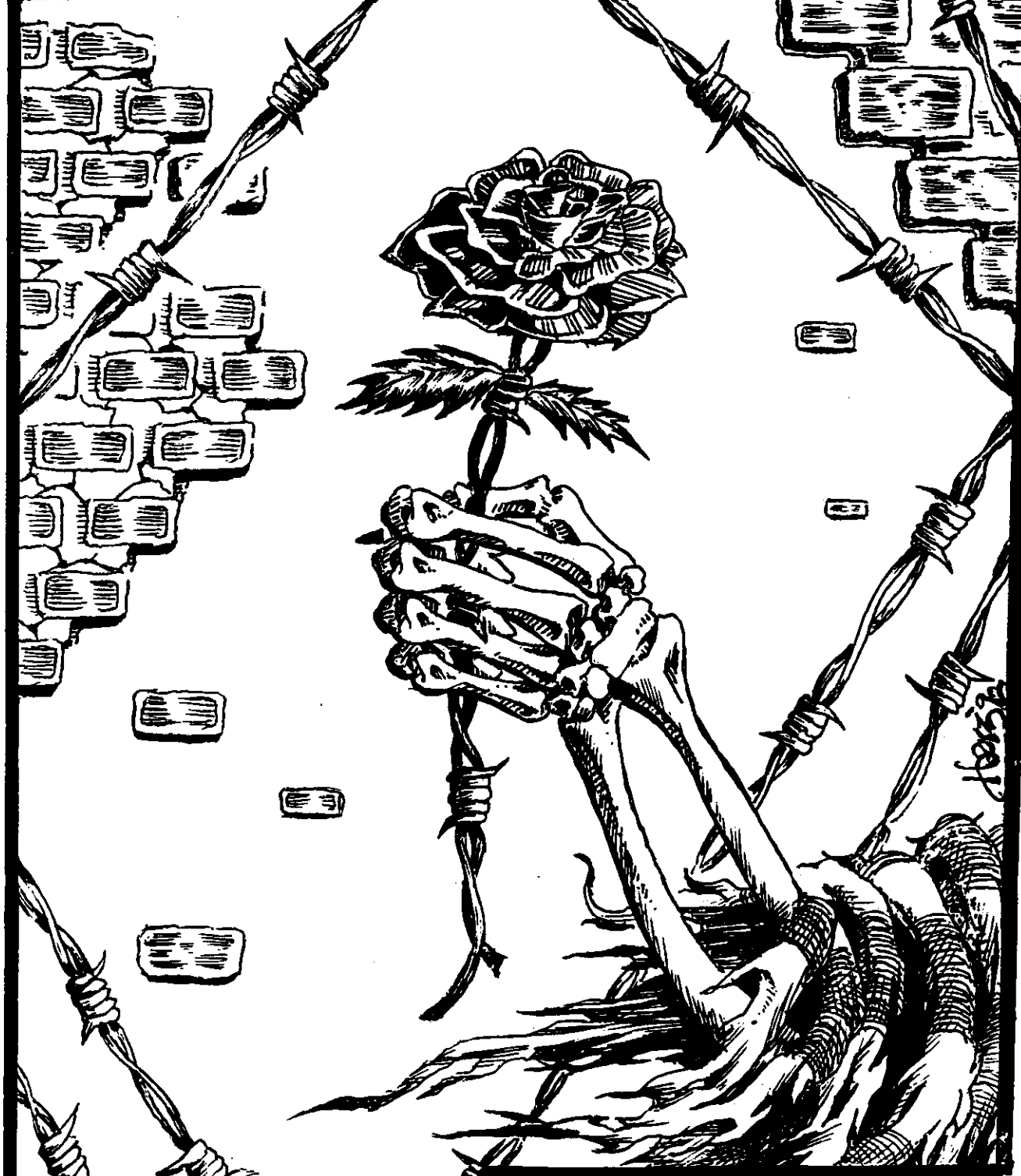


# INSIDER



Herz

PRISON JUSTICE DAY  
ISSUE: AUG. 10, 1992

**WHAT IS AUGUST 10th-  
NATIONAL PRISON JUSTICE  
DAY?**

A day set aside each year since 1976 when prisoners and supporters gather to respect the memory of those who have died unnatural deaths in Canadian prisons.

**WHAT ALTERNATIVES ARE  
THERE TO IMPRISONMENT?**

A good start would be decarceration, i.e. phasing out the vast majority who do not require institutionalization. Although 85% is the generally accepted estimate, the Commissioner of Correctional Services of Canada admits that 40% do not need to be in prison. That would mean 40% of over 29,555 (the average daily number of adults in prison in Canada: Basic Facts About Correction. CSC,1991) which would in turn mean approximately 11,822 prisoners would have been phased out by now.

Obviously this is not being done and contributes to riots and disturbances which happen mainly when too many people are in prison for too long under high tension.

**WHAT OF THE REMAINING  
PORTION OF PRISONERS?**

Every effort should then be made to help them by checking out their physical, nutritional, allergic, economic and social conditions, as

we know that 95% are from socially-deprived poverty class.

Much so-called criminal behavior stems from untreated physical and mental disorders. Funds should be transferred to these areas instead of being squandered on psychiatric centers with their emphasis on experimental behavior modification programs.

**HASN'T SOCIETY A RIGHT TO BE  
PROTECTED FROM LAW BREAKERS?**

Yes, of course. But, does in throwing them into prison really protect anyone? Or, does it in reality pave the way for more violence by more people incarcerated under degrading conditions, then returned to the community more unstable than when they went in.

And, anyway, we should also be dealing with those corporate lawbreakers who poison our food, rivers and air, and who violate health and safety regulations, all of which cause far more extensive injury and death than does street crime. A worker dies on the job every six hours and is injured every seventeen seconds ( Assault on the Worker by Reason, Paterson and Ross; 1976 ).

Society also has a right to be protected from conventional and nuclear arms-producers.

**WHY SHOULD PRISONERS BE  
RESPECTED IF THEY HAVE  
BROKEN THE LAW?**

Because any threat to the safety of any prisoner is a violation of human rights, and if allowed to pass unchallenged, constitutes a threat to us all.

Because, "it is the duty of the institutional head to take all reasonable steps to ensure the safe custody of inmates committed to his (her) care." (Penitentiary Act: 1982-302, Part II, Section 2.27).

Because not every prisoner is actually guilty, when the truth comes out. Millgard and Marshall served 23 and 11 years respectively as wrongfully convicted. They're cases are not unique.

**WHY DO WE HAVE SUCH A  
LARGE PRISON POPULATION?**

Canada shares the record for the longest sentences--often from 10-25 years before parole eligibility, which in turn can and does mean a full life span. By the year 2000, the experts are predicting there will be approximately 1,974 prisoners serving from 10-25 years in Canadian prisons. Next to the United States, Canada imprisons more people for longer periods of time than any other country in the world: 112.7 per 100,000 (Basic Facts)

The longer prisoners are kept from their families and community, the more difficult it is for them to

readjust on release, and the more likely that they will be returned to prison. This pattern does not diminish the so-called crime rate.

Canada is undergoing severe economic crises resulting in high unemployment, cutbacks in housing, health care and social services. However, prisons remain the chief growth industry, a one and three-quarter billion dollar investment which employs (26,271) almost as many people as it imprisons and is seen as a boost to the economy. We are therefore encouraging an industry whose merchandise is the forced confinement of people!!

**WHAT CONCRETE CHANGES ARE  
NEEDED TO STOP PRISON  
VIOLENCE?**

Concerned citizens to monitor every prison and jail regularly to speak privately with staff and prisoners about their problems, and to publicize their findings. The staff should also be accountable to public bodies.

Release should be granted automatically to all those who have successfully completed two thirds of their sentence and reviewed by competent people. All those not dangerous to themselves or to others to have their sentences commuted to make them eligible for immediate release.

Administrators to meet regularly with Prisoners Committees to deal with their problems.

Legislation to revise sentencing laws downward to short, flat

sentences, with maximum of 5-8 years as in some other countries (ex: Scandinavia).

The National Parole Board to be abolished and its resources transferred to meet the community's needs, particularly in the areas of preventative projects.

**ABOLISH SOLITARY  
CONFINEMENT!  
ABOLISH FORCED  
INVOLUNTARY  
TRANSFERS!  
ABOLISH DOUBLE  
BUNKING!  
ABOLISH 25 YEAR  
SENTENCES!  
ABOLISH PRISONS!  
CHALLENGE BILLS  
C-67,C-68,C-36!  
ALL ARE DANGEROUS  
THREATS TO CIVIL  
AND HUMAN RIGHTS!!**

For more information, phone  
the August 10th Committee:  
873-3070 or 876-0134

**Writing or Fighting**

Politics  
is saying hello  
to someone you'd rather  
kick in the nuts.

Every poet is  
a prisoner  
of his images.

Every prison that man builds,  
is built with bricks of shame,  
lest Christ see and men would know  
how men their brothers maim.

Oscar Wilde

I never saw a man who looked  
With such a wistful eye  
Upon that little tent of blue  
Which prisoners call the sky.

The Ballad of Reading Gaol  
Oscar Wilde

The jailer  
is another kind of captive—  
is  
the jailer  
envious  
of his prisoner's dreams?

Fragments de Faust  
Gerard Labrunie

**VISITS,  
CORRESPONDENCE,  
TELEPHONE CALLS.**

1867:  
No contact allowed with the outside world.

1869:  
Prisoners are allowed to write letters to their immediate families themselves rather than asking the chaplain or teacher to write on their behalf. Good conduct earns one letter every three months.

1888:  
Prisoner's relatives allowed to visit once per month for 1/2 hour. Good prisoners are permitted to write once a fortnight (2 weeks) to their families.

1933:  
Outgoing non family letters are allowed. Incoming from relatives permitted without quantitative restrictions.

1944:  
Letters to relatives permitted once per week. (56 years from allowance of 1 every 2 weeks)

1971:  
All restrictions eliminated on the number of letters an inmate may write or receive while in a Federal Penitentiary and a plan drawn to increase contact between inmates

and the free society. Visits between inmates and their families are encouraged under less restrictive conditions and extended hours.

1974:  
Censorship of correspondence is limited to the "minimum practical". The list of "privileged correspondence" to include Federal Correctional Investigator, Provincial Ombudsmen and Canadian Human Rights Commissioner.

1982:  
Constitution Act, Canadian Charter of Rights and Freedoms

Guarantee of Rights and Freedoms:

1. the rights and freedoms set out in subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

Treatment of Punishment:

12. everyone has the right not to be subjected to any cruel and unusual treatment or punishment.

Visits, correspondence, telephone calls... all manner of communication necessary to assist in the maintenance of the family as an ongoing entity...

**SHOULD BE A GUARANTEED RIGHT  
NOT  
A "PRIVILEGE".**

## EDITORIAL

It isn't only the physical structure of prisons that imprison, it is the almost unlimited loss of liberty and the attitudes of those who invent impossible rules, make petty decisions and regulations as well as a circular chain of responsibility, so that the prisoner is referred round and round with no one willing to make an honest and just decision. It is the attitude of those who believe that prison is a licensed sadist session, who are unable or unwilling to show compassion. Prison is the end result of the failure of society.

Is it such an impossible task for society to make its prisons humane? Is Prison Justice always to be fought for, struggled for, grabbed from unwilling hands? If so, prisons will continue to be built on bricks of shame because there will always be those in prison who will be willing to challenge and demand justice by simply keeping their dignity.

I don't know how many prisoners there are in this world. I don't align myself with all of them, but with those I do, the famous, the not so famous, the remembered, the forgotten, the struggling and all the prisoners with right on their side, I remind them of the words of Nelson Mandela, "HAVE HOPE BROTHERS AND SISTERS; DESPAIR IS FOR THE DEFEATED".

### The Fall

In the maze  
Bobby Sands  
refused  
to turn  
the hourglass  
and fell.

While there is a lower class  
I am in it;  
While there is a criminal element  
I am of it;  
While there is a soul in prison  
I am not free.

Eugene Victor Debs

I know not whether laws be right,  
Or whether laws be wrong;  
All that we know who lie in a gaol  
Is that the wall is strong;  
And that each day is like a year,  
A year whose days are long.

The vilest deeds like poison weeds  
Bloom well in prison air:  
It is only what is good in man  
That wastes and withers there:  
Pale Anguish keeps the heavy gate  
And the Warder is Despair.

Oscar Wilde

### PEN POWER

by Gayle K. Horii

I entered prison six and one half years ago and felt debilitated in every way imaginable. The helplessness I felt during my first 6 day lockdown at Prison for Women in Kingston, trying to survive on 12 slices of bread a day, no hot beverages, no exercise or showers, in a 6 1/2' X 9' cage with no hot water, forcing me to wash my hair in the icy toilet water -all changed into anger and outrage.

I realized that I needed to find out everything I could about prisons and law in order to survive, so I began to read, beginning with the Commissioner's Directives. Since then, I have read and noted from every report to Parliament and every prison book & newspaper that I could find. The thread that binds prison problems to all unsolved problems outside of prisons is identical. What permits injustices in the outside world? - APATHY. I came to the conclusion that documentation of every single incident of perceived wrong-doing was the only recourse for me, even if others had already given up.

Before coming to prison, I worked for 25 years and through those experiences understand that proving unfairness and compelling changes to alleviate problems can only be accomplished by beginning. And the beginning starts with one pen stroke. I used the grievance procedure and the Prisoners' Committee platform and though the resistance of staff to written memos and consistent requests for change was immense, we finally were hooked up to hot water in the cells by October, 1987 and cablevision by Feb. 1988. This may seem trivial to you all, until you realize that without the process of written dissent, the women would still be without!

The first group grievance ever submitted from the women at Prison for Women was in 1987! Until then, many of the women were under old assumptions that these were a form of inciting. They hadn't made use of the library facilities to inform themselves of methods of recourse. The grievance procedures cannot achieve anything without consistent numbers of prisoners filing them on a continuous basis.

I'm not saying that the grievance procedure is the 'be all'. It is only one avenue of documentation. And, though things gradually got worse at P4W with the suicide count reaching SEVEN, in the 26 months ended Feb.04,1991, the mountains of documentation will eventually shut that abattoir down. No administrator can claim they 'didn't know what was going on there'! All of the grievances and writing done by prisoners will cross-verify the truth.

I don't know how many more women need to die there, or in any other Canadian prison, but one thing is certain and that is that everyone responsible will need to face the final judge of them all.

All across the country, more and more prisoners are using PEN POWER to address their problems. It is a methodology that has no time barriers, and sometimes no expectations, but the grievance procedure WAS put in place by a directive from the House of Commons following the MacGuigan Report to Parliament in 1977. Now, after 15 years, more and more prisoners are using this channel to attain better treatment and more fairness.

In the least, the tightening of rules and regulations are inevitable if barbarity and unfairness are permitted to continue without voicing discontent. The grievance procedure and Prisoners' Committees are our only manner of keeping the forces wanting more and more control over our limited environment from overpowering any fairness we have achieved thus far. FILING GRIEVANCES IS A RIGHT, NOT A PRIVILEGE -and, the first, necessary step before any legal action is possible.

On May 26, 1989 I received a letter from Ottawa, stating that "We cannot respond...within the time frame stated in C.D.081, because of a large number of grievances received recently." On May 26, 1989, a friend at Prison For Women received a letter from Ontario Regional Office stating: "There are currently more than 200 second level grievances outstanding." Prisoners have filed a 318% increase in grievances over those filed in the last quarter in 1988.

Most of us know of the beginnings of Prison Justice Day. Participation in it began with being thrown in the hole. In later years, disciplinary charges were laid and privileges lost, and then unsatisfactory work performances were handed out. From 1987 onward, no charges or p.n.'s are handed out. Now, the day's wages are forfeit. One day's wages is the price you pay to recognize the unjust deaths that have occurred to prisoners and former prisoners.

Any fairness achieved in the prison system has been due to various forms of dissent practised diligently by prisoners. In the year 1990 - 1991, 4,476 grievances reached Level 4, the Office of the Correctional Investigator. There were 14,626 federal prisoners in that year. 4,476/14,626 = 30.6% which means nearly 1 in every 3 prisoners filed at least one grievance all the way to 4th level without giving up!

KEEP THOSE CARDS AND LETTERS COMING!!###

\*\*\*Amended: 7, Dec. 1988 to include your ability to grieve matters:

"concerning problems that relate to the confinement of inmates in penitentiaries OR THE SUPERVISION OF INMATES UPON THEIR RELEASE FROM PENITENTIARIES ON TEMPORARY ABSENCE, DAY PAROLE, PAROLE OR MANDATORY SUPERVISION."

The following statistics are from The Annual Reports of the Office of the Correctional Investigator. These compare RESULTS every 2 years (Note 87-88 & 89-90 are not used)

REGION	1986 - 1987			1988 - 1989			1990-1991		
	COUNT	%	GRIEV.%	COUNT	%	GRIEV.%	COUNT	%	GRIEV.%
Pacific	1766	15%	322 14%	1798	14%	366 12%	1864	13%	521 12%
Prairies	2200	18%	607 26%	2303	18%	791 26%	2992	20%	868 19%
Ontario	3409	28%	715 31%	3572	29%	663 22%	3867	26%	1316 29%
Quebec	3539	30%	537 23%	3814	31%	873 29%	4037	28%	1415 32%
Atlantic	1086	9%	147 6%	1045	8%	351 11%	1864	13%	356 8%
<b>TOTALS-</b>	<b>12,000</b>		<b>2,328</b>	<b>12,532</b>		<b>3,044</b>	<b>14,626</b>		<b>4,476</b>

<u>Two Year</u>		<u>86-87:88-89</u>	<u>88-89:90-91</u>
<u>Increase in # of Prisoners:</u>		+4%	+17% !!##
<u>Increase in # of grievances:</u>		+31%	+47%

Category:	1986 - 1987		1988-1989		1990-1991		
	#	%	#	%	#	%	
Transfers	406	17%	508	17%	654	15%	
V & C	241	10%	386	13%	484	11%	
Medical	202	9%	321	10%	475	11%	
Discipline & Dissociation	207	9%	266	9%	457	10%	
Other (?)	202	9%	255	8%	411	9%	
<b>Five</b>	<b>1,258</b>	<b>54%</b>	<b>1,736</b>	<b>57%</b>	<b>2,481</b>	<b>55%</b>	
<b>Total:</b>	<b>2,328</b>		<b>3,044</b>		<b>4,476</b>		
						Add: Programs/Work	400 9%

Six Top Categories of Complaint: 1990-1991: 2,881 64%  
 Out of Total Filed to Level 4: 4,476

The NUMBER & % by category of 4th Level Grievances Held Over & Pending: The Problems Which are the most difficult to solve:

	<u>Pending &amp; Held Over to Next Year:</u>		
	1986-1987	1988-1989	1990-1991
Transfers	37	26%	
V & C	12	9%	
Medical	11	8%	
Disc/Diss	19	14%	
Other (CM?)	10	7%	
			Pending: 267
			Unable to resolve: 92
			<b>89 64%</b>
<b>Out of Tot:</b>	<b>140</b>	<b>100%</b>	<b>359</b>

So, if you are experiencing problems, in particular in any of the above areas, you are CERTAINLY NOT THE ONLY ONE.

Keep FILING GRIEVANCES! Go all the way to the 4th level if you are dissatisfied with your replies. Add your voice to those already demanding fairness and better conditions!!##

COPIES OF ANNUAL REPORTS OF THE CORRECTIONAL INVESTIGATOR ARE IN THE LIBRARY.

1. You must grieve to Level 4 (Correctional Investigator) WITHIN ONE YEAR OF DATE OF GRIEVANCE TO LEVEL 3, NATIONAL HEADQUARTERS.

2. QUOTE THE MISSION STATEMENT !!!

Though the Mission Statement was implemented in 1989, from these statistics, it doesn't appear to have made any difference in the actual reality of prisoners' lives.

It is obvious that no policy will effect real change. It is obvious that only prisoners can change their own lives for the better.

BUT NO ONE PRISONER CAN DO IT ALONE

SOLIDARITY IS THE KEY

THE ONLY STRENGTH IS THE STRENGTH OF NUMBERS!

Why not try a GROUP GRIEVANCE???



