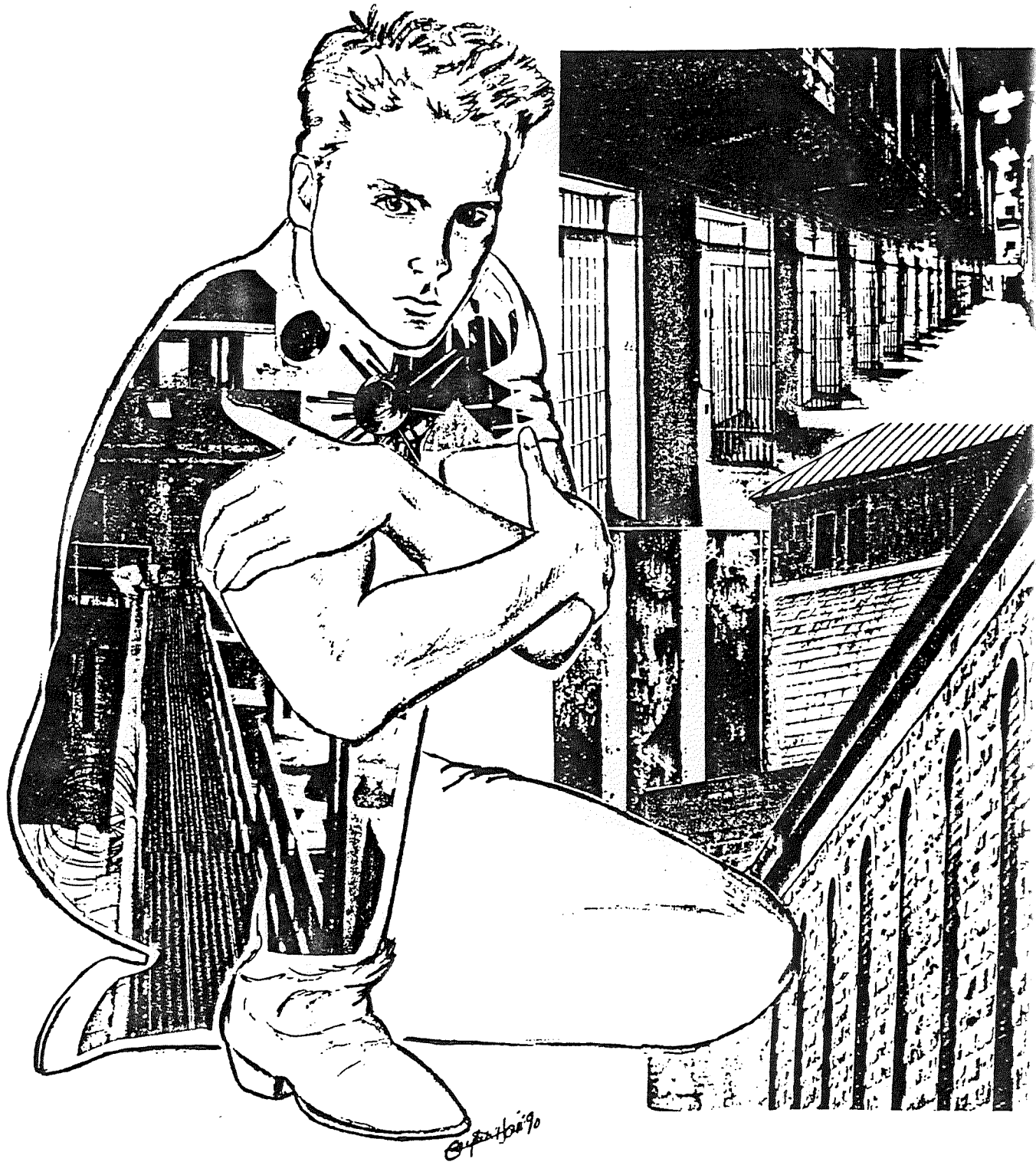


CRISIS IN CORRECTIONS 'THE PRISONERS' PERSPECTIVE

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**MATSQUI PRISONERS JUSTICE INITIATIVE
APRIL 6TH, 1990 - ABBOTSFORD, B.C.**

The President's Commission on Causes and Prevention of Violence says that for an estimated nine million (9,000,000) crimes committed in the United States in a recent year, only 1 1/2% of the perpetrators were imprisoned. Carl Raub, advisor to the deputy attorney general of Washington, D.C., describes the process:

"Of 100 major crimes (felonies), 50 are reported to the police. For 50 incidents reported, 12 people are arrested. Of the 12 arrested, 6 are convicted of anything-not necessarily the offence reported. Of the 6 convicted, 1.5 go to prison or jail.(9)

However, the argument will be given that the public needs protection against violent offenders and there would be few to disagree with that statement.

Dr. Cyril Greenland, a professor at the University of Toronto's Centre of Criminology has studied violence and dangerousness for over twenty years

Greenland's findings confirmed that psychiatrists tend to over-predict dangerousness, and that over-prediction is often nothing more than the result of the psychiatric community's attempts to defend itself against later re-criminations should released patients commit violent acts. ... First, he submits that the urge to harm is episodic in nature and never a permanent state.... Disregarding what you read in the newspaper, there are no people in the penitentiary or mental health system who are dangerous all the time, he said.... Second, Greenland believes that dangerous behavior is almost invariably an age-sex-victim-situation-specific activity. He points out that assailants are usually young, poor and ill-educated men while their victims are most often vulnerable women and children from the same socio-economic class. (10)

Many in society believe that homicide is increasing, however the statistics on Canada's homicide rate showed that the year 1988 had the second lowest rate since 1971 at 2.2 deaths per 100,000 population. Four out of five of these deaths involved people who knew each other.(11)

...the ten year average rate per 100,000 population (1976-1985) for homicide was 2.75 and can be compared to the average suicide rate at 14.0 per 100,000 and the rate of traffic accident deaths at 20.0.(12)

If the homicide rate is not increasing, then perhaps violent crime which appears in the media so often is a justifiable fear factor. The charging rates for all criminal offences for the ten year period 1975-1984 increased 2.5% with percentages of violent charges increasing proportionately.(13) The percentage of violent offences in 1966 was 9.9%, and by 1973 it was 8.8% (14). By 1985 it was reported that:

.Since the inception of the Uniform Crime Reporting program, the number of crimes of violence recorded

BIBLIOGRAPHY

1. Correctional Services Canada. Focus, June 19, 1989. Vol.2 No.12
2. Solicitor General of Canada. Annual General Report 1986-1987. Appendix 3, p.61.
3. Ministry of Supply and Services Canada. Report of the Auditor General of Canada to the House of Commons, Fiscal Year Ended 31, March, 1986.
4. Statistics Canada. Canadian Centre for Justice Statistics. Juristat. June, 1987. Vol.7, No.2
5. Statistics Canada. Communications Division. Canada at a Glance, 1987.
6. Lepperman, Lorne. Crime Control, The Urge Toward Authority. University of Toronto, p.107.
7. Canadian Press. "Daily Cost \$111 per jailbird," The Vancouver Province, Vancouver. December 15, 1989, p.16.
8. MacLean, Brian. "What is to be Done About the Correctional Enterprise in Canada?" Journal of Prisoners on Prisons. Volume 1 Number 2. Winter 1988/89. p.59.
9. Mitford, Jessica. Kind and Usual Punishment: "The Prison Business". New York. Alfred A. Knopf. 1974. p.276.
10. Ministry Secretariat, Solicitor General of Canada. Liaison. May, 1987. pp 10-12.
11. Correctional Service of Canada. Focus, Vol.2. No.33. November 13, 1989
12. Statistics Canada. Canadian Centre for Justice Statistics. Juristat. Vol.7, No.2. June, 1987. p 4.
13. Johnson, Holly. Women and Crime in Canada. Ministry Secretariat. Solicitor General of Canada. July 1986. p.14.
14. Lepperman, Lorne, Crime Control, The Urge Toward Authority. University of Toronto. p 110.
15. Statistics Canada. Canadian Centre for Justice Statistics. Juristat. Vol.7, No.2. June, 1987. p.2.
16. Buttle, Jeff. "Prisoners getting bracelets to be doubled," The Vancouver Sun, September 7, 1989. p. B6.

BIBLIOGRAPHY CONTINUED

17. Correctional Service Canada. Forum. Vol.1 No.1 1989. pp. 12-22.
18. Ministry of Supply and Services Canada. Report of the Auditor General of Canada to the House of Commons. Fiscal Year Ended 31, March, 1986.
19. Correctional Service Canada. Forum. Vol.1 No.1 1989. pp.12-22.
20. MacLean, Brian. "What is to be Done About the Correctional Enterprise in Canada?" Journal of Prisoners on Prisons. Volume 1 Number 2, Winter 1988/89. pp.62-64.
21. Ministry of Supply and Services Canada. Report of the Auditor General of Canada to the House of Commons. Fiscal Year Ended 31, March, 1986.
22. Ibid.
23. Ibid.
24. Solicitor General of Canada. Annual General Report 1986-1987. Appendix 6, p.63. ***
25. Mitford, Jessica. Kind and Usual Punishment: "The Prison Business." New York. Alfred A. Knopf. 1974. p.285.
26. Correctional Service Canada. Let's Talk, Volume 12.No.9. October, 1987.
27. Correctional Service Canada. Basic Facts About Corrections in Canada 1988.p.17.
28. Ibid. p.37.

***24. The figures given as cost per prisoner in Appendix 6, do not include: National Headquarters, Regional Headquarters, Staff training, or Parole Offices Costs and neither do they include costs of prisons not fully operational. As, in the writer's opinion, none of these would exist if people were not in prison, these costs were added to security categories on a percentage basis applied using the applicable percentages of costs as calculated. As the Annual General Report for the year 1987-1988, was not available to me, I reapplied the figures given in booklet (27), and estimated figures for fiscal year ended March 31, 1988 using the percentages which applied to maximum and medium security for year 1986-1987. In general cost accounting methods, all material costs should be attributed categorically wherever possible in order to provide a complete picture of fiscal responsibility. (See attachment A7-8)

back or totally eliminated due to budget constraints.

The current total of cut-backs and restraints equal \$1.5 billion dollars for this fiscal year and will increase to \$2 billion dollars next year. (Hansard:1271) An example of some of the cut-backs were: \$28 million from forestry, \$23 million from ethnic minorities, women and Native programs, \$39 million from science and technology research, \$20 million from the C.B.C. and in addition changes to transfer payments will cut \$4 billion from post-secondary education and healthcare. The total net debt in 1988 was \$360 billion dollars. The cost of carrying our national debt is currently \$39 billion dollars per year or \$.35 out of every \$1.00 of revenue.(Hansard: 1250, 1255, 1271, 1276, 1277 -1990) It doesn't appear that program restraints will be eased any time in the near future.

By converting existing maximum security prisons to medium security, and by releasing people not a danger to the public to other alternatives acceptable to society, some of the existing facilities could be converted. Many of the facilities would require only a removal of the bars and barbed wire. All facilities are fully equipped with recreational, study, hobby areas, chapels and social development areas. Communal dining and socialization would enable residents to save dollars, and would provide built-in day-care. All facilities are equipped with in the least, minimum healthcare facilities, and each region operates a prison hospital. Staff now working at simply locking and unlocking doors, could assist in the new housing programs in many capacities. The surrounding communities would benefit from a working population. Can you picture educational campuses, veteran's quarters, geriatric housing, housing for single parents and low-income earners, or simply housing for the homeless - all provided with a minimum of extra expenditures.

I wonder what the savings of otherwise ongoing, increasing waste of both monetary and human resources could add to the quality of life in our communities to-day. If the over-use and unnecessary use of imprisonment as the principle means of criminality control ended I wonder what our society could look forward to - what benefits would accrue to the coming generations - what they could accomplish with the highest and best use of resources. In any event the responsibility will be paid for by the tax-payers.

The Law Reform Commission stated in 1976 that:

"Canada is one of the harshest Western countries when it comes to the use of prison sentences. Many of the terms imposed are far too long. At least half of the people in prison should never be there and so many are in jail that those few needing real care and attention cannot get it."

I wish to close this presentation with this quote on Equity:

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"EQUITY bids us be merciful to the weakness of human nature, to think less about the laws than about the man who framed them,; and less about what he said than about what he meant; not to consider the actions of the accused so much as his intentions, nor this or that detail so much as the whole story; to ask not what a man is now, but what he has always or usually been. It bids us remember benefits rather than injuries, and benefits received rather than benefits conferred; to be patient when we are wronged; to settle a dispute by negotiation and not by force." - ARISTOTLE

This paper has been prepared for the Fourth Colloquium Concerning Justice Issues presented by the Matsqui Prisoners' Justice Initiative, Abbotsford, B.C. on April 6, 1990.

The contents are the sole responsibility of the author and are not a reflection on the views of this penitentiary or of any other institution or individual.

BIBLIOGRAPHY

1. Correctional Services Canada. Focus, June 19, 1989. Vol.2 No.12
2. Solicitor General of Canada. Annual General Report 1986-1987. Appendix 3, p.61.
3. Ministry of Supply and Services Canada. Report of the Auditor General of Canada to the House of Commons, Fiscal Year Ended 31, March, 1986.
4. Statistics Canada. Canadian Centre for Justice Statistics. Juristat. June, 1987. Vol.7, No.2
5. Statistics Canada. Communications Division. Canada at a Glance, 1987.
6. Lepperman, Lorne. Crime Control, The Urge Toward Authority. University of Toronto, p.107.
7. Canadian Press. "Daily Cost \$111 per jailbird," The Vancouver Province, Vancouver. December 15, 1989, p.16.
8. MacLean, Brian. "What is to be Done About the Correctional Enterprise in Canada?" Journal of Prisoners on Prisons. Volume 1 Number 2. Winter 1988/89. p.59.
9. Mitford, Jessica. Kind and Usual Punishment: "The Prison Business". New York. Alfred A. Knopf. 1974. p.276.
10. Ministry Secretariat, Solicitor General of Canada. Liaison. May, 1987. pp 10-12.
11. Correctional Service of Canada. Focus, Vol.2. No.33. November 13, 1989
12. Statistics Canada. Canadian Centre for Justice Statistics. Juristat. Vol.7, No.2. June, 1987. p 4.
13. Johnson, Holly. Women and Crime in Canada. Ministry Secretariat. Solicitor General of Canada. July 1986. p.14.
14. Lepperman, Lorne, Crime Control, The Urge Toward Authority. University of Toronto. p 110.
15. Statistics Canada. Canadian Centre for Justice Statistics. Juristat. Vol.7, No.2. June, 1987. p.2.
16. Buttle, Jeff. "Prisoners getting bracelets to be doubled," The Vancouver Sun, September 7, 1989. p. B6.

BIBLIOGRAPHY CONTINUED

- 17. Correctional Service Canada. Forum. Vol.1 No.1 1989. pp. 12-22.
- 18. Ministry of Supply and Services Canada. Report of the Auditor General of Canada to the House of Commons. Fiscal Year Ended 31, March, 1986.
- 19. Correctional Service Canada. Forum. Vol.1 No.1 1989. pp.12-22.
- 20. MacLean, Brian. "What is to be Done About the Correctional Enterprise in Canada?" Journal of Prisoners on Prisons. Volume 1 Number 2, Winter 1988/89. pp.62-64.
- 21. Ministry of Supply and Services Canada. Report of the Auditor General of Canada to the House of Commons. Fiscal Year Ended 31, March, 1986.
- 22. Ibid.
- 23. Ibid.
- 24. Solicitor General of Canada. Annual General Report 1986-1987. Appendix 6, p.63. ***
- 25. Mitford, Jessica. Kind and Usual Punishment: "The Prison Business." New York. Alfred A. Knopf. 1974. p.285.
- 26. Correctional Service Canada. Let's Talk, Volume 12.No.9. October, 1987.
- 27. Correctional Service Canada. Basic Facts About Corrections in Canada 1988.p.17.
- 28. Ibid. p.37.

***24. The figures given as cost per prisoner in Appendix 6, do not include: National Headquarters, Regional Headquarters, Staff training, or Parole Offices Costs and neither do they include costs of prisons not fully operational. As, in the writer's opinion, none of these would exist if people were not in prison, these costs were added to security categories on a percentage basis applied using the applicable percentages of costs as calculated. As the Annual General Report for the year 1987-1988, was not available to me, I reapplied the figures given in booklet (27), and estimated figures for fiscal year ended March 31, 1988 using the percentages which applied to maximum and medium security for year 1986-1987. In general cost accounting methods, all material costs should be attributed categorically wherever possible in order to provide a complete picture of fiscal responsibility. (See attachment A7-8)

EQUITY

by Gayle K. Horii

Ever since I was incarcerated a little more than four years ago, I've fought the depression and the despair in the only way I knew. I tried to understand the system and tried to find a way to rationalize the terror I felt and the horrors I witnessed at Prison for Women in Kingston, Ontario. The more that I read, the more I was convinced that using prisons as the chief method of criminality control is an absolute waste of resources, both human and monetary. The paper I'm presenting today will illustrate the facts.

For the fiscal year ended March 31, 1989, the Correctional Service of Canada estimated its budget requirements to be \$815,188,000 (1). This was a 47% increase (+\$259,361,000) from the actual costs for the year 1982-1983 versus the 4% increase in the numbers of prisoners (2). The Auditor General in his report to parliament stated that, "since 1983 the number of prisoners has grown at an average rate of 5% a year" (3), yet the crime rate grew only about 1% a year since 1980, less than the annualized population growth (4). The increase in Canadian population in the years 1981-1986 was 4% (5). In a relative period, therefore we are shown that costs have increased 47% against Canadian population increase of 4%, prisoner increase of 5% and crime rate of 1%. "We see that the present ratio of prisoners to general population is about the same as it was in 1881" (6), however the total number of prisons and prison staff in Canada have soared with costs for the year 1988 reported at \$1.4 billion dollars (7). I do think the public believes this billion dollar budget helps to keep it safer.

According to the United Nations, Article 58, 1986, "The purpose and justification of a sentence of imprisonment or a similar measure deprivative of liberty is ultimately to protect society against crime." But prisons do not work to lower crime rates and this has been attested to by countless documented studies. One study recommended many changes to the prison system including the requirement to provide a prisoner grievance procedure and prisoners' committees.

In its Report to Parliament, this Sub-Committee on the Penitentiary System in Canada observed that, "Society has spent millions of dollars over the years to create and maintain the proven failure of prisons. Incarceration has failed in its two essential purposes - correcting the offender and providing permanent protection to society. The recidivist rate of up to 80% is evidence of both. (MacGuigan, 1977:35) (8)

The mere fact that 98.5% of the people responsible for crime are either never caught, are acquitted, or never come to trial