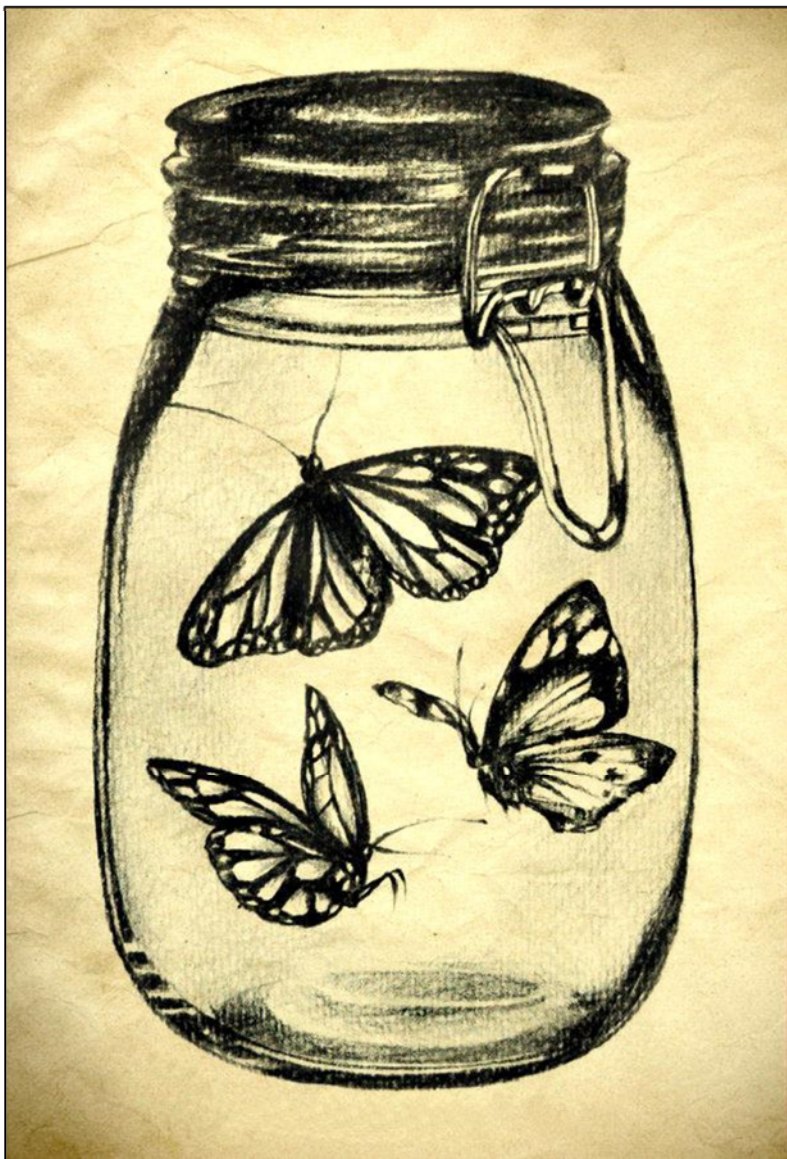


# *CLASS ACTION! NEWS*



*ISSUE 7 - FALL 2017*

< Editor's Note >

It is Fall & Issue #7 of 'Class Action News'. This magazine is by & for the Prisoner Class in Canada.



In every Issue we provide a safe space for creative expression and literacy development. These zines feature art, poetry, stories, news, observations, concerns, and anything of interest to share.

Health & Harm Reduction info will always be provided – Be Safe!

Quality & Quantity:

Items printed are those that are common for diverse readers, so no religious items please.

Artwork: Black pen (tat-style) works the best. Cover Artist will receive a \$25 donation.

Writings: only short poems, news, stories, ...

Items selected are those that fit nicely & allow space for others (1/2 page = 350 words max).

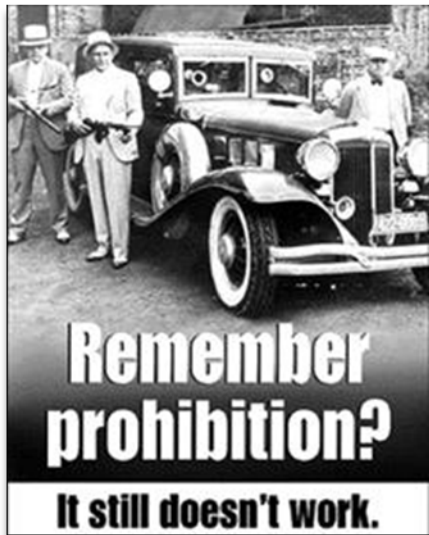
For author protection, letters & story credits will all be 'Anonymous'.

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Cover: The Killing Jar (Unknown)



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Society is like a stew, if you don't keep it stirred all the scum settles on the top.  
- Edward Abbey

< Letters >

## Sexual Orientation & Gender Identity

The problem with being Transgender not only in an incarcerated environment but, anywhere in the world, for that matter is that other people just do not understand what it is like to be born with the wrong body.

They claim to understand but unless they walk in a Transgender's shoes they will never know.

Most people have the popular misconception about people who struggle with Gender Dysphoria that if someone is in fact Transgender then that makes them automatically gay.

However, I am going to tell you here and now that this assumption could not be any more wrong.

Sexual Orientation and Gender Identity are two separate entities entirely. I myself for example, am a Bi-sexual Transgender which means that I am attracted to both Men & Women.

At the same time, I am a Woman who was born with the wrong body parts. It is as simple as this. Why make things more complicated then they need to be? I am a Bi-sexual Trans-Woman.

The other problem in today's society is that people have developed Homo-phobic/ Trans-phobic/ Bi-phobic beliefs/ ideology where they actually hate someone for the simple reason that they may be either gay, transgender, or both and really education would be a good place to begin in this area. However, it really is a historical fact, being kind and respectful to someone you do not understand has never been humanity's greatest attribute.

I would love to be granted a chance to help the LGBTQ2 Community with perhaps, some sort of Mentoring Program for LGBTQ2 youth (sort of like a Big brother/ Big Sister program).

I believe with all my heart that a change could be made through kindness, compassion, and understanding plus I would love to show all the people who doubt me that when you believe in something strong enough, you possess the power to change your fate.

Further, I would be talking to these young people about my own life, and disclose the dangers of blindly following their negative peers as I know where it can lead ... incarceration. I could speak to them as a peer and I could show that I am just like them. That I understand them as I am Transgender and living within the

LGBTQ2 community. Plus, this would be yet another way for me to further address my risk factors, as I would be speaking about my past to many different people, so it really is a win, win. So really either way you look at it, I would be making a positive change in other people's lives. Perhaps visiting and speaking in schools on an ETA may be a good place to begin. It is after all another positive possibility. All that it will take for this to happen is support from my case management team. What do you say, are you in? Are you ready to help make the future a little bit brighter?

This is my goal that I would hope to achieve within the community, by reaching out to the coordinators/ organizers of Q-munity as well as Members of the Trans-Alliance Society (TAS) among any other LGBTQ2 organizations within the community & speak to them regarding my ideas of providing a positive interactive program that will help the young people who identify as LGBTQ2.

It is my hope to speak with the other LGBTQ2 organizations about this & learn how to get these ideas to be made into a reality but, first I need to establish some kind of positive communication in order for this all to happen.

- Michelle Williams-LaVey

## Complaint/ Grievance Process

Here's something that drives me up the wall. When and how will lawmakers introduce legislation enabling CCRA's/ CCRR's to give teeth to the Complaint/ Grievance process?

In its present form it is a make-work paper tiger. On issues of any substance it enables abuse.

Until there is palpable, substantial consequences attached to this process for interventions/ operational abuses, the behaviour of management culture will go on unchecked.

The Complaint process in its present format is the cornerstone upon which CSC builds its house of petty tyranny.

- Anonymous

Power tends to corrupt, and absolute power corrupts absolutely.

- Lord Acton

&lt; News &gt;

## Rule of law must be brought to Canada's prisons, civil liberties group argues at segregation challenge

A civil liberties group that has launched a constitutional challenge to Canada's segregation laws told a Toronto court Monday that the rule of law must be brought into the country's correctional system.

Canadian Civil Liberties Association lawyer Jonathan Lisus argued the federal government's practice of administrative segregation is unconstitutional and a key statute requires a rewrite to protect inmates from harm.

The CCLA argues that the practice of administrative segregation amounts to indefinite solitary confinement, and has submitted evidence of several inmates who were kept isolated for years.

Lisus argues the statute is flawed because it does not take into account harm against an inmate that is subject to solitary confinement.

"The statute does not require one to turn its mind to the impact on the inmate or the reasons for the isolation," Lisus told court at the beginning of the weeklong hearing.

He argued that there is no independent review as the current practice allows "the isolator" to review itself.

"There is no statute against the mentally ill or against those who have done nothing and are placed in isolation because of incompatibility," Lisus told court, adding that incompatibility is too broad and generic.

"This is constitutionally flawed."

There is consensus among a wide variety of Canadian medical organizations that such a practice causes harm as early as 48 hours that includes psychosis, hallucination, depression, anxiety, post-traumatic stress disorder and suicide, court heard.

"There is no serious debate or controversy about the harm caused by this practice," Lisus said, adding that long-term effects include impaired memory and confusion.

"That will have an effect on inmates' reintegration into society," Lisus said. "One of the roles of the justice system is about rehabilitation and reintegration into society - This certainly doesn't help."

An inmate was transferred to a federal penitentiary and immediately placed in administrative segregation for 23 hours a day, for 138 days "without doing anything," Lisus said.

While there are no current limits to administrative segregation, disciplinary segregation is limited to 30 days in solitary confinement.

In July, an Ontario court rejected the federal government's attempt to delay the challenge because parliament had proposed legislation to address the issues.

Two years ago, the CCLA and the Canadian Association of Elizabeth Fry Societies launched the constitutional challenge, arguing the practice is harmful, amounts to cruel and unusual punishment, and means offenders are effectively punished more than once for the same crime.

The CCLA wants any administrative segregation stay to be limited to 15 consecutive days and never for an inmate with a mental illness or a young person aged 18 to 21 years old.

In response to the challenge, and a similar one pending in British Columbia, the Liberal government introduced Bill C-56 several months ago. The bill would limit administrative segregation to 21 days - a limit that would fall to 15 days 18 months after the legislation took effect.

Liam Casey  
The Canadian Press  
Sep 11, 2017

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## Why Should You Care About Those Behind Prison Walls

On January 27, last, 22-year-old Jalani Hibbert was charged with one count of second-degree murder after the death of 41 year old Victor Ogunidipe inside Toronto South Detention Centre. The weakening and dehumanizing conditions in this \$1.3 billion facility, which we as taxpayers will be paying off for the next 30 years, is a travesty.

Ogunidipe's death behind the walls of this institution is one of many. In the first two years after the facility was opened, four inmates were killed and 14 committed suicide. There were 249 inmate-on-inmate assaults and 118 assaults on staff. The violence, suicide, murder,

overcrowding, overworked correctional officers, and government austerity continue to cause major concerns.

When the Toronto South Detention Centre opened on January 27, 2014, the 73,000 square foot building was lauded as an innovative rehabilitative space. Years later the facility has become an ineffective representation of an overcrowded prison industrial system – one which was developed by the architectural firm Zeidler, who incidentally, also built the Eaton Centre Galleria.

It was the first jail in Ontario to use pre-fabricated modular cells. Built in Atlanta, Georgia and shipped by rail car, these cells break the spirit of men and cultivate social isolation and may well lead mental illness. Recently, freedom of information inquiries have disclosed that more than 100 employees in the facility missed consecutive shifts in 2016. A new employee starts with a salary of \$26.96 an hour, including overtime the hourly rate can reach as high as \$34.09. The Sunshine list, which is a directory of public employees earning more than \$100,000 per year, listed many well-paid correctional workers. In 2016, a general duty officer earned \$176,585. Furthermore, in the 2015-2016 fiscal year 1.1 million hours of overtime was logged within Ontario corrections. So the question is: Why should we care? There are many answers, but for the average person in Ontario the answer is simple. Almost all prison sentences end. These young and older men will be released back into our neighbourhoods.

The all too common illustration and mythos of incarceration in Canada is a farce. We collectively feel that our justice system is reasonable and nowhere near some of the mortifying conditions within the U.S prison industrial complex.

Let us look at what a “lockdown” really is within the Toronto South Detention Centre. During lockdown, showers and phone calls are limited and in some instances restricted, and inmates must remain in their cells. There is no access to fresh air, no TV, and no exercise. Some inmates have spent up to 60 per cent of their year in the Toronto South Detention Centre on lockdown (243 days). Some inmates have experienced up to 17 days straight without leaving their cell; no shower, no phone calls, no family, no exercise – housed within a hot cell, with no reasonable air flow with a cell mate.

Inmate Jeffrey Bedward spent 225 days in lockdown during a 520-day stay from July 2014 – November 2015. In 2016, a Superior Court judge reduced three months from his sentence due to his “lived experience.” The law firm Koskie Minsky is now preparing a \$1-billion class action lawsuit against the provincial government on behalf of inmates who have experienced the lockdowns.

So why should taxpayers care? Quite frankly, we must begin to ask our government some hard questions. Are efficient and cost saving prison models working, if we have less staff? Or more overtime? Is there room for social procurement and community benefit agreements in the justice system? Or will we continue to outsource development and labour? Does our government have a rehabilitative strategy for the thousands of inmates returning home? Most importantly can our government balance public safety and human rights issues?

The malady that plagues our justice system is driven by ignorance and apathy, an attitude of “I don’t know and I don’t care.”

The call to action is simple. We must learn to care. On August 10 it will be “Prisoners Justice Day”, which is set aside to remember all the men and women who have died unnatural deaths inside Canadian prisons.

As we approach this day, let us remember that members of our communities convicted of crimes are sent to prison as punishment for their crimes – not to receive pain and punishment.

Victor Beausoleil  
Caribbean Camera  
July 5, 2017

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It is necessary to say no to the identification of reality with fate, to this fatalistic idea, which is being disseminated universally now like poison gas, which identifies what is with what will be. One must claim the right and the duty of imagining the future, instead of accepting it.  
- Eduardo Galeano

It's not the load that breaks you down,  
it's the way you carry it.  
- Lena Horne

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## In historic 1st, transgender inmate wins transfer to women's prison

Canada's federal prison service has approved the first transfer of a transgender inmate to an institution based on gender identity rather than physical anatomy, CBC News has learned.

Fallon Aubee, who has been serving a life sentence at B.C.'s Mission Institution, told CBC her request to move to a women's prison has been approved, and that she will be transferred to Fraser Valley Institution for Women on Tuesday.

Aubee called it a "profound decision," but said the journey to this day has been an emotional roller-coaster.

She says the move will allow her to focus more on her future and less on the problems of living as a woman in a men's institution. But she concedes the path ahead will bring its own challenges.

"I think it's going to be a huge adjustment going to the prison for women, not just for me but for the women who are there as well because I am pre-op so there's a stigma that's attached to 'there's a guy living here,'" she said in a telephone interview with CBC News. "I want to be able to defuse that with my character, my attitude, my generosity, so they say, 'Wait a minute, she's just one of the girls.'"

Aubee said it feels "incredibly huge" to be a trailblazer, and wants to help other trans inmates who hope to go down the same path.

"Despite all the stigma, the discrimination, the harassment, the abuse, the sexual abuse, I believe it was a worthwhile journey because I can stand tall and proud today and say, I'm a woman and I'm going to be recognized as a woman and I'm going to live in a woman's prison," she said.

Trudeau prompts policy about-face

A new accommodation policy was prompted by Prime Minister Justin Trudeau earlier this year.

Canada's prison service abruptly reversed course and adopted an interim policy for transgender inmates in January, just one day after Trudeau promised to promote equality for all transgender Canadians, including those behind bars.

He was asked about it at a town hall meeting in Kingston, Ont., and made the off-the-cuff pledge to address what advocates see as a human rights issue.

Correctional Service Canada changed course and said it would consider transfers and other accommodations on a case-by-case basis, replacing the strict, long-standing rule that based placement on genitalia rather than gender identity and considered transfers only after sex reassignment surgery.

Human rights policy review

CSC also launched a broader review of all its transgender policies to ensure they comply with new laws to protect the human rights of transgender Canadians.

Spokesperson Lori Halper said that consultations are ongoing to update policy to ensure offenders and staff members are treated according to their "self-identified gender or gender expression, regardless of their physical anatomy or the gender noted on their identification documents."

Halper said decisions around timing of the transfer, cell assignment and interactions with other inmates will be made to ensure they are appropriate and safe for the transferred inmate.

"Our staff will receive training, resources and updates to policies so they are properly informed and prepared to implement changes resulting from this legislation," she said. "With the updated policies we expect that, unless there are irresolvable health or safety concerns, an offender may be placed in a penitentiary that matches their gender identity."

Treated like 'junkyard dog'

Aubee was convicted of first-degree murder in 2003 in a street-gang contract killing case.

When first brought into custody at the federal prison in Prince Albert, Sask., Aubee said she was held in segregation for six months after advising officials she was transgender, in conditions that made her feel like a "junkyard dog."

Since then, it has been an uphill battle for single-cell privacy and other basics like women's clothing and toiletries.

She said she faced discrimination by other inmates and staff who were not properly trained on the needs of transgender people.

Aubee carved out a niche working as a prisoners' legal rights advocate, helping on parole bids and fighting for better quality prison food. The role afforded her some protection from peers, because she provided a valued service.

Last year, Ontario became the first jurisdiction in Canada to allow inmates to serve their sentences in institutions based on self-identified gender, and to be referred to by their chosen names and preferred pronouns.

At the time the provincial government called it "the most progressive policy on the treatment of trans inmates in North America."

It's not known how many offenders are placed in Ontario jails based on gender identity.

British Columbia was the second province to permit placement according to gender identity.

Kathleen Harris  
CBC News  
Jul 21, 2017

### Inmates at Regina jail on strike over pay cuts

REGINA - Some inmates at Regina Correctional Centre are on a labour strike after their wages were slashed as a result of provincial budget cuts.

The wage for inmates working in Saskatchewan prisons has dropped from \$3 a day to \$1 as of Monday.

Kenny Morrison, who works as a cleaner while on remand at the correctional centre, tells CTV Regina it's not enough money.

Morrison points out a single phone call costs a prisoner \$2.50.

Morrison says more than 60 inmates are on strike, but Saskatchewan's Ministry of Justice says it's aware of only six inmates who are refusing to work.

Spokesman Drew Wilby says it's still a fair wage and provides "incentive to perform work within the facility."

Inmates in federal correctional facilities earn \$1 to \$6.90 a day to work, depending on merit and good behaviour.

Wilby notes that monetary compensation is just one benefit working inmates enjoy in Saskatchewan jails. He says they also get to spend more time outside their cells.

Morrison says if the government doesn't respond in the days ahead, the inmates may expand the labour strike to also include a hunger strike.

The Canadian Press  
May 04, 2017



### End Immigrant Detention Network

We are an organization of volunteers working towards justice for those incarcerated. Many of us are women and trans people of colour. Our main focus has been on immigration detainees. However, we want build relationships with ALL inmates.

We run two phone lines in Ontario:

- If you are in a facility with a 705 area code, call us collect at 705-340-4432 on Wed, Thurs, Fri, or Sun from 2-4.
- If you are in a facility with a 905 or 416 area code, call us collect at 416-775-0242 any day.
- If we do not pick up the first time, keep trying - sometimes we can't answer.

Not in Ontario? Need a listener or pen pal?  
Write us here:

The Centre for Women & Trans People  
U of T, North Borden Bldg  
563 Spadina Ave, Room 100  
Toronto, ON, M5S 2J7



## The Prison

At edges of towns, & hidden well  
Stand blocks of cages, razor-wire wrapped  
Where humans put humans, at the peril of  
morality  
In the name of humanity, we inflict harsh  
sorrow.

Confined within concrete, strong locks & steel  
Many a soul is here kept, withered & anguished  
Not a warm meal to nourish, nor a soft hand to  
feel  
Not a name to be called by, not a moment to  
heal.

And for years, where years are eternities long  
Where each day's pain exceeds the last  
Where cruelty is a currency,  
Life sentences, solitary...  
In the suffering of humans, there are few  
greater pains  
Than lengthy isolation games.

At the tip of the state's tongue, but never aired  
Is why the prison truly stands  
While affluence consumes, forgetting just down  
lane,  
Small cells cage and ruin and torture and  
shame.

At the edges of towns, and hidden well  
Where prisons stand all hope has fell:  
The most abhorrent institution that could  
manifest  
Thrives on hatred & violence, domination &  
death.

Nyki Kish

## Shackles 'n' Cuffs!

Holy Fuck! I just love this life!  
Hurry up! Hurry up! Hurry!  
Wait! ... For what???  
Belly-chain her too ...  
Shackles 'n' Cuffs

- Chantel Patterson

## Like A Rock

They spoke of women's strength  
silently pleading eternal wisdom  
illuminating centuries of herstory  
they looked like men's hands  
Granma has the same (and we spoke of her)  
they were calloused, not rough  
proud, vibrant  
labored, and tough  
they looked round, felt smooth  
Like a Rock  
run by water since youth  
i saw her spirit  
all-absorbing  
beneath a life-time of drudgery,  
trapped dreams, of wanting  
more for her children  
than a concrete penitentiary.  
And it was hard to look  
in those eyes -  
monopoly capitals surplus value  
she didn't understand the ties -  
i tell you  
she just understood the struggle.

Kazi Toure

## Too Many Sisters Have Died

Our Anishinaabeg queens  
Are dropping like fiends  
In their early teens  
With needles in their arms  
I drop to my knees  
Asking Great Spirit, Please,  
Have mercy for my people  
You see the many tears I've cried  
As they fell from me  
They are a symbol of every  
Anishinaabeg queen that has died  
Too many tears have I cried  
Too many sisters have died  
Without their Anishinaabeg pride!

- Spirit Child

You only learn to be a better writer by actually  
writing.  
- Doris Lessing



**Untitled**

They held hands  
 And played in the sand  
 All day long  
 As they sang their song  
 The beautiful sun was shining  
 Families were dancing  
 Down by the pond  
 While they created a bond  
 All of this love  
 Flying like a dove  
 Never quite falling  
 Cause they heard the calling  
 So now the day has come to an end  
 As they overcome the rigid bend  
 There's no more whining  
 For the rest of their time it's shining  
 Don't shed a tear  
 I'll always be near

- Nicole Grove

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**This Is Me**

I got into trouble on a drop of a dime  
 I never seem to do what is right  
 I end up doing nothing but time  
 But all I do is fraud and fight  
 Maybe someday I will straighten out  
 And stop breaking the law  
 A long time from now, no doubt  
 Getting into trouble is just a flaw  
 I seem to like being in jail  
 Being in jail makes me happy  
 All I seem to do is fail  
 But I'm not sure this is the person I want to be  
 But I got nothing to be out there for  
 My life has been turned upside-down  
 Whenever I look for help, all I get is closed  
 doors  
 I can't seem to smile anymore, all I do is frown

- Ruth Trecartin

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Those who do not move, do not notice their  
 chains.

- Rosa Luxemburg

Educate yourself for the coming conflicts.

- Mary Harris Jones (Mother Jones)

**Shadows After 10pm**

Barred shadows on my book at night  
 I read the shadows too  
 The words change with each printed line  
 The shadows never do

The words you read are soon forgot  
 But what the shades impart  
 Remain, because you can't forget  
 The things you've learned by heart

J.I.C.

'Transition' BC Pen publication (1952)

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**Penitentiary: 1952**

I'll speak again:  
 This lonely tier's great silence frightens me  
 Like some dread spectres  
 These cells of men who know that notion's  
 name  
 Cannot be understood  
 Yet still acclaim its virtues & venerate its lies  
 While the night looks on with a thousand eyes  
 And every sense aches from its depth with  
 hunger  
 The pulse of time has stopped & night's blind  
 sun  
 Beams its black light on this concreted horror  
 But now across the sea of quiet  
 The slender shadows flicker & bring  
 The basilisk's wink of reality  
 The weary procession of empty days  
 And futile ways  
 And a penance that is merely a gesture

Jim Ripley

'Transition' BC Pen publication (1952)

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Fighting crime by building more jails is like  
 fighting cancer by building more cemeteries.

- Paul Kelly

Don't agonize. Organize.

- Florynce Kennedy

If we don't stand for something, we may fall for  
 anything.

- Malcolm X

## The Trudeau government should not delay on sentencing reforms

Ottawa's public consultation on criminal-sentencing reforms mustn't contribute to further delay - or worse still, be used as a justification for doing the minimum.

As the Trudeau government launches its public survey on criminal-sentencing laws, it is worth considering what role such an exercise might usefully play in a prospective and overdue overhaul of Ottawa's approach to crime.

Its ongoing consultations could, we say hopefully, help the government determine the best way to communicate to the public why it has chosen to act on the evidence and roll back a decade of punitive, costly and ineffective justice policies. It could inform the government about public fears and help it navigate and assuage them as it does the right thing.

What public-opinion testing mustn't do, however, is contribute to further delay of this crucial project - or worse still, be used as a justification for doing the minimum. Despite the inevitable political temptation to duck this fraught issue, the government cannot afford to keep waiting or certainly not to act at all.

The Harper government's crackdown on crime, even as crime continued its steady, decades-long decline, drove up the cost of the criminal justice system by billions of dollars and increased the federal prison population by 25 per cent.

The Conservatives introduced an average of one tough-on-crime measure every month and a half in office. They brought in mandatory minimum sentences for dozens of offences, stripping away judicial discretion and shunning alternatives to prosecution. They ended house arrest and accelerated-parole for non-violent offenders and made criminal pardons harder to obtain.

These policies continue to bring more people than ever in conflict with the law and make it more difficult for those caught up in the system to get out. They have clogged our prisons, drained the public coffers, unnecessarily criminalized minor offenders and contributed to a national crisis of court delays that profoundly undermines both justice and public safety.

No amount of public consultation will do anything to change the overwhelming evidence that more humane approaches to justice are not only fairer, but also more effective and less expensive.

To its credit, the Trudeau government, which came to power on the promise of an evidence-based approach to policymaking, has not fed fear of imagined crime as its predecessor did. Yet nearly two years into its mandate, it has done very little to undo Harper's evidence-blind policies. It has instead left this to the courts, which have again and again overturned mandatory minimum sentence laws and other features of Harper's tough-on-crime agenda.

When Justice Minister Jody Wilson-Raybould announced in May that the government was set to begin working on sentencing reform, it seemed to be a welcome acknowledgement that this legislative problem requires a legislative solution.

Yet, for some advocates, the launch of a public survey this past week is cause for concern. Toppling laws born of fear is always politically difficult. And as the *Star* has argued before, too often with this government delays in the name of democratic engagement seem to serve as a smokescreen to avoid tough decisions.

Moreover, studies have shown that tough-on-crime policies, such as those introduced in Canada over the last decade, actually feed a climate of fear. People tend to think that if governments are ramping up efforts to fight crime, crime must be rampant. As Michael Spratt, a criminal defence lawyer, told *The Canadian Press* last week, "Governing your justice policy based on the popular opinion is a dangerous game."

The evidence is clear. The judicial trend is clear. And the government's promise to pursue both public safety and justice is clear. The public survey should inform how the government sells its policy, not determine or unduly delay that policy. It is past time to undo the Harper government's punitive legacy and start working toward a smarter, fairer and safer approach to crime.

Editorial Board  
Toronto Star  
Aug 21, 2017

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A committee takes hours to put into minutes what can be done in seconds.

- Judy Castrina

## Gaps between Indigenous and non-Indigenous inmates growing, latest statistics show

There are more Indigenous offenders in Canada's prisons and they serve more time before being released on parole than other prisoners, according to fresh statistics from the federal Department of Public Safety.

Indigenous people are also more likely to be held in a higher security institution, according to the Corrections and Conditional Release Statistical Overview: 2016 Annual Report.

In federal penitentiaries, the Indigenous population has increased by 16.6 per cent over the past five years and almost 40 per cent since 2006. Indigenous men represent 25.2 per cent of all in-custody males, while Indigenous women represent 36.1 per cent of all females behind bars. According to Statistics Canada, five per cent of Canadians are Indigenous.

"We cannot turn a blind eye to the gaps in our criminal justice system that ensnare our most vulnerable people," Public Safety Minister Ralph Goodale said in a statement accompanying the statistics' release.

And while 82.4 per cent of all Indigenous offenders served their complete sentence before being released, just 65.2 per cent of non-Indigenous offenders are held until their statutory release date.

That said, there has been a modest (two per cent) increase in the number of Indigenous prisoners being granted day parole. That increase appears to be in line with the number of federal hearings for those offenders held with an Indigenous cultural adviser.

The 2016 report also highlights an 18 per cent drop in the use of administrative segregation, also known as solitary confinement. Roughly a quarter of those stays last fewer than 30 days.

Other general statistics in the report illustrate several decade-long trends:

- Police-reported crime rate has been decreasing since 1998.
- Crime rates are higher in Western Canada and highest in the North.
- Fewer adults are being charged with crimes and the biggest proportion (one-fifth) are for administration of justice cases, such as failure to appear in court or breach of probation.

- Fewer young people are being charged with crimes.
- The most common youth court case is theft.

Goodale said the government is making targeted investments in mental health care as well as community employment projects for Indigenous people.

"We are making important steps to address the needs of the most vulnerable in the federal correctional system — and there's more to do yet," said Goodale.

In the same statement, Justice Minister Jody Wilson-Raybould expressed high hopes for her department's ongoing review of Canada's criminal justice system and sentencing.

"This involves addressing gaps in services to Indigenous people, including increasing the use of restorative justice processes and other initiatives to reduce the rate of incarceration of Indigenous persons," she said.

Alison Crawford  
CBC News  
Sep 15, 2017

### PRISONERS JUSTICE DAY

☞ In Remembrance ☞

- August 10 -

There are more than 200 Unnatural  
Prisoner Deaths in Canada.

- Each and Every Year -

We maintain a PJD 'In Remembrance' page on our website for Prisoners who have died in Federal and Provincial Prisons, Remands, Lock-ups and Parole in Canada.

If you wish to have someone remembered there, send us a note or email and we will honour your request.

[PJD@PrisonFreePress.org](mailto:PJD@PrisonFreePress.org)

A paranoid is someone who knows a little of what's going on.

- William S. Burroughs

## Solitary bill a first step, but doesn't go far enough

When analyzing a new law, it is important to ask what the law symbolizes along with what the law does. Symbols can be as important as the actual rules when it comes to the prospect of real change.

The Liberal government has tabled Bill C-56, which reforms the provisions in the Corrections and Conditional Release Act that govern administrative segregation or solitary confinement. First enacted in 1992, advocates have been trying to fix this rather lawless regime ever since. It is no small thing that these provisions are now receiving such thorough legislative attention. This did not happen in the wake of Ashley Smith's death nearly a decade ago. Correctional Service Canada (CSC) and the Conservative government of the day refused to make changes even as the unsettling details of the teenager's needless death in segregation came to light in a public inquest.

This draft bill was accompanied by important comments from the Minister of Public Safety, Ralph Goodale. He made clear that Ashley Smith's death is the key driver of this reform. He made clear that the segregation of inmates should be kept to an absolute minimum, and that using isolation on mentally ill people only makes matters worse. These statements symbolize a new culture on this topic and should be commended.

There is no question that these reforms will help to sustain a trend of declining reliance on solitary. The average length of stay in segregation in federal prisons has decreased in recent years – from 44 days in 2007-08 to 26 days in 2015-16. The average daily counts of segregated inmates are also significantly lower. For many years that number was about 800; it is now less than 400. In a sense, this legislation follows a change in practice that has already occurred.

The symbolic features of this reform may be stronger than the details of the law. Most important: This is not a cap on the number of days that people can be held in isolation. Rather, the proposed law says that an inmate "shall be released" from segregation after 21 days "unless the institutional head orders that the inmate is to remain in segregation." The "institutional head" makes these decisions under

the current law as well. Eventually, the presumptive release will come at 15 days. But the power to continue the segregation is plain as day.

What is new is a process for "independent external review" that is activated when segregation continues beyond time limits. This resembles a reform that advocates have been pressing for, but again the details disappoint. Unlike the current process for disciplinary segregation, this review does not entail a hearing in which an inmate might advance her own case and plead for release, or be represented by counsel. It is a paper review only, though the reviewer may opt to communicate with an inmate. The outcome of the review is non-binding – CSC can disregard the recommendation.

Crucially, this legislation does not prohibit the placement of mentally ill people or other vulnerable groups in isolation. The prison service proposes to put those protections in policy. These reforms are at the heart of the movement against solitary confinement. They merit the explicit commitment of Parliament and should be placed directly in legislation.

The bill is also silent on how many hours an inmate should be released from a segregated cell each day. Access to fresh air, exercise equipment, showers and phone calls are critical to an isolated inmate. The prison service proposes a maximum of 22 hours a day to be included in policy. That is an improvement from the previous rule of 23 hours. But our prison service can do better, especially since declining numbers of segregated inmates must free up resources. For those inmates who will continue to be separated from the general population indefinitely under this new bill, we must press for a meaningful number of hours outside of their cell to be specified in the law.

On some things, the law matters more than the symbols.

Lisa Kerr  
Globe and Mail  
Jun 20, 2017

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One accurate measurement is worth a thousand expert opinions.  
- Grace Hopper

## Offering a lift keeps loved ones in touch

As a high-school teacher, Lindsay Brown encourages her students to think globally and act locally, so they might make a difference in the world.

Brown exemplifies that attitude as a volunteer driver with the Prison Rideshare Project, which gives people free rides to visit their loved ones who are in prison.

"I was looking at ways of getting more active and being more involved in the local community," says Brown, 33. "I wanted to give back in a way that was more tangible than giving money. I have a vehicle and my weekends are flexible, so I signed up to do some rides. Now, I (offer) rides whenever I can."

Most of Manitoba's prisons and jails are located outside the cities where most of the prisoners are from.

"If you aren't able to drive yourself out there, then there's no way for someone to get to Stony Mountain or Milner Ridge (Correctional Institution)," Brown says.

Providing rides is "a really important way to help people stay connected when they have someone they love in (prison)."

Rebecca Ward began volunteering with the program six weeks ago and has already done seven trips.

For Ward, who has an undergraduate degree in conflict resolution and will begin studying law at the University of Ottawa this fall, the project speaks to her interest in social justice.

"I really feel that our current system does harm to people... and I think that it also damages relationships and communities," Ward, 23, says. "I got involved because I thought what I could offer in time and driving is work I could do to fight the harm being done by our criminal justice system."

The project is totally volunteer-run by Bar None, a Winnipeg-based abolitionist prisoner solidarity group.

Providing rides is straightforward. Those looking for rides contact Bar None organizers, who find volunteers to accommodate the request.

Once the driver and rider have been paired, it's up to them to work out the logistics of the trip.

When it comes to the drive itself, Brown and Ward take their passengers' lead in terms of conversation.

Sometimes they will talk during the entire trip, other times the small talk peters out and they just listen to music.

"I just try to make it as comfortable for them as possible," Brown says.

Bar None is looking for more drivers. Volunteers are reimbursed for gas as well as food consumed during the trip. Anyone interested in getting involved can email [barnone.wpg@gmail.com](mailto:barnone.wpg@gmail.com).

"If people are wanting to get involved, they really should because it's been a pretty great experience," Brown says.

Ward agrees: "Supporting people who are marginalized, especially folks who are locked up, is an important part of striving for a healthy and thriving community. Bar None is a really big part of that."

Aaron Epp  
Winnipeg Free Press  
May 08, 2017

### Penpal Program for Gay, Queer, Trans Prisoners

The Prisoner Correspondence Project runs a penpal program for gay, lesbian, bisexual, transsexual, transgender, and queer prisoners in Canada, pairing them up with gay and queer and trans people outside of prison for friendship and support. We also coordinate a resource library of information and resources related to health, sexuality, and prisons - get in touch with us for a list of resources we have, or for details.

If you want to be paired up with a penpal, please send a short description of yourself & interests to:

Prisoner Correspondence Project  
c/o QPIRG Concordia  
1455 de Maisonneuve W.  
Montreal, QC, H3G 1M8

Please indicate French or in English. Veuillez svp nous indiquer anglais ou en français.

## Important Hep C Update!

New treatments with excellent success rates are now available!

*These are in pill form and have little or no side effects. The downside is the cost of course: \$1000+ per pill.*

**Harvoni:** \$60,000 - 8 weeks (Genotype 1, low viral load, never-treated)

**Harvoni:** \$90,000 - 12 weeks (Genotype 1)

**Sovaldi:** \$55,000++ perhaps with other drugs for Genotypes other than Genotype 1

Federal Prisons: *you may be able to start your treatment while inside.*

Provincial Prisons: *Depending on the province, you may have to wait till you get out.*

- When released, get right on welfare or disability.
- Federal health care programs like NIHB & IFH may cover costs.
- Go to a Clinic and get your blood work done so you can get into a Treatment Program at no cost to you.

*Important: most prisons, provincial drug plans, and private plans restrict the new drugs to people who have chronic hep C plus scarring of the liver (stage F2 or higher fibrosis). Both never-treated & people for whom Peg-Interferon & Ribavirin did not work are eligible for the newer treatments. For people with hep C and no liver scarring or light scarring (less than F2 fibrosis), it's still Peg-Interferon & Ribavirin. Get your liver tested! New tests have replaced biopsies: Fibre-test (blood) & Fibro-test (imaging).*

HEP C = 18-30% in prison

HIV = 1-5% in prison

Do Not Share or Re-Use:  
needles, ink, ink holders, rigs, ...  
... well, anything in contact  
with blood !!!

**BLEACH DOES NOT KILL HEP C**

## Facts about HIV and HCV

*With some exceptions, HIV and HCV infection is generally more prevalent among women than men in prison, particularly among those who have a history of injection drug use.*

*In a study of provincial prisons in Quebec, the HIV and HCV rate among incarcerated women was, respectively, 8.8 and 29.2 percent, compared to 2.4 and 16.6 percent among male prisoners.*

*In a study of female prisoners in British Columbia (B.C.), self-reported rates of HIV and HCV were 8 percent and 52 percent, respectively.*

*In a 2007 nationwide survey by CSC, the HIV and HCV rate among federally incarcerated women was 5.5 and 30.3 percent, compared to 4.5 and 30.8 percent among federally incarcerated men. Aboriginal women reported the highest rates of HIV and HCV, at 11.7 and 49.1 percent, respectively.*

*While the majority of women in prison are voluntarily tested for both HIV and HCV, the provision of pre- and post-test counselling has been reported to be poor, and in some cases, non-existent.*

*Women in prison are more likely than women in the general population to have faced violence and abuse; therefore, counselling accompanying HIV diagnosis is particularly important. Women in prison have concerns about the privacy and confidentiality of their HIV status.*

*Women have reported being forced to draw unwanted attention. Women (37.0%) reported being HCV-positive. Aboriginal women were identified as a particularly high-risk group because they reported the highest rates of HIV (11.7%) and HCV infections (49.1%).*

*These data highlight the need to ensure that culturally appropriate, effective interventions that decrease risk-behaviours and increase utilization of harm-reduction measures are offered to meet the needs of Aboriginal women.*

## A Child of an Incarcerated Parent

### The Reality

- Every year over 150,000 adults are remanded into custody which results in approximately 180,000 innocent children who suffer from the traumatic effect of parental incarceration in Canada
- Over 5000 children are impacted by parental imprisonment in the GTA
- The number of children affected by parental incarceration only increases with the passing of the Crime Bill C-10

### The Need

- Despite the growing prevalence of these innocent victims the resources available are minimal
- The cost and lack of accessibility to correctional facilities restrict child-parent visits. Consequently, some children can never visit their incarcerated parents

### The Impact

- Children of incarcerated parents grieve the loss of their parent
- These children are four times more likely to be in conflict with the law
- Social stigma of incarceration causes some families to avoid discussing the absence of a parent

Research suggests that parental incarceration has a detrimental impact on children. These innocent children suffer the traumatic experience of being separated from their parent. Following parental imprisonment, children are faced with a myriad of challenges including:

- feelings of shame, grief, guilt, abandonment, anger
- lowered self-esteem
- economic instability
- social stigma and isolation
- disconnection from parent
- insecurity in familial and peer relationships
- school absenteeism, poor school performance
- difficulty in coping with future stress/ trauma
- compromised trust in others including law enforcement



### F.E.A.T. - Family Visitation

F.E.A.T. for Children of Incarcerated Parents was founded in 2011 to support the needs of the over 15,000 children in the Greater Toronto Area that have a parent in the criminal justice system.

F.E.A.T.'s Family Visitation Program provides weekend transportation from Toronto to correctional facilities in Southern Ontario for children and families to visit imprisoned loved ones.

During our trips, F.E.A.T provides free snacks and refreshments, offers a variety of games and activities, and plays movies.

Our bus is a place where youth and families have a chance to talk about their experiences of having a loved one inside and receive support from mentors and other riders.

Our Family Visitation Program is free for anyone 18 years old and younger. If you are interested in participating in our program, please call or email F.E.A.T. to register today.

For more information or to book a seat on the bus please contact Jessica or Derek Reid by email at [info@featforchildren.org](mailto:info@featforchildren.org) or by phone at 416-505-5333.



## PRISON RADIO

- Guelph - CFRU 93.3 FM  
*Prison Radio - Thurs 10-11 am*  
*Call-in 519-837-2378*
- Halifax - CKDU 88.1 FM  
*Black Power Hour - Fri 1:30-3 pm*  
*Youth Now! - Mon 5-6:30 pm*
- Kingston - CFRC 101.9 FM  
*CPR: Prison Radio - Wed 7-8 pm*
- Montreal - CKUT 90.3 FM  
*PRS - 2nd Thurs 5-6 pm & 4th Fri 11-noon*
- Vancouver - CFRO 100.5 FM  
*Stark Raven - 1st Mon 7-8 pm*

*CPR: This program features content produced by CFRC volunteers and by other campus and community radio broadcasters, including CKUT Montreal's Prison Radio & Vancouver Co-op Radio's Stark Raven programs.*

*The last Wednesday of each month, CPR features 'Calls From Home', sharing letters, emails, voice messages and music requests by and for prisoners and their loved ones.*

*Prisoners and their loved ones are invited to contribute music requests, messages and suggestions for the program.*

*Write: CPR c/o CFRC, Lwr Carruthers Hall,  
Queen's University,  
Kingston, ON, K7L 3N6*

*Email: [CFRCprisonradio@riseup.net](mailto:CFRCprisonradio@riseup.net)  
Call: 613-329-2693 to record a message or  
music request to be broadcast on-air.*

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**Prisoners Justice Day is August 10**

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### - CLASS ACTION! NEWS -



### - MAILOUT DATES -

## ∞ Issue #7 - Fall 2017 ∞

**Class Action News**  
PO Box 39, Stn P  
Toronto, ON, M5S 2S6

*download, print, contact:*  
[www.ClassActionNews.org](http://www.ClassActionNews.org)

*Next Issue: #8 - Winter 2017-8*  
*Deadline: Dec 1, 2017*  
*Mail-out: Jan 1, 2017*

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If you don't like the news ...

... *make some of your own !!!*

*Whatcha got in there that needs to get out ?*

... *Hmm ...?*

*Art, Poems, Stories, News, Whatever !*

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