

Displaced, Disturbed, and Disrupted

The federal Conservative government announced the closure of the maximum-security Kingston Penitentiary and Regional Treatment Center (RTC) located on its grounds in April 2012. The decision which was broadcast by former Minister of Public Safety Vic Toews was met with substantial criticism; as the government would be rushing into closing the facility without a viable plan in place to accommodate the maximum-security and severely mentally ill prisoners housed within its confines (Murphy 2012, June 7). It would appear now that the consequences of this recklessly ambitious plan are being downloaded onto the prisoners, correctional officers and staff members of Collins Bay Institution, as the Correctional Service of Canada (CSC) has made an ad-hoc decision to close down one complete 96 bed security unit at Collins Bay and turn it into a temporary impromptu Regional Treatment Center (RTC) for 70 acute care prisoners who are being evacuated from Kingston Penitentiary (KP) as promised by September 2013.

With the September shut-down looming and the lengthy construction projects which were hastily undertaken

in preparations for these displaced prisoners incomplete at Bath Institution, which was the intended site for accommodating the (RTC) Prisoners, Collins Bay is now being forced to react by coming up with a knee-jerk policy to revise their current accommodation scheme, which will invariably displace, disturb, and disrupt the prisoners already incarcerated in the 96 bed living unit which is slated to become the provisional RTC.

The Collins Bay administration met with the Inmate Committee to deliver the disturbing news in the Afternoon of July 31st 2013; the same day the information was allegedly shared with administrators. The initial reaction on behalf of the Inmate Committee was one of deep concern for the welfare and stability of the Collins Bay population; this on the heels of a violent unnatural death which occurred in the institution a week prior as well as numerous lock downs, disturbances and other incidents which have occurred throughout the year. Many of the Inmate Committees concerns and questions were mirrored by management who seemed to be at a loss themselves to explain the reasonability of dumping 70 (RTC) Prisoners at Collins Bay, even if only

temporarily. The point driven home by management was that this is inevitable and the Inmate Committee was advised to come up with solutions, rather than problems, as management wanted to work in collaboration to formulate an accommodation strategy that will reduce tensions and make the transition smooth.

As an Inmate Committee responsible to serve as a line of communication between the administration and the prisoners and vice versa, we find ourselves in a challenging position. We are unable to comprehend how this plan is tenable given its implications. Although our experience speaks only from this side of the wall we would like to appeal to the public and other interested stakeholders on this issue with our outright objections to this accommodation plan of displacement on the grounds that such a measure will invariably cause significant adverse effects on the incarcerated individuals of Collins Bay and also those who work in this environment; We feel that the consequential impacts which will be felt on the mutual health, safety, and security of those in this institution run contrary to the Correctional Service of Canada's (CSC) responsibility to

provide reasonable, safe, secure and humane custody.

Firstly we would like to fit this scenario into the context of an already strained and aggravated population. In addition to the sweeping changes which have occurred in the Correctional Service of Canada's prisons under the helm of the conservative government including: increased population levels and double-bunking, the abolition of certain programs and supports for prisoners, restrictions on parole eligibility, and a generally security driven mandate as opposed to one based upon the principles of rehabilitation, Collins Bay has also been plagued with a number of lockdowns, disturbances and other incidents which have affected the prison population dramatically over the last year; this finally culminating in a violent unnatural death just over a week ago. While these disturbances aren't intrinsic to Collins Bay per se, they are apart of a general upward trend of turbulence under the direction of the conservative government. This claim is supported by statistics which reveal there have been 840 inmate disturbances since the conservatives took office, compared with only 482 in the previous six years under the

Liberals (Cohen 2012, November 8). As an Inmate Committee living with these consequences we fail to see how exacerbating this already volatile situation could in any way be considered rational given the damaging experiences already accumulated with such large scale change and dislocation.

At the outset, a number of logical concerns present themselves based purely on the logistics of this ad-hoc accommodation plan. In considering the hypothetical implications of this plan one must regard the fact that there are already just under 100 prisoners incarcerated in the 96 bed living unit which (CSC) is planning to occupy with the (RTC) prisoners. Although CSC administrators have defended this plan on the grounds that all transfers into Collins Bay will be halted and according to their population forecasts a number of prisoners will be released or transferred out of the institution between now and September, they will still be displacing nearly 20% of the current Collins Bay population by re-integrating them into other security units in the institution. On the exterior this may seem like nothing more than a minor upsetting of the status quo; however the consequences are far

graver than that. The capacity issue will invariably result in an increase of double-bunking to the 20% mark compounded by the demands of re-adjusting the displaced prisoners to an unfamiliar living environment which would have more often occurred in much small numbers and gradually.

Double-bunking is a contentious issue in corrections and is regarded by the Union of Canadian Correctional Officers as well as many other academics and professional of the Criminal Justice System as "an unsafe, ineffective means by which to address a population management" and believed to "inevitably prove problematic for correctional officers, correctional staff, offenders, CSC and finally general public" (Union of Canadian Correctional Officers 2011 p.3).

(CSC) formerly recognized a principle belief that "single occupancy accommodation is the most desirable and correctionally appropriate method of housing offenders", however recent convenient revisions to their accommodation policy have struck out this belief which is surprising in consideration of the fact that it stands in stark contrast to the accepted norms for acceptable cell accommodation as set out in the *Compendium of United*

Nations Standards and Norms in Crime Prevention and Criminal Justice and recent evidence that demonstrates that such a cell accommodation is associated with adverse events such as violence in institutions. This evidence is substantiated qualitatively on behalf of CSC as an organization and through the Front line work force of the Union of Canadian Correctional Officers, as well as quantitatively by the federally appointed Correctional Investigator in his most recent report for 2011/2012.

CSC's 2011-2012 Report on Plans and Priorities, as cited in the *Annual Report of the Office of the Correctional Investigator (2012)* states the following with regard to double-bunking:

...In the context of anticipated increased in the offender population and the consequent rise in double bunking, CSC will be challenged to meet its targets with regards to the reductions of assaults and violent incidents in institutions. Everything possible will be done to provide appropriate living conditions that support offender rehabilitation and safe accommodation; however, double-bunking is associated with adverse events.

Therefore until the additional accommodation capacity is ready the organization may fall somewhat short of its targets (p.27).

The preceding statement clearly indicates not only a recognition on behalf of CSC as an organization that double-bunking is associated with adverse events, but also that they expect to be unable to meet their obligations to reduce violence in their institutions specifically because of this practice . This forecast was also supported with comments made by Jason Godin, the Ontario Regional President of the Union of Canadian Correctional Officers who stated that in regard to double-bunking: "It creates a very unsafe environment for workers...you have tension between two inmates who are double bunked...at the same time your access to services is going to be diminished" (Paperny 2012, May 09). Yet the most salient evidence comes from the Correctional Investigators Annual report for 2011/2012, which cites the following with regard to double bunking:

Putting two inmates in a single cell means an inevitable loss of privacy and dignity, and

increases the potential for tension and violence. It is a practice that is contrary to staff and inmate safety... CSC reported 1,248 inmate assaults and fights in 2010-2011, an increase approaching 33% over four years (p.25).

The academic community has also provided compelling evidence against prison crowding. In the Union of Canadian Correctional Officers: *A Critical Review of the Practice of Double Bunking within Corrections* a literature review was conducted that identified available research from the academic community and correctional professionals on the practice of double bunking and its associated impacts on correctional officers and inmates alike. The findings revealed that, in the words of Dr. Craig Haney of the University of California: "situations such as double-bunking and overall crowding in prison is creating a major source of administrative problems and adversely affects inmate health, behaviour and morale" (p.6). While the Canadian Criminal Justice Association identified the atmosphere as "leading to increases in stress and potential danger for both staff and inmates...Double-bunking is inhumane and infringes on basic human

dignity of staff, inmates and volunteers” (p.8).

The aforementioned qualitative and quantitative data provides an empiric evidentiary basis to claim that CSC’s accommodation plan which will invariably increase double-bunking is contrary to CSC’s mandate to provide reasonable, safe, secure and humane custody. In sentencing an individual to prison the state obligates itself to a legal duty of care for the welfare of those it imprisons. When the consequences of displacement of these prisoners is weighed against the increased risks associated with double-bunking, one must also carefully measure this against the compound consequences that are implied when you consider that the majority of the affected population consist mainly of already adjusted prisoners, most of whom are already well into their sentences at varying stages of rehabilitation; some of who have been serving their respective sentences in the six (6) block security unit for many years. Thus the intention to uproot and re-integrate them into an alternative living unit presents itself as an unusual and extra-punitive measure.

Unlike the case of new admits to the penitentiary (those who are most

likely to be double-bunked) these prisoners have already bore the difficult and often-times dangerous task of becoming adjusted to the prison itself as well as the particular routine, culture, and norms that are an essential part of penitentiary survival-a significant factor which CSC considers when measuring a prisoner potential for rehabilitation and re-integration. According to the Union of Canadian Correctional Officers (UCCO), the goal of any correctional officer is to help create an environment which prisoners can work towards their rehabilitation and re-integration and eventually become law-abiding citizens (UCCO 2011 p.6); however under this revised accommodation strategy and the inherent difficulties associated with it, it is difficult to foresee how this will be possible, as re-adapting and re-adjusting to a new cell-environment will invariably result in a change to the predictability of behaviour for both prisoners and staff members which as evidence has shown can dramatically alter the dynamic that exists between keeper and kept to such a degree that officers will end up discharging their duties in ways that are at odds with their security priorities (UCCO p.7); which manifestly means adverse effects

for not only the incarcerated but also those who work in that environment.

Increases in negative interpersonal interactions have been demonstrated to cause adverse effects on the psychological well-being of all those in such a setting and while it is agreed that there are no clear cut explanations for the increased adversity associated with offender crowding, one must consider, particularly in the case of CSC’s planned accommodation scheme, the evident consequences which will reveal themselves in the form of a reduction in both spatial and tangible resources which the scarcity of often cause significant frustration, competition and conflict leading to aggression and violence (UCCO p.11).

While this is no less a reality at current, the plans to re-integrate the prisoner of unit six (6) throughout the institution must be considered in the context of the very real hierarchical structures currently in place which serve as a stabilising force in the institution. One way that CSC manages these hierarchical arrangements is by a population management strategy that distributes those most predatory and those most permissive evenly throughout the institution so as not to create a density of those most likely to

come into conflict with one another; challenge institutional authority; or even become victimized. We find it difficult to comprehend how this will remain viable with the mass departure of nearly 100 prisoners into other areas of the institution.

Immediate concerns that present themselves concern disputes over telephone usage; laundry facilities; appliance space; as well as common living space which is already restricted. Furthermore, as part of CSC's mandate to assist prisoners in becoming law abiding citizens it is imperative that CSC ensures prisoners are actively and meaningfully engaged in programs and employment. Many of these employment positions are found on the units where prisoners act as peer counsellors, unit representatives, hygiene distributors, and cleaners. Shutting down unit six (6) will automatically suspend all of these work assignments thus interfering with individual correctional planning and ultimately rehabilitation.

Beyond the immediate logistical implications of this accommodation strategy which are inherent to the living environment and physical as well as psychological integrity of all those in this setting, one must not overlook also

the operational impact that having 70 (RTC) acute care psychiatric patients housed only steps away from the general population, will have on the character and operations of Collins Bay.

Collins Bay is already emerging as a schizophrenic institution in that there do exist three distinct de facto sub-populations within this compound. This is despite the fact that Collins Bay classifies itself as a medium security institution. With four block (high), six seven and eight block (medium), and nine block (low), in addition to the currently being constructed maximum security unit, Collins Bay must find a way to cater to the rights and needs of an already compromised and complex population, while at the same time accommodating the unparalleled needs of psychiatric patients. While managers have attempted to assure the inmate committee that the existence of an (RTC) unit in the Collins Bay compound will have little or no operational impact on the routine of the rest of the prison we find this exceedingly difficult to digest.

In some institutions with special needs populations it is not uncommon for authorities to lock-down the entire prison so that a few prisoners can be

moved to common areas or take part in programming, exercise, receive visits, or health care attention (Office of the Correctional Investigator 2012 p.29). Are we to believe that the 70 RTC prisoners will simply be shuttered away into their security unit never to access any of the resources and services which are just as much their rights as prisoners as ours? Unfathomable.

This idea of a 'prison within a prison' will become no less than what the Correctional Investigator has referred to as segregation-lite: an unjust and extra-punitive measure born of the poor planning and reckless decision making resultant in a game of political posturing that makes we the inmates of Collins Bay, as well as the displaced RTC prisoners, and Correctional staff their pawns; These changes carry the potential to significantly and irreversibly alter the conditions of confinement at Collins Bay.

You would expect that the government would guide their decision-making by what is lawful, fair and evidence based, yet with this accommodation plan it appears they are merely reliant upon what is expedient and convenient. While it is not within the range of the Collins Bay Inmate Committees knowledge to truly

speculate upon the authenticity of the CSC claim that this will only be a temporary measure it is very difficult to come to terms with. Kingston Penitentiary has been open for 177 years. Obviously there are financial benefits to be reaped with shutting its doors in September, but are these three months of savings worth the consequences of displacing, disturbing, and disrupting, the prisoners and staff members of Collins Bay?

Last year in response to the announced closure of Kingston Penitentiary on financial grounds, Kingston and Islands Liberal Member of Parliament Ted Hsu doubted the validity of that argument on the grounds that Kingston Penitentiary and Regional Treatment Center are among the cheapest institutions to operate and maintain in Canada (Hsu 2012, May 09). Of course, then Minister of Public Safety Vic Toews accused Hsu of “using facts that support his narrow political goals”. Toews and the conservative government have committed a far greater crime than that, they are using *people* by putting their lives at risk: both prisoner and public.

On the surface of this accommodation plan it may appear that the ambitions of the conservative

government are within their professed mandate to deliver fiscal accountability and practically appropriate public funds, however if one looks a little closer they will see that this accommodation plan not only jeopardises the wellbeing of those working and residing in Collins but ultimately the safety of the public.

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