier-Gordon, Chantel Huel and Cathee Tkachuk

PREFACE

The following is an edited transcript from an event held online on 6 May 2023 entitled "Moving Beyond the Prison Pandemic: Reducing the Use and Harms of Imprisonment, Working Towards Decarceral Futures", which was transcribed by Olivia Gemma, who is a Research Assistant with the Prison Pandemic Partnership and Dialogue Editor for the *Journal of Prisoners on Prisons*. The event was organized by the Prison Pandemic Partnership, moderated by Kevin Walby (University of Winnipeg) and Justin Piché (University of Ottawa), and hosted by the University of Ottawa's Human Rights Research and Education Centre. The names of invited speakers are highlighted in bold and italics when they are first introduced to direct the reader's attention to their respective biographical statements.

INTRODUCTION

Kevin Walby: Welcome everyone to today's webinar, "Moving Beyond the Prison Pandemic: Reducing the Use and Harms of Imprisonment, Working Towards Decarceral Futures" hosted by the Human Rights Research and Education Centre based at the University of Ottawa. I'm Kevin Walby and I'm joining you today from Treaty One Territory, the traditional territory of the Anishinaabe, Cree, Oji-Cree, Dakota and Dene Peoples, and birthplace and homeland of the Métis Nation. I'm the director of the Centre for Access to Information and Justice at the University of Winnipeg, and an investigator for the Prison Pandemic Partnership.

Justin Piché: My name is Justin Piché and I'm joining you today from unceded and unsurrendered Algonquin Anishinaabe Terrritory as a member of the Criminalization and Punishment Education Project based at the

University of Ottawa and Carleton University, and as co-investigator for the Prison Pandemic Partnership.

Kevin Walby: March 11th, 2023 will mark three years since the COVID-19 pandemic was declared. Since the onset of COVID, congregate settings across Canada have been hard hit with infections by those living and working within them. This includes prisons where incarcerated people and staff have been infected at much higher rates than the general population based on the limited data that continues to be publicly disclosed about COVID-19 cases among imprisoned people.

These infections have grown year over year, as the pandemic has become normalized, and treated less like a public health emergency. Total reported cases among people in prison, in Canadian federal penitentiaries, nearly doubled from 1,336 cases by the end of February 2021 to 3,489 cases by the end of February 2022, and more than doubled again to 7,716 cases by the end of February this year.

During the initial wave of COVID-19, governments enacted several measures like emergency bail releases and expanded temporary absence programs (ETAs) with minimal harm and community benefits. This raised the possibility of ongoing diversion and decarceration to reduce the use of imprisonment, especially given that many governments failed to provide re-entry support to people exiting incarceration, despite calls from advocates and researchers to do so. These measures have largely now been rolled back, just as the paucity of re-entry support for criminalized people has persisted, undermining both public health and community safety in the process.

Throughout the pandemic governments have also introduced a whole lot of repressive measures to deal with COVID-19 in prison, like medical quarantines, isolation regimes often resembling segregation, suspension of programs, suspension of visits, putting in place lockdowns when outbreaks occur or are suspected, and so on.

And we've heard from lots of imprisoned people throughout the pandemic that this period has been marked by a lack of personal, protective equipment and cleaning and hygiene supplies, proportionate to the heightened risk posed by COVID-19 in these settings. At the same time, vaccine access and hesitancy among prisoners have emerged as a concern with varying vaccine take-up rates across jurisdictions signalling perhaps that some vaccine rollouts and communication strategies have been more effective than others.

Now, these are just a few of the issues that experts with lived experience of imprisonment and re-entry joining us today will speak on over the next two hours, and the Prison Pandemic Partnership has been documenting throughout COVID-19 with support from the Social Sciences and Humanities Research Council of Canada.

Let's now introduce our speakers from east to west. Thank you all very much for being here today. First, we welcome ***Sara Tessier***, who's joining us from the ancestral and unceded Territory of the Mi'kmaq Peoples. Sara is a social justice advocate with lived experience who has spent the last seven years working with and on behalf of the most marginalized, victimized, criminalized, and institutionalized men, women, and youth in Canada. As the Impact Manager of Formerly Incarcerated Persons with the Northpine Foundation, she provides both financial and non-financial support to organizations in their efforts to increase successful reintegration to their beneficiaries and reduce recriminalization. Among the many other roles she has, Sara sits on the Lived Experience Committee for the Canadian Association of Elizabeth Fry Societies.

Next, we welcome ***Patricia Whyte***, who's also joining us from the ancestral and unceded Territory of the Mi'kmaq Peoples. She's the first Indigenous peer support worker in Atlantic, Canada. She was the first regional manager of Holly House, which is a six-plex apartment building for Indigenous women. She's now employed with Path Legal as an advocate, and is involved in the Transformation, Voice and Systems Change working group with the Canadian Association of Elizabeth Fry Societies. Patricia is an Indigenous woman with lived experience, having served four years in the federal penitentiary system. Patricia is also a mother, sister, daughter, wife, teacher, and dedicated advocate for social change.

Justin Piché: We also have with us, ***Wendy Bariteau***, from traditional unceded Mohawk Territory. Joanne Wendy Bariteau has worked for several organizations involved with supporting folks who are incarcerated and formally incarcerated across Canada. She's a member of the grassroots organization Joint Effort, a women's prisoner support group. She also helps with the Prison Justice Day Committee to organize public education, events, and prison justice network. She's now the regional coordinator for Ontario and Québec at the Canadian Association of Elizabeth Fry Societies, and she's also involved with other organizations such as the Anti-Carceral

Group and Abolition Coalition. Working in multiple regions has given her an appreciation for the federal carceral system and how it plays out in regional contexts.

Also joining us from traditional and unceded Mohawk Territory is ***Christophe Lewis***, who's the founder of Freedom is a Must Foundation. Christophe was incarcerated for over 12 years. Having always had a passion for expressing himself through written and spoken word, he wrote poetry and music as a young man, and turned to journaling and keeping notes as a coping mechanism while in prison. Christophe was incarcerated in provincial institutions such as the Maplehurst Correctional Complex in Milton and the Don Jail in Toronto prior to his conviction, as well as Millhaven, Donnacona and Cowansville Institutions, and the Federal Training Centre. During his time in prison, he's experienced confinement at all levels of security. He's experienced segregation and involuntary transfer, and other harmful conditions. He's currently on day parole and lives in a transition house.

Next, we welcome ***Deepan Budlakoti***, who is joining us from the unceded and unsurrendered Algonquin and Anishinaabe Territory. Deepan is an advocate for the human rights of prisoners and people, with precarious immigration status. He was released from the Ottawa-Carleton Detention Center (OCDC) over a year ago as a stateless person and is still waiting for federal government documents to be able to work. If you're interested in making a mutual aid contribution to Deepan to help cover the costs of housing, food, medication, transportation to appointments, including meetings he needs to attend to comply with his probation and immigration, as well as bail conditions, you can email justicefordeepan@gmail.com.

Next, is ***Lindsay Jennings***, who's joining us from the traditional Territory of the Wendat, Anishinaabe, Haudenosaunee, and Mississaugas of the Credit First Nation, also known as Dish with One Spoon Territory. Lindsay has survived the prison system and is currently a research associate with the Tracking (In)justice Project, which tracks deaths by police using excessive force and deaths while incarcerated. She is the current co-chair of the Transition from Custody Network, working to address gaps in discharge planning and increase continuity of care for people moving in and out of the correctional system. She also chairs the Expert Advisory Committee for the Fresh Start Coalition, which is advocating for an automatic record suspension regime. Lindsay is a passionate and professional advocate for

the human and healthcare rights of currently incarcerated individuals. Over the past years, Lindsay has been dedicated to addressing preventable deaths in custody and a more ethical, supportive, and compassionate process for the families of loved ones who have died behind bars.

We also have ***Trish Mills***, who's a settler of mixed ancestry living in Southern Ontario, which has been and continues to be stewarded by the Haudenosaunee, Anishinaabe and Huron-Wendat, Erie and Chonnonton Peoples. Trish is an anarchist who is queer, neurodiverse, and disabled, and who has experienced both being in prison, as well as supporting others inside. She currently volunteers with the Disability Justice Network of Ontario, which is working to collectivize and amplify the voices and experiences of racialized and disabled prisoners, while providing concrete prisoner support.

Kevin Walby: We're also pleased ***Sherri Maier-Gordon*** is joining us from Treaty 4 and 6 Territory, and the traditional Territory of the Cree, Saulteaux and Assiniboine, and Métis Peoples. Sherri is a human justice graduate from the University of Regina and worked as a student with Correctional Services Canada (CSC) in the area of urban parole. Since graduation, she has dedicated her life to advocating for prisoners in both federal and provincial institutions. Over the past four years, she has been a prison wife and used education, professional, and personal experiences to help her fiancé and other families navigate the correctional system, especially during COVID-19. Together they organized, and held hunger strikes and protests in several Canadian carceral sites.

Also here with us is ***Chantel Huel***, from Treaty 6 Territory in the homeland of the Métis. Chantel is a formerly incarcerated mother, grandmother, daughter, sister, partner, and friend. She is currently a helper and member with STR8 Up, and is on a journey to find greater balance and joy in her life and work by taking each day as it comes, using her voice and experiences to live honestly and with integrity.

Cathee Tkachuk is joining us from the traditional and unceded Territory of the Squamish, Musqueam, and Tsleil-Waututh First Nations. Cathee was in prison for 20 years and has been on parole for the last two, and dealt with the consequences of COVID-19 both inside and outside of prison.

PART I:
THE IMPACT OF COVID-19 ON PRISON CONDITIONS AND COMMUNITY RE-ENTRY

Justin Piché: We have quite the lineup of speakers today who are going to share a lot of insights with us about the impact of the COVID-19 pandemic behind and beyond bars, and what we can do to work towards decarceral futures.

That brings us to our first question, where every speaker will have roughly up to five minutes each to respond in whatever way they feel relevant, based on their experience and where they're coming from. How did the COVID-19 pandemic impact prison conditions or community re-entry for you or those you advocate with and for?

To get us started, the first round is going to be east to west, and then the second round will be west to east. We'll start with Sara Tessier. Welcome.

Sara Tessier: Thank you, Justin. Good morning, everyone and welcome. I spent five years inside a federal prison and my release date was January 9th, 2020, just before the onset of the pandemic. I was released into a halfway house in Halifax.

As a prisoner inside, I was a peer advocate for the Elizabeth Fry Society. I took complaints, grievances – anything that the women needed, and advocated on their behalf. I also worked alongside Elizabeth Fry and Senator Kim Pate for systemic change.

Upon release going to the halfway house, I was still in contact with the people inside, so I could advocate on their behalf. When I was released, I was doing a lot of panel discussions. I was working as a volunteer with Nova Scotia Legal Aid. I was working with the Elizabeth Fry Society as well. I was out and about as much as I could be, as well as with my mandated programming through CSC.

When the pandemic hit and a state of emergency was declared, all of that was put to a halt. Although there were community restrictions, the halfway house took it above and beyond that. Where other people were allowed to go one person to the grocery store, we weren't allowed to leave the house at all. We couldn't even go for a walk around the block, so I would constantly be monitoring the conditions in that halfway house and working with Senator Kim Pate to address those.

Of course, inside the halfway houses, there's no access to the internet. Although I was able to meet and be interviewed by Ashley Avery of Coverdale Courtwork Society. By contacting her, she was able to get internet hubs from the library for the halfway house, which was good because we were able to access our programming remotely. Although, it didn't address the fact that you were imprisoned in a house now. It's no different than being in the prison and it was very restrictive.

Inside the prison, through my advocacy work, the restrictions were extremely harsh, and I was always speaking with the Inmate Committee Chair to monitor those conditions and report them. Protective equipment like masks, gloves, and cleaning supplies weren't provided to the people incarcerated. It was only the staff that were wearing masks and gloves around. The staff were the only ones that would be bringing the virus in and prisoners had no contact with anybody on the outside. Visits were restricted to non-existent and programming stopped, which greatly impacted people close to parole or needing that mandated program to get parole. People were being kept inside longer than their original date for parole, which really created a backlog. Not to mention, all non-essential staff were no longer going into the prisons and now you had simple things like food services, hygiene, all these services and things that people needed daily, even medication, restricted. People weren't getting the mental health services or anything they really needed. Now they exacerbate people's mental health issues and provided less or no support for those who really needed it. It was very detrimental and harmful to people, which leads me to the work I started doing outside with the JEC Project, which I'll get into later on.

Justin Piché: Alright! Thank you so much for that, Sara. We'll come back to you later. We're now going to turn the floor over to Patricia. Welcome!

Patricia Whyte: Hi! First of all, I'd like to say I'm super honoured to be on an amazing panel with some fantastic speakers and advocates. I want to start off on the cultural side – Sara and I know each other very well and we've worked together quite a bit. My warrant expiry was in September 2020 and I was already working for Elizabeth Fry as a peer support worker then. We had what was called down here as "People's Park" and it was filled with tents. As Sara was explaining about the JEC Program, it was John Howard, Elizabeth Fry, and Coverdale that came together and we had

all this funding for hotels for the women and men, which caused a lot of issues. The sweats stopped in the community because even though we had an Elder willing to do the sweats, the parole officers weren't allowing their clients to sweat because they felt like it was too serious. I've had COVID four times even being vaccinated. I've never stopped working even through the whole thing. I think there was no sense of stability. There was no sense of consistency in terms of programming support. It was chaos.

All the programming stopped even with the cultural base. People couldn't smudge together and the Healing Circle stopped. It was like Sara was saying, mental health was on a decline.

I also worked at Holly House, which is one of our supportive living houses, and some positives came into that because they were trying to push everybody out of the provincial centres who didn't have extreme charges on their record. They got to come out. We had a few women who were charged with first-degree murder and worked on their case, and they got to stay in the community instead of prison.

I also had a partner who recently just got released on January 31st. He did four years in the provincial system and they wouldn't go to the doctor if they had a sore throat. Nobody on the range would because as soon as they mentioned anything about a sickness, they would get locked down for days. They didn't have the proper equipment – no PPE, never got masks, nothing, no healthcare at all. It was terrible.

Justin Piché: Alright. Thank you, Patricia. We'll now turn the floor over to Christophe. Are you here? Go ahead!

Christophe Lewis: I'm here. Hello, everybody! My name is Christophe Lewis and I did 12 years inside. I was released in November 2021 and, last April, I was granted full parole.

I've been working in the community with whatever organizations would hire me because getting employment is another difficult thing when you have a criminal record, especially one like mine. By the way, I'm serving a life sentence. For those that don't know what that means, I'm going to be under surveillance and CSC-watch for the rest of my life, according to the law that is set right now.

I was released during the pandemic, so I can speak to how things were while I was there. All visits were halted, which meant that not only family

visitors couldn't come, but we weren't able to have visits from prison psychologists either. Sometimes parole officers (POs) weren't even allowed to come to see us, which slowed down our reintegration processes on all different levels. Forget about programs, there was no such thing at the time when the pandemic had hit. For all those that didn't do programs or needed programs, they weren't able to be afforded those rights. Obviously, that's a big hindrance to the process and the way things operate.

There was so much that was actually going on. There were constant random lockdowns, for instance, a staff member would say something simple like, "Oh, you know, I think I was in contact with someone that may have had COVID". They just "may have had COVID", but they aren't saying that some did have COVID. And then they wouldn't be able to come into the institution and anybody that was in contact with them now had to be included. So, you know, some people would say that the staff members are doing this because they wanted hazard pay, and obviously when there's hazard pay, they get paid a lot more.

A lot of times, we would get locked down for ridiculous reasons. One of the things that we would point out as prisoners is that when these so-called staff members would say that they were in contact with someone that possibly had COVID, we would have to do 14 days of quarantine. Yet, they would come back to work within days and then we would still be in quarantine. We'd have to submit three negative PCR tests. Until then, we'd be segregated. We wouldn't have visits. We wouldn't have anything. I would say that it was a difficult thing to navigate on all different levels and I wouldn't wish that on my worst enemy. And it still happens to this day. There's still random lockdowns, no matter how the prison restrictions have eased. There's still a lot of arbitrary lockdowns, I would say.

Justin Piché: Alright. Thanks so much, Christophe, for sharing your experiences of the pandemic behind bars. We're going to turn the floor over now to Deepan Budlakoti. Deepan, the floor is yours.

Deepan Budlakoti: Thank you everyone for inviting me to this event today. I will be speaking solely on my experiences while held at the Ottawa-Carleton Detention Centre (OCDC). I spent four and a half years in pretrial custody and was released on February 24th, 2022. I was held at OCDC prior to COVID and then throughout the outbreaks. I personally got COVID one time in custody and then one time outside of custody.

The changes that took place during COVID were essentially around lockdown. They classify lockdown as in COVID lockdowns, medical lockdown, or just a lockdown. Essentially all are forms of segregation with the same experience in terms of forced isolation. We don't have access to visitors. We don't have access to any type of programming. We weren't able to have any type of PPE until a year went by during COVID, and finally we were allowed to get a mask only when leaving the unit. This also hindered the ability to see the psychologist. Mental health support declined during the time of COVID. Instead of increasing care, we were in forced isolation for long periods of time. For example, it could be 28 to 38 days. Sometimes we were only released for one to three hours, and then the whole process would start again.

Several things did change in terms of quality. The quality of food deteriorated significantly. Portions got smaller. Instead of getting a container, we started getting little cardboard dishes. At times, there were months and months when we weren't able to get fresh air. As some of you may be aware at OCDC, a provincial institution, you don't have access to a window. In particular, at OCDC, you're in a cell where you cannot see outside of the window. There are times when you are with one or two cell partners. You're sleeping on a two-inch matt and no pillow. You have an open-seat toilet with no air filtration that's going through the cell. Before COVID, compared to during COVID, nothing changed in terms of hygiene and cleaning solutions that are provided to the units. In addition to that, while you're locked down and someone is positive, the whole unit is then locked down. When that same individual would leave the unit to take a shower and individuals that weren't positive planned to also use the shower, the staff wouldn't clean those showers. One shower for 24 prisoners or one shower for 36 prisoners, depending on how many cells are on that unit or how many people are in each cell.

There are ongoing issues in terms of programming, getting access to visits and mail, and simply the canteen. We essentially went from having some access to fresh air and support to absolutely nothing. They say they invested hundreds of millions of dollars during COVID to help individuals reintegrate into society, and it seems all fine and dandy by what's expressed by [then Solicitor General] Sylvia Jones in the media or press conferences. In reality, nothing was being done on the frontlines. We were in lockdown again, pretty much the same thing as segregation. I define it as forced isolation as there's no difference, and you're putting everyone at risk.

There was no ability to social distance. Walking parameters are essentially six feet. There are assigned benches and tables on one side. You're living in a hallway setting and you don't have access to fresh air. The correctional officers will come and go. It was consistent lockdowns. I don't even know how to express it. You're already going through a hard time while you're incarcerated. You'd think that the state would provide you support to help you deal with the matter and now you don't even have the proper information. You're not getting access to what's happening with COVID.

And that is my five-minute mark. I'll end by saying that incarceration during COVID isn't something I would wish upon anyone. There were inhumane and deplorable conditions in pretrial custody at OCDC in the nation's capital city of Ottawa. Thank you.

Justin Piché: Alright. Thanks so much, Deepan, for sharing your insights. We'll now go to Wendy Bariteau. The floor is yours.

Wendy Bariteau: Hi! When COVID-19 started and we started seeing restrictions within the institution, our fear – well, my fear – was that the restrictions put in place might not be 100 percent removed at the end of the pandemic or when things went back to "normal". This is what we are seeing. A lot of what was once given, including visits, ETAs [Escorted Temporary Absences], and on-time documentation, like what everybody else is talking about, would ideally be coming back to pre-pandemic standards. We're not seeing that in everything. ETAs, in a lot of institutions designated for women, are still not up. They're saying they need to retrain volunteers and some institutions are waiting until September and October, so folks aren't getting ETAs because they have no volunteers to take them out. And in some places, movements are still restricted.

Personnel are still working from home, so some folks aren't meeting up with their POs [parole officers] or their personal support workers [PSW] as often as they should. The institution is not 100 percent back to pre-pandemic standards and they're not even doing community standards now. Federal and provincial governments are almost all back to normal, but the federal institutions, so CSC, is still in pandemic mode. There's still some quarantines happening and movement restrictions at times, which may happen if there's a few outbreaks or a lot of them.

For institutions designated for women and CSC as a whole, they're not post-pandemic. They're still in pandemic mode, be that as not as intensive, but still so. It can be problematic for people that are requesting parole that haven't gotten ETAs. I've heard people that are having private or family visits, then have to be put in quarantine once their family or private visit is done. A lot of people aren't wanting to go through all that or not taking advantage of the private or family visits. Also, some institutions are down to one visit a month or one visit a week. I would hope that soon we will see a post-pandemic that looks exactly like the pre-pandemic in the institutions, and that would be the ultimate goal to go back to community standards. What's happening in communities should be implemented in federal institutions.

Justin Piché: Thank you, Wendy. A good reminder in terms of just how much has changed behind bars and in the community. Despite the fact that the pandemic has been normalized in other industries and sectors, the pandemic continues for those living and working in congregate settings, and in this case congregate settings of human caging. So we'll now turn the floor over to Lindsay Jennings.

Lindsay Jennings: Thanks, Justin. I just want say thanks to the organizers. It's pretty cool and very rare that you get to share space with so many people with lived experience. Thank you for organizing this.

I think for myself, being involved in the Tracking (In)justice Project where my contribution is really around deaths in custody. With everything that everybody was just talking about of the conditions that happened inside during the pandemic, what we saw was a dramatic increase in deaths inside. There's been two reports in the past four months that have come out. The first report was back in December from the Tracking (In)justice Project about deaths in custody in our Ontario provincial jails. When they compared deaths in 2021 to 2010, there was a 173 percent increase in deaths inside of our provincial jails during our pandemic times. Some people would think, "Oh, they probably got COVID", though, there were maybe only two or three folks whose deaths were actually linked to COVID.

More recently, a new report came out that was led by the Chief Coroner of Ontario, who wanted to bring to light some issues within the provincial correctional system that contributed to this alarming increase in deaths.

That report came out at the end of January or February, I believe. I want to give you some numbers, and though numbers don't necessarily mean anything to me, it seems to mean a lot to funders and the government. That's kind of why I got into research – I wanted to change the way that we were using research in order to push for social change and really challenge some of the policies and processes within the correctional system. I know it's really important that we understand the demographics of how people have died and the environment within our provincial correctional system.

74 people between 2014 and 2021 died from drug toxicity, meaning they overdosed inside. We had 45 people die from suicide, 12 were undetermined, and 3 were so-called accidents. One of the most alarming numbers was 52 people, which was 28 percent of deaths between 2014 and 2021 were deemed natural causes. That's a large portion of people inside that are dying from so-called natural causes. These are young folks between 25 and 40. We shouldn't have young folks dying at that rate inside our provincial jails.

When you ask me this question about what did the pandemic do to people – it killed people inside. COVID didn't – the conditions people were in did. People's mental health deteriorated and that's why we saw suicide increase. We have lockdowns directly associated with an increase in deaths and the deterioration of people's mental health. No visits, no programs, and lockdowns constantly. I think it's important to remember the way that people are living inside. During COVID, we had fridges and TVs, we had Zoom things – everything moved and transformed into COVID life. Imagine if you were stuck in your bathroom and if you have a bathtub that's your bed. If you don't have a bathtub, you put some pillows down on the ground. That's what people are living in for 23 and a half hours a day. That naturally is going to affect people. Like, we're still humans. People inside are human beings.

We've been affected in the community by COVID. We're talking about our brain fog, talking about burnout exhaustion, social anxiety that picked up, depression, and deaths by suicide increased out here. Folks inside are humans. The Chief Coroner's report identified two major contributing factors to the deaths: staff shortages and lockdowns, and non-compliance from officers and correctional staff. That's really important too. We keep pushing for accountability. We have information that non-compliance is one of the biggest reasons and contributors to people not getting the healthcare and crisis response that they deserve in a time of crisis.

We have officers refusing to give Naloxone. We have officers refusing to answer the distress button inside the cell. I'd like to end off with this – we have control of our life out here, for the most part. And for the most part, even through the pandemic, we had choice. People have the choice to get vaccines. People have the choice to wear masks. Inside you didn't have a choice of what to do with anything. You can't protect yourself inside, you're defenceless inside. I do think it's really important that we don't get caught up in what's happening in our community. If you do this work and if you're an advocate for folks inside, we really need to remember that they're living in basically bathroom stalls. They haven't been given masks, 23 and a half hour lockdowns, no fresh air, no sunshine, no interaction, and no connection. With all of those contributing factors, you're not going to have healthy human beings, and that contributes to their death sentences.

One really small thing, 70% of the folks have died inside during 2021 were on remand. When that links to re-entry, these folks didn't even get an opportunity to enter back into the community. They went in there waiting for bail and they came out to their families, children, and loved ones in a body bag.

Justin Piché: Thank you for sharing your insights, Lindsay. Almost three years ago, in the spring, a number of groups across the country had organized a caravan remarking this pandemic would lead to more deaths by incarceration, and that effectively we would have a death penalty by another name. A number of folks thought that was just over the top language, but we've just seen heard how much prison has killed during this pandemic. We'll now move to our next speaker. Trish Mills, the floor is yours.

Trish Mills: Thank you. I'll be speaking a little bit from personal experience, as well as advocacy experience. I'll start with my own story, which is that I was arrested during the COVID pandemic somewhat early on and over the course of an all-day contested hearing, ended up being released on an incredibly strict house arrest, which was no absence from my house even for medical or personal reasons, including groceries. The only reason that I was given that release was because of COVID, which isn't a credit.

Yes, I've been inside. I've been sentenced to prison, but I'm actually very grateful that I was in my house. House arrest lasts for a total of 18 months – and to be clear, 18 months of not being allowed to leave your home is longer

than a lot of sentences pre-COVID that individuals got for sexual assault, negligence causing death, and things like that. Again, this isn't at all a call for harsher sentences or even "a woe was me". I'm just trying to create a pointed comparison of how fundamentally messed up the outcome was in and around COVID and the courts, even in the most minor cases.

All in all, that had a profound impact on both my mental health, as well as my physical health. Ultimately, it wasn't even the Crown that ended the sentence or resolved the situation. I actually forced a new bail hearing by requesting that my surety withdraw their support, which forced a new bail hearing in front of a new judge. During that time of COVID, house arrest was also subjected to hyper-surveillance by police and harassment. Lots of police driving by, parking in front of my house, calling to me when I was on the porch, just making it very clear that they let me go, but they're also actively looking for any reason to put me back in, which is, of course, how police regularly treat people and communities who are Black, Indigenous, and poor.

I'm also speaking a little bit today on behalf of the Disability Justice Network of Ontario and some advocacy I did for a prisoner support project during the first six months. I did some noise demos to try and make sure imprisoned people knew that they weren't alone, which was during the COVID mandate and lockdowns. Later on, I ended up hearing a lot from prisoners through the Disability Justice Network of Ontario on support lines. I would say my biggest takeaway from that is just as other people pointed out, that COVID-19 impacted prisoners in many ways. If you don't get sick or die, you face court delays, you face extended lockdowns, segregation, the cancellation of visits and yard, which overall we got the sense that there was a lot of frustration. I'd also say that after speaking with folks, one of the biggest harm of COVID-19 on prisoners was the increased fear of isolation.

Using this as a prompt for people watching today or in the future to remember back to where you were and how you felt in March 2020, with media stations broadcasting images of hospitals with overworked staff speaking about having to make choices on who lives or dies, emergency army triage tents in parking lots, body bags, grave digging, recordings of people collapsing in the street. This was a time of wiping down your groceries with Lysol and trying to maintain some semblance of control and sanity over the situation, but you remember the palpable fear, tension, and panic that you felt and experienced at the grocery stores, and throughout all

of this. Now, imagine experiencing all of that locked in a small, overcrowded cage with terrible air quality, and having no control over the people coming in and out of your range, whether they're bringing in this dangerous disease, intentionally or unintentionally. Not given access to any masks or cleaning supplies, and not even knowing if you'd receive appropriate medical care – all of that in isolation.

No visits, no phone calls, trouble getting in touch with lawyers, no word from the courts, leaving you with the impression that nobody cares, that nobody is listening to you, and that somehow, even you yourself, think you deserve it. I think those feelings and experiences were exponentiated, which is probably the biggest takeaway that I've received from talking to folks who have experienced prison sentences during those times.

Justin Piché: Alright. Thank you, Trish, for sharing your experiences of being in the community during this pandemic, while being criminalized, as well as sharing your work with the Disability Justice Network of Ontario. We're now going to shift to Sherri Maier-Gordon. The floor is now yours. Go ahead.

Sherri Maier-Gordon: I don't even know where to start. As an advocate, I was very busy. As a prison wife, I went through a lot of battles. The advocacy work eventually ended up making my fiancé a target for a lot of things that we spoke about at the beginning. There was no PPE [personal protective equipment] when we were over at Saskatchewan Penitentiary. I'm kind of going to limit some of the information because we're already a target once again for where we're at right now.

We had court battles in 2020. We had our appeal that caused a battle for us just having to do everything through video court. Visits were the biggest battle for us. We've been together for almost four years. Probably for a good two and a half years it was stuck really down to video visits. A lot of those video visits got cancelled because there were lockdowns and they couldn't leave off the range. Once, we ended up going to Alberta prison. I will note, we've been to four institutions in four years. We're finally on the fourth one when we did start to get open visits. We got hit numerous times with the ion scanners and those became a big battle for us because it prevented us from actually having contact. I think it was around last year when Edmonton Maximum Institution started to open up their visits, we constantly hit on

the ion scanners. Where most people were able to have no issues getting in and touching their loved ones, it took us over a year to actually do that. We believe that a lot of that had to do with the advocating that he and I did. And programming, too, specifically mental health-wise, Dr. Piché knows because I've shared my story with him. He helped us to try to get my fiancé to go somewhere that would help with his mental health issues because they weren't being addressed. It took over a year to actually get my fiancé to a place where he could have those issues addressed. Now that he's in a psych centre, he's getting that help.

Prior to that, they just didn't have the ability to do it. Psychologists weren't coming to work. Parole officers weren't coming to work and were working from home. On an advocate level, I know in some institutions like Edmonton Max, POs just weren't working at all. You were seeing a lot of prisoners that were stuck in a maximum setting for seven to eight years. I hope that we never see an issue like this again because as a "lifer wife" it's hard when you have to go through these things. Mental health-wise and all the lockdowns, they have caused a lot of grief. I've literally sat on the phone when my fiancé has decided to slash up. I could hear the guards in the background telling him to drop the blade, and he's threatening to slash his throat and then the phone just getting shut right off. I think that I can handle that in a better way than most people could because of the advocacy that I do.

I've seen more things in the three years of the pandemic that I don't think I'd ever want to see and I would never wish them on anybody, like nobody at all. It's been stressful to not be able to sometimes have your loved one call because they've been on a 20-day lockdown. I remember at Saskatchewan Pen, there was a time they were only out for a half hour and it came down to the point where my fiancé would say, "do I call home to my wife or take a shower?" Sometimes he and other guys were taking bird baths in their sinks in their cells. It becomes really a hard thing when you're so used to having visits on a regular basis. I mean, yes, before COVID we did. We had visits constantly, two times a week when we were in the maximum institution. When we went down to medium, we were at one hour once a week on video visits to going down to nothing. Prisoners like a sense of a pattern and routine, and it just impacts a lot of what was going on. It definitely affected his mental health in many ways.

I've advocated on the provincial level with people like the late Cory Cardinal. Even on the provincial level, there are a lot of problems that were

inside, including the living conditions. Some units didn't have cells, so they lived in dorms and the conditions were just horrible. Guards weren't wearing masks either. They weren't giving inmates masks. They weren't keeping conditions clean. Women at the Pine Grove Institution weren't getting any kind of cleaner to clean anything with. And again, I've seen so many people that have suffered from severe mental health issues worse with COVID than prior to COVID, and my fiancé is one of those. It's sad because he used to be a really happy person. Me advocating has made us a huge target within the prison system right down from every institution we went to that he really worries about standing up and doing things like advocating for himself. I've had to zip my lip since COVID just to make sure things don't get worse for him or for us, or even for other people. Some people have told me, sometimes advocating since COVID has really put a target on a lot of people and I find it very unfortunate.

I really do hope that they have better means for mental health and improve them now that people are starting to realize what the damages are from the pandemic.

Justin Piché: Alright. Thank you, Sherri, for sharing your experience and for the work that you have been doing for folks where you're from. It's been really, really important work, and everyone here thanks you for your advocacy. So, next we'll go to Chantel Huel. The floor is now yours.

Chantel Huel: Good morning, everybody. I was granted day parole on March 11th, 2020, and that evening the world pandemic hit and everything was locked down. I remember being in the institution at Edmonton Institution for Women. Volunteers had come in from the outside and that was the last I had ever seen volunteers again. We were immediately locked down in our units. I've seen a lot of mental health deterioration because nobody had movement. It was obviously modified movements. We were given an hour out each day to use the phone and to go for a walk outside, but I was just waiting for transportation and I was released on April 8th, 2020 back into the community. They couldn't find transportation because no buses were running and no flights going out, so two chaplains from Edmonton Institution for Women actually drove me from Edmonton to Saskatoon.

I listen to some of the stories from the east to west coast, and my stories weren't that harsh. We still had movement, we were still allowed out. We

still had access to programming and we still had access to psychology. I stayed in the halfway house for five months and then I was released on statutory release, so I got my own place.

I've served two federal sentences before this one. This is my third one, and for me I suffer from PTSD, anxiety, and social anxiety disorder because of the trauma that I went through before this federal sentence. When I was talking to Sherry yesterday, I said, "I think I have a different perspective on this and it helped me to reintegrate into society, not saying that it's a good thing, but for me, it was a good thing". It was slow-moving. I work at STR8 UP – 10,000 Little Steps to Healing. It's the only gang exit program of its kind in Saskatchewan. Some of the things that we've faced working with our members and our piece on the inside is deterioration of mental health. Obviously being put into quarantine, only being allowed out for half an hour each day – it's either you take that shower or you make that phone call or somebody's taking a shower and some cellmates are making the phone call for them.

Violence is increased in institutions because of the pandemic and lockdowns. People are fighting over the craziest stuff, and I think to what Sherry said – I'll piggy back on that – there's no cleaning supplies that were provided for us on the inside. The guards were provided everything they needed from masks to gloves to wipes to cleaning supplies, and there were tape lines put out, and we weren't allowed to cross them in case we were going to give them COVID. But the funny thing is, we always said, "you're the ones that leave and you come back every day". We don't have the ability to leave and go out into the public where we're gonna catch this virus, and bring it back. Just treated worse than ever. Just a lot of mental health deterioration and an increase in violence.

And what did they take away? They took away the culture from us. They took away mental health support on the inside. They took away all the volunteers and support that would come in and spend their time with you, so that you could move forward in a better way. Now you're stuck with your housemates or locked in your cell and confined. Yeah, the conditions got worse. I remember they tried to get us stuff that would keep us occupied and keep our minds busy, but you can only be around the same people for so long and insanity sets in. I guess my story is just a little bit different because it was more supportive for me and I still had access to stuff here in Saskatoon once I was released from prison. Thank you.

Justin Piché: Thank you, Chantel. I think it's an important reminder to point out that there are a lot of common experiences throughout the pandemic, but there's unevenness as well. I do thank you for your remarks. Now, we'll turn the floor over to Cathee Tkachuk. The floor is yours.

Cathee Tkachuk: Hi, everybody! Thank you for having me today. Oh, my gosh! There are so many things that were so similar for me. Just to quickly go with what happened on the inside, we didn't have work, we didn't have visitors, and we were locked up every day except for an hour. Now, that's with the same eight people, in the same house, in the same setting every single day. The cleaning supplies were also an issue. When the pandemic wasn't there, we would get up and go to work. We did our thing. We weren't there all day, most of us, anyway. The same amount of cleaning supplies and even toilet paper and things like that just don't cut it when everybody is at home. We don't have extra things during this pandemic, however, the guards would come in and do a cleaning supply check to make sure there were two bottles here and two bottles there, but the bottles weren't increased. They just had to be in different places, which I found amusing and super sad.

Christophe, you reminded me I had to be taking a note for an acute health experience and when I came back I was quarantined for 14 days. The staff, who brought me back, was doing rounds the next day. I did my 14 days and the person who was out exactly the same amount of time was back at work the next day. Also, ETAs were gone, so there was no reintegration. It was just boom!

I did 22 years. I came in 1999 and got out in 2021 with no ETA and no reintegration. Luckily, I got my parole and that's wonderful. I'm not complaining about that. I feel, though, that nobody could really give me an example of what I should be doing out there because the pandemic was new. What are the halfway house choices? What happens if somebody there gets sick? By the way, I got COVID three times. I was locked in my room, and I could not come out, except to use the washroom. I couldn't do my laundry. I couldn't associate with anybody and luckily I was out, so I still had my computer and phone, but I had to depend on the halfway house staff to bring me food, and you know the halfway house is a busy place. I spent a lot of money on Uber Eats. My family lives in Medicine Hat, so they were helping me financially.

Emotionally, it was very difficult though. It felt like you were alone out here. You were in your room and you have no access to even water except to go to the bathroom. I don't know about you, but I don't like filling up my water in the bathroom. It's a thing with me, so I felt like I didn't have access to water. We would have to depend on the staff and they would leave the item outside the door. Your medications in the morning would be left outside the door in a little cup or your tea that you would ask for, or whatever it was that you needed. While you were stuck for six days inside your room. I guess my subconscious is trying to distance me personally from that because it was pretty traumatic. I just got out from doing 22 years and here I was stuck in a room, and I found that pretty concerning.

I just thank you so much for having us here. I have so many things that I could bring up. One last thing that happened in there that was super difficult for me was I lived in a program unit and it was a pretty intense program, and the staff showed up and said, "grab your stuff, you're moving to house 10. We need this area because these are the only rooms that lock from the outside and this is going to be used as a COVID unit". So, essentially they're locking people in from the outside in a small unit, in a cement building, and displacing everybody that lived in that building to a different house. Same thing happened when we were in minimum. The minimum unit is quite a ways' away from the medium compound in Abbotsford, so the staff showed up one day and said, "you have 15 minutes. Grab an overnight bag, you're going back to medium operational difficulties". That meant that everything that you had and all the people, stability, and routine that you had built inside was gone. The medium compound was a bunch of us who had earned our minimum security status and it was challenging on so many levels.

People bring up mental health –and I'm sorry I'm looking at my timer. People bring up mental health issues and I had mental health issues before I went to prison. My mental health issues in prison were exacerbated so severely when I was in there during COVID that it seemed like everything was closing in. I had to talk to my PO on the telephone and that's if I could even get a hold of her. After getting out after decades, your PO is going up for you to supposedly speak for you at the parole hearing and you haven't had any ETAs. Luckily, I got my parole, but I hit the streets kind of not grounded in any way, and that severely affected my reintegration. Thank you so much for having me.

PART II: BUILDING COMMUNITIES TO IMPROVE THE OUTCOMES OF ALTERNATIVES TO IMPRISONMENT

Kevin Walby: Thank you, Cathee and thanks to all of our speakers for being open and just being vulnerable. To share some of the experiences you've had, and share the pain that you've felt and your reflections on the COVID-19 pandemic harms of imprisonment and re-entry.

Now, we're going to turn to a second question and we'll go in the reverse order. Drawing on your experience, what's one key support that governments and community members should invest in to improve outcomes of bail and prison releases for criminalized people in ways that will enhance community well-being and safety? We'll come back to you Cathee.

Cathee Tkachuk: I think that a peer-driven advocacy program for every parolee should be implemented, meaning when I get out of prison I'll have somebody who knows what it's like to be incarcerated in a federal or provincial or whatever carceral setting. That person is there for me and only me, not the 19 other people in my halfway house. That person is the person who is going to help me get stable, literally, and I'm talking about things that seem so small to other people. Getting my identifications, how to take the train, get introduced to people in the community, and setup banking and finances. Not like not giving money, but taking people to the bank, taking people to whatever office they need to go to for financial support. And it should be peer-driven because we're the only people who know what it's like. That's somebody with who you could develop a rapport with and trust. That's somebody who knows where you are, knows what might be hard for you, knows what's going on in your life, and how incredibly trying coming onto the street is! It would also create employment for the peers who are doing the advocacy.

It would be an amazing program and that should be nationwide, and it shouldn't be just federal or provincial. It can be anybody coming out of an intense carceral situation. I feel like that would help people exponentially compared to what we have now, which is virtually nothing. Yeah, I think our people could help our people and then educate other people and, hopefully, we could build a big network like that of help, hope, and support. Thank you.

Kevin Walby: Thank you, Cathee. That's a very good idea. Thanks for bringing up the idea of peer mentoring and recognizing that people have incredible skills to help people survive. Thanks for recognizing all that. Okay, continuing with this question, we'll go back to Chantel.

Chantel Huel: Cathee just stole everything I needed to say. No, I'm just kidding, Cathee. I love you so much. Everything Cathee spoke to, we actually do this out of the organization that I work at. We have an office at Saskatchewan Penitentiary. We go into all the correctional centres in Saskatchewan. We have lived experience of people that have been through the systems. Not pushing others and not pulling them, but walking beside them and leading the way with them.

One thing that we might want to work on is having more spots available for these people to get released and get bail. We need bail workers in the institutions to build relationships in a healthy way with people who have lived experience. I always say, "there's nothing about us, without us". Somebody from a textbook can't speak to my life because they have no idea what I've been through, right? Prisons should be willing to have people with lived experience working on bail plans with the people residing there. Like Cathee said, she nailed it – who better to help somebody coming out of it than somebody who's been through it with anxieties, fears, and unknowns? Holding their hand and walking beside them, and just leading the way in a positive light. It was people with lived experiences that helped me reintegrate every time. I'm a slow learner and it took me a few times to get it, but here I am. I got it and now I'm leading the way for others.

Kevin Walby: Thank you so much, Chantel. Thank you for all the work that you're doing. We'll go back to this question now with Sherri.

Sherri Maier-Gordon: I just think that there needs to be more programs in general. I look back at the programs my fiancé was taking and, as a lifer, it's a lot harder for him to take some of the programs. As an advocate, I have seen other people that had told me, especially in the federal system, they would start a program and then it was cut halfway through. We've seen a lot of this with COVID.

I almost can't believe that I'm going to give some praise to Edmonton Max right now, but I was actually talking with my fiancé this morning

about programs and he reminded me of how there was a program that helped people suffering from addictions. They actually did a televised program at Edmonton Max for some substance abuse programs. I think doing things like that, just allowing more programs inside will help people get bail and parole because a lot of times people come up for bail or parole, and the reason they can't get released is because they have issues such as addictions. I worry if we win an appeal with my fiancé, what kinds of hurdles are they going to put in front if him? I'm grateful, though, that we're at an institution now where he's getting extreme amounts of programs. Even during COVID, the Regional Psychiatric Centre is actually one place where we didn't see a lot of lockdowns. I think we've been there now for eight months and we've seen one, and it only lasted for a couple of days. They're really heavy on programming and trying to set these guys up to get what they need, so they can be released and integrated into the community.

As an advocate, I've seen the struggles that some people face and one of them is not being able to get into the right programs or not having enough spots in a program. If you're somebody who's doing a longer sentence, you don't get your programming until the end of your sentence and that becomes a challenge because then they're scrambling around trying to get you into that program. I also think there just needs to be more funding for a lot of the programs for people that are incarcerated.

Kevin Walby: Thank you, Sherri. Thank you for all those points. Next, we're going to go back to Trish.

Trish Mills: I thought about this question a lot and went in maybe a little different direction. Basically, most of the people that we talk to and support through the Disability Justice Network are both racialized and disabled. They're people who've been failed by many systems for most of their lives, and whose criminalization is sometimes less about what they've done and more about the implicitly racist and ableist systems that make up our society.

The reality is that one singular support program isn't likely to improve the bail or release outcome of someone like that who's facing such disproportionate systemic forces. What it would take is the dismantling of the white supremacist systems that put and keep them there in the first place. So, what then?

My answer is for individuals, academics, and professionals to invest more in the well-being and safety of our communities, which include prisoners and those who are criminalized. Prison abolition needs more of our time, more of our dreams, more of our trust, and more of our intentions. And I say abolition to mean nothing short of the complete decarceration of all prisoners. Also building care and community-centred approaches to accountability and justice. I say it also to mean actively creating supports and programs that intentionally support abolition as the ultimate long-term goal. No more stop gaps that also support or expand the prison industrial complex or surveillance state. Nothing that can inadvertently be used to justify putting more people in cages any longer.

We know that prisons don't work. We know they don't prevent or reduce crime because they don't address the roots of it. They don't contribute to community safety because our carceral systems create more violence. They don't rehabilitate that. They aren't containers that deliver ethical care. I and the people I support are really ready for something different and, in fact, need it. So, my proposal is abolition.

Kevin Walby: Thank you, Trish. You really put that very well and articulated a great vision of the kind of politics of people working in the area. Thank you very much for your comments. Next, we're going to go to Wendy.

Wendy Bariteau: Thank you so much for having me. Everything that Trish said – as an abolitionist, I concur. Instead of thinking of how we can get folks out of institutions, how can we stop them from getting into institutions? We're talking about the decriminalization of sex workers and drug use, ending minimum sentencing, bail hearings, and decriminalization of minority groups and gender-diverse people. We're talking about First Nations' peoples. We're talking Black, queer, and transgender women.

The starting point is having fewer and fewer people that are sentenced and doing jail time, and moving in the direction of abolition – of not having jails and not having people put into cages. We're not helping any community when we take people out of their own community and put them in jail and pretend that we're helping. I'm not saying these people, but us people, because I'm also serving in my sentence. Putting people in jail and then expecting us to come back well physically and emotionally – that's not how it works.

My experiences with the federal system, and as a personal view, I did not come out of jail better than when I went in CSC. It didn't necessarily

help me. I took the eight years I was incarcerated to help myself. If I would have had the services necessary pre-incarceration, it would have made a lot of difference. The tools weren't there to help me with my issues, which were addiction and mental health issues. I didn't have the tools to do that. The system didn't provide me with the tools. We should stop looking to the United States as a solution to our carceral problems and actually start looking at countries that are making life better and closing down prisons, and have better social security to help the population.

Kevin Walby: Thank you, Wendy. Thank you so much for making those comments on a vision for real safety, and no longer relying on incarceration and fostering the harm that it does in our world. Okay, we're going now on the same question to Lindsay.

Lindsay Jennings: Thanks, Kevin. I think that if we were to look back at all these different webinars from the past few years, a lot of the things the key supports that everybody is highlighting are the same key supports that we've been asking for decades.

I want to speak to Ontario because we need a political culture shift. I don't necessarily call it support. We went through the pandemic with Sylvia Jones as our Solicitor General and, to her, corrections were doing everything great. That was her only comment. Our new Solicitor General hasn't even made any public acknowledgement or comment since seeing the conditions inside our jails in our province. Sylvia Jones didn't address the deaths. Michael Kerzner currently isn't addressing the deaths inside.

As an advocate, I think funders need to start funding more grassroots and peer-led organizations. We can learn from some of the other provinces. With Chantel out east, there's more development and there's more movement in a better direction, but here in Ontario, our governments don't care and it's very obvious. I don't know how to answer your question, honestly. I think that in Ontario we need to figure out how to convince people that incarcerated folks are human beings, that we're not just cast aside, we shouldn't be cast aside. The government just ignores the call-outs. The government ignored thousands of emails, calls, open letters, rallies, class actions – what more? We've had expert panels. We've had reports. We have data, we have everything you've asked for decades, and nobody says anything.

For me, specifically in Ontario, our voter turnout is important. I don't want to turn it into politics, but I guess that's kind of where I'm stuck when

I'm looking at deaths in custody. I'm surrounded by death all the time. Families just want some closure and answers about their loved ones. It's about bureaucracy and it's politics. Ontario's in a really shitty situation. We need to start voting. We need to. We need to trust our government again here in Ontario. There are so many people that are impacted by criminalization and incarceration. Whether you've been inside or you're supporting somebody inside or you're working in this sector, you know?

I'm not trying to be rude and call out, but we really need numbers right now. People going to jail right now are dying at alarming and fast rates. We need a definite change and we need more numbers. We need support from the activists, the people with lived experience, grassroots organizations, the ones that are trying to do this work and trying to address programming inside, trying to get housing for people to come out on bail. We're trying to get all the support in place. We just need funding and we need people to believe in us, and to believe that the folks inside need support and that incarcerated human beings deserve their human rights. We just need pressure from everybody who's either on this call or doing this work across, at least, Ontario. We need support and we need numbers, and a new government.

Kevin Walby: Thank you, Lindsay. Thanks for bringing up the broader parameters of struggle around this issue and the need for cross-movement, solidarity, and building bridges. Next, we're going to go back to Deepan.

Deepan Budlakoti: I actually agree with Lindsay on all her points. There's nothing really much more for me to say because she pretty much covered everything. I say that bail should be looked at as it's looked at in different provinces. In Ontario, it's extremely hard to get bail. You could be found not guilty and have done more time if you go to trial and go through the whole process than actually being released in society. Essentially, the provisions in place in Ontario, where on one hand on the *Charter* states that you're innocent until proven guilty and, on the other, you're denied for various reasons.

I think that there should be an overhaul of bail and everyone should be granted bail instead of doing time in a detention centre. That's essentially violating your constitutional rights at multiple levels, as well as not abiding by international obligations or Mandala Rules. I believe that bail itself should be looked at in Ontario, where individuals are being released on whatever conditions may be. The system is broken, and you're not

helping anyone by detaining an individual for long periods of time. You affect their mental health, you affect their bodily functions in terms of eating properly, and you affect their ability to stay in contact with family and employment.

I want emphasize that everything Lindsay is saying, I 100 percent support. Though, in the interim, there should be an overhaul in regard to bail so that people don't spend a ridiculous amount of time incarcerated. The whole process itself is preposterous and deeply flawed. Those are my submissions. Thank you.

Kevin Walby: Thank you, Deepan. Thank you so much for those insights and a real concrete step that could be taken right away. Next, we're going to go to the same question to Christophe.

Christophe Lewis: Where do I even chime in? I feel like everybody covered every single ground I would want to cover, but there's always more, so I'll delve into some things. I think the consensus amongst everybody would be programming and funding. That's definitely of the most importance. I think there needs to be more programs for mental health. It's difficult for me even to find a therapist as a partially-free person. Even though I have been granted full parole, you don't feel free once you have this stigma of a life sentence hanging over your head. You never really feel completely free, so I'll put that out there just for those that don't understand. I do think mental health support is something that's definitely a need in our communities. I can benefit from using a CSC psychologist or therapist.

When you utilize the system for their services, they basically are in control of all of that information, and they can utilize that information against you moving forward so it can affect you when you're going in front of the parole board. You don't have the same rights as a regular person. It's costly to hire a therapist – even $100 an hour. Not only that, but also finding one that I could identify with because that's a big thing too. You can find a therapist and you can identify with them. There needs to be a lot of funds delegated to different communities and a more diverse background of people, so that people of those diverse backgrounds can benefit from having therapists. That's something I could speak on from my personal experience. Even at my university that I go to, I tried to go through therapy there and I wasn't able to find someone I could identify with.

Mental health support is one. Employment-specific initiatives is another one. I really think need we need to focus because for me coming out with a criminal record like mine, it's very difficult. There's so much I can go into like this is just the ID that I was released with [holds up a picture of his identification]. That's all I had, and I tell people this when I do workshops and seminars. I was released with no ID. I was released with just that CSC-issued card because I wasn't being supported for my day parole. They said, "well, we don't have to support you getting your identification because we're not supporting you for parole. We don't believe that you're going to get it".

Long story short: I got parole and showed them that even regardless of you guys not supporting me, I still got it. But now what am I going to do? I'm only being released with this identification. Imagine having to go to a federal building and presenting this to them or applying for a job and presenting this to them. When I was released amid COVID, trying to go get my vaccine was another thing. I was coerced into getting my shots, which is an issue that I know is contentious for everyone. I'm not going to really get into all that, but if I didn't take my shots I would have been labelled as a non-conformist. I was compelled to take the shots, but even when I did, I couldn't even go and get my vaccine passport because all I had was this [holds up ID again], so I had to jump through many hoops to be able to get identification.

There needs to be programs that are geared towards making sure rules are followed. They can't just be people that are in cahoots with the system. You can't have another correctional officer looking over another correctional officer. It just doesn't work, they're colleagues. They're in cahoots with each other. Obviously, they're going to rule in favour of their colleague. People from prisons transitioning to society need to have more help in terms of getting employment because if they can't be employed, what do you think they're going do? They're going to resort back to what they originally did.

During COVID, all this stuff was exacerbated. You couldn't go into certain places without proper identification. You had to book online and a lot of people don't even know how to deal with computers. Even certain social media I had to learn over. There needs to be programs that teach people soft and hard skills to be able to help them in their transition, and learning more about specific trades.

There's so much I could talk about and I know that we're limited on time. I'll just say that there are many organizations that say that they support prisoners and they won't even hire a prisoner that has lived experience.

There needs to be more accountability for those people as well. To be honest, for those reasons but not limited to those reasons, I felt the urgent need to found and register my own non-profit organization, the Freedom is a Must Foundation. I really felt the need to do that because there isn't a lot of support for people with lived experience.

I thank you guys for bringing all of us together with our lived experiences to share and talk about the issues that affected us while inside, and now that we're in the community it's really important. And I thank you guys for having me. And freedom is a must. And just always remember that broken crayons can still colour because, even though we have been broken and bent, we can still make something of ourselves.

Kevin Walby: Thank you, Christophe, for all those insights and points about things that can be changed right away and that people with lived experience have a lot of insights too. On with the same question, we're going to turn to Patricia.

Patricia Whyte: I think everybody's on the same page. There are some amazing advocates on this panel. I'm so honoured to be sitting with everyone. I do want to say that I'm a firm believer in safer communities and a die-hard abolitionist. I believe in supportive housing. I do want to piggyback off what Christophe was saying about people with lived experience – at the Elizabeth Fry Society, we just opened a thrift store that employs all of the women that we support. I hate calling them "clients" because it's kind of like a power thing for me and I don't like that since I was a client with Elizabeth Fry before. We teach them employment skills, and provide them supportive living and housing. We pay the people that live there to clean and provide peer support.

It's super important because you have to remember, individuality is huge. Everybody is different. We have to think of harm reduction and the "why?" Why are they going through what they're going through? Is it mental illness? Is it an addiction? Is it abuse and trauma? Everybody's story is different and we need to remember that. Even for myself, as an Indigenous person, I got out to a white halfway house with a white parole officer and program facilitator, and I felt no connection with anybody until I found my own wrap-around support in the community and built it for myself. What happens to the women and the men that can't do that? They slip through the cracks and they go back

to prison where they're comfortable. That's why the majority of Indigenous women want to stay because they have access to their medicines, sweats, and an Elder. When they get out here, they have nothing.

CSC owns the people that are on parole. They make them go to their dentist and psychologist. What if they don't fit and have that connection? Why can't it be about what the individual person needs? Everybody's story is different. Everybody's path is different. Thankfully, I work for an organization that prides itself on employing people who have lived experience because who can do it better than someone with lived experience? You're not going to connect with somebody that doesn't know what you're talking about or hasn't walked a similar road as you. We do pride ourselves on that. We do have two amazing supportive living houses. We have a 10-bedroom six-plex for Indigenous women. Each unit is subsidized. $570 for a two-bedroom, everything is included and pet-friendly. Sometimes they have a criminal record and can't get into housing. Instead, they have to live in the hood, which is a high-risk situation for some people. Individuality and treating people like equals is our number one mandate.

I want to thank everybody today. Listening to you all, I'm very grateful. Thank you again, Kevin and Justin. You guys are amazing. Thank you for the invite.

Kevin Walby: Thank you, Patricia, for all those comments and for the work that you're doing to help people survive.

Patricia Whyte: Thank you, Kevin, very much.

Kevin Walby: And on this question, we have the last speaker, Sara.

Sara Tessier: Thank you, Kevin. I mentioned earlier about the JEC Project, and I think it's important just to mention how we can change things for the future. In May 2020, just weeks after the COVID-19 pandemic hit the Province of Nova Scotia, when the Premier declared a state of emergency, three community non-profit organizations came together: the John Howard Society of Nova Scotia, which focuses on support for men experiencing criminalization; the Elizabeth Fry Society in mainland Nova Scotia; and Coverdale Courtwork Society, both of which serve women, trans, and non-binary people experiencing criminalization to respond to the urgent needs of provincially incarcerated people.

From the 1st of May to the 13th of September 2020, JEC supported people who were leaving jail and also experiencing homelessness, ensuring a positive reintegration experience by providing release planning, justice system advocacy, and shelter with appropriate support. This needed a unique window of opportunity to support as many jail releases as possible, while also demonstrating the possibility of decarceration more broadly, and advocating for more effective and responsible reintegration pathways.

Prior to spring 2020, Nova Scotia didn't have any adequate processes in place to properly support community reintegration for people exiting incarceration. The province had one of the highest rates of remand in the country and the provincial jail already over-relied on local homelessness. In the context of the pandemic, shelters for individuals released from incarceration were operating at a reduced capacity and completely full or other housing options were eliminated. The extraordinary leadership and collaborative efforts that followed resulted in the greatest remand reduction effort in the history of the province, with a nearly 50 percent decrease in the provincial prisoner population.

During the first wave of COVID-19, over a few short days in March 2020, the provincial court, under the direction of Chief Judge Pamela Williams, heard every non-contested bail application brought forward by the crown and defence. The court supported bail plans for over 100 people facing charges. Corrections, staff court workers, lawyers, and community agencies worked vigilantly to develop appropriate release plans to assist people with reintegration. In the first weekend of this effort, more than 40 people were released from remand on bail. They applied lens of harm reduction informed feminist and anti-oppressive theories and practices. Each of these theories and practices is interconnected, and we're an integral part of that model.

Now by June 13th, 2020, the Affordable Housing Association of Nova Scotia's funding was completely depleted and, for the remaining three months of JEC, the United Way provided funding to continue. That said, with less funding the scope of the project shifted, including not having staff at either of the hotels. Staff began working at the Coverdale office. They limited onsite support. The workers for JEC would often find out the day of that the guests had to check out and they were left scrambling with the guests to either keep them in the hotel or move them to a homeless shelter or elsewhere.

Other problems began to rise. Without notice, the direction changed. We lost operational funding and the Department of Community Services moved to a model where they directly funded clients to reside in hotels

without the support of JEC staff. Community services also require clients to contact shelters as soon as possible. If the shelter bed became available, they had to take it and check out of the hotel, and this created distress as guests would often be forced to leave what had been their home for many weeks. In some cases, the alternative would be sleeping outside or reincarceration, depending on the court conditions. This also caused problems for clients who were on house arrest as they needed to have court approval to move locations, and we began to see more and more breaches of court-ordered conditions and reincarceration. When the funding was secure in the beginning months, we saw very few breaches or recidivism. The chaotic change created a great deal of uncertainty and forced people back into survival mode.

The majority of the JEC guests were on bail and awaiting trial. Due to the pandemic, many court services were delayed and this extended the time for which people would be under restrictions imposed by the courts. The JEC Project allowed individuals to have a safe space to live, while determining the next steps. Some individuals who access services didn't come directly from provincial or federal jails, but many have had histories of criminalization or poverty that have created barriers to finding stability. The JEC Project was able to provide space for those individuals to live at the hotels and access support to mitigate recidivism and provide resources and tools to move forward in a safe and positive way.

In the fall of 2020, just five months following its launch, the JEC Project ran out, which meant the three agencies parted ways and the project staff were deployed back to their positions. In the end, many JEC clients returned to jail. In February 2021, Coverdale Courtwork Society, led by Ashley Avery, sought and received funding from the Affordable Housing Association of Nova Scotia to run a six-month pilot project called Caitlan's Place, a house for women and gender-diverse individuals. They had supervision and support, and reintroduced services aimed at reducing rates of remand in the province, and break harmful cycles of incarceration and homelessness. In Nova Scotia, it's not uncommon for women to be released from jail to homelessness, which seals the fate of some of our most marginalized and vulnerable community members. Caitlan's Place stepped up to address this critical need and become part of the fabric of the central services located in the Halifax region. As pilot funding ran out, Coverdale was very fortunate. I was able to step in as part of the Northpine

Foundation and commit to funding the project, which allowed it to continue and permitted the expansion from four bedrooms to 18 bedrooms and the increased number of clients would go from six to 15.

We also assisted with start-up costs, professional development and training research development for staff, employment support, education, peer support, and recreational programs. The staffing model was increased from one to two staff on-site with a house director, as well as a comprehensive team of interdisciplinary professionals. I reached out to Ashley Avery at the beginning and said, "who do you need in the community that we can support to help you?" We can build this learning ecosystem. We also funded Black Power Hour, Shelter Nova Scotia, Stepping Stone Nova Scotia, and The North End Recreation Centre. All these community organizations were an integral part of the success.

Since opening the doors, 71 women have called Caitlan's Place home. According to the data collected, between September 1st, 2021 and June 17th, 2022, just three women were released from a correctional facility to a homeless shelter. However, between January 1st, 2020 and September 10th, 2020, 75 women were released from a correctional facility to a homeless shelter. It's evident that Caitlan's Place is successfully interrupting the homelessness cycle by offering supportive housing targeted to the needs of this population. By funding this, we were able to prove this model of success and actually reached out to the Department of Community Services, which now permanently provides operational funding.

We always talk about how criminalization is so underinvested, but it's not. It's one of the most overinvested areas. It's just invested in the wrong areas. We're investing it in the punitive areas. What we need to do is reallocate those funds and put them into community-based organizations. The organizations that are doing this work and that's a big part of my job at Northpine. I'm trying to change the way philanthropy works, the way government works, and the way any traditional funding works. And now, Caitlan's Place actually just invested again to develop a new program, which will support people who are ready for recovery as opposed to harm reduction practices. It's a safe place and that again will be supported by the Department of Community Services. We need to change the way people fund. We need to change the way government puts its money into the broad areas. And we need to change the way everything is done. So it's a lot of work, but we'll get there.

CONCLUSION

Kevin Walby: Thank you, Sara. Thank you for that example. That really concrete example of the work that you're doing, and the dedication and devotion that you have for this work. If there's anyone in the audience with questions for the panellists, you can email them to me (k.walby@uwinnipeg.ca) or Justin (justin.piche@uottawa.ca). I just want to thank everyone in the audience for attending.

It's clear from what we've heard today, the COVID-19 pandemic has really exacerbated the harms and challenges faced by criminalized people in ways that actually undermine our health, well-being, and safety. We need to move beyond the prison pandemic. We need to divert and decarcerate people from custody, and we need to build communities, not cages, to meet the needs of all people, prevent violence, and then respond to it in transformative ways when we can, and also ensure that those who are behind bars for the time being are treated in a more humane and dignified manner to the extent that one can be while incarcerated in a site of confinement.

Thanks to all of our expert speakers for your brilliant and beautiful perspectives and voices, and for all the work that you do. Thanks to Caroline Faucher from the Human Rights Research and Education Centre for all the work that you did to make this webinar possible, and thanks to our ASL interpreters, Tanya and Heather, for the work that you did to make this event more accessible.

Do visit the CPEP website (www.cp-ep.org) and you will see in the days ahead that this webinar will be available there as a video, and a segment in the *Journal of Prisoners on Prisons*. Take care and stay safe, I'll pass it over to Justin.

Justin Piché: Thanks to you all for painting a picture of the changes we need to build safer communities for everyone. Let's continue the dialogue on how we can move beyond the prison pandemic.

ABOUT THE PRISON PANDEMIC PARTNERSHIP

The Centre for Access to Information and Justice (CAIJ), the Criminalization and Punishment Education Project (CPEP), and the Canadian Civil Liberties Association (CCLA) came together as the Prison Pandemic Partnership to

examine the impact of COVID-19 on jails, prisons, and penitentiaries across the country. From December 2020 to April 2023, this initiative was funded through a Social Sciences and Humanities Research Council of Canada Partnership Engage Grant (1008-2020-0238) led by Kevin Walby (principal investigator) of the University of Winnipeg, Justin Piché (co-investigator) of the University of Ottawa, and Abby Deshman (partner) in her previous role at the CCLA prior to returning to private practice as a lawyer with St. Lawrence Barristers.

CONTACT

Prison Pandemic Partnership
c/o Kevin Walby, PhD
University of Winnipeg
515 Portage Avenue
Winnipeg, Manitoba, Canada
R3B 2E9

k.walby@uwinnipeg.ca