

Prisoners' Justice Day

John Schaeffler, Frontenac Institution

Sunday August 10th, 2014 will be Prisoners' Justice Day. For those of you unfamiliar with this day, I will attempt to familiarize you with its origins by acquainting you with some of the events, sacrifices and origins put forth by convicts from the period from the 50s to the mid-1970s towards improving the penitentiary system, a system that at best could only be defined as abusive, draconian and ineffective.

Just 4 to 5 decades ago and in some cases more recently in Canadian prisons convicts were put in the hole for up to six months for minor infractions, and up to several years for major infractions or simply for the “good order of the penitentiary.” There were no open visits let alone private family visits. There was no redress procedure in place, there was no early parole, there were no radios or tv's allowed in cells. There were no rights to make representations, the food was less than adequate, and only bread and water were served in the hole. Per month convicts were allowed to mail one letter and make one phone call as a privilege only. At the infamous Kingston Penitentiary, convicts were not allowed to speak unless spoken to. Punishment for prisoners ranged from no yard and/or common room time to being beaten. Other than life saving intervention, health care was rarely provided.

Changes to the above appalling prison conditions did not come about by chance or occur overnight or happen “just because it was the right thing for Canadian society to do.” Rather, the enactment of an improved prison management system was prompted by the sacrifice, blood and even deaths of struggling convicts and the efforts of a handful of community activists who made the public aware of what was then an intolerable prison setting.

Address To The People In Market Square Today

Inmate Committee at Frontenac Institution

It has been forty years since the untimely death of an inmate due to systemic negligence resulted in other prisoners taking action. But even after four decades it is uncertain that much has changed and we remain the wildernesses outside of mainstream society. The high profile death of Ashley Smith as corrections officers watched her die under orders not to intercede shows that it is not a simple matter of making sure that emergency call buttons function properly or that policy and procedure exist to ensure fair treatment and a minimum of violence used against the incarcerated population. What Ashley's death shows us is that it is attitude and perception that must change.

We are still viewed as something less than human. Non-citizens whose treatment goes unseen in a mostly uncaring society. Until convicts are treated with dignity, humanity and respect, it will be difficult to prevent the emotional scarring, traumatic stresses, and social withdrawal that so often precede and cause recidivism and other failures to reintegrate into society. The farther we are pushed away the longer we have to go to come back.

In another example of the indifference that is inherent in the system of punishment, we lost one of our own just a few weeks ago here at Frontenac. Pete was terminally ill and had been going through the lengthy and onerous system of bureaucracy to go home and die among his loved ones. The fact that a dying man had been attempting to get parole from a halfway house for four years before giving up and then trying for another six months as his time rapidly approached from a minimum security camp is ludicrous and obscene. He was so weakened in his last three months that he could not climb a flight of stairs.

What risk to public safety a crumbling, fading, dying old man might have is beyond me. The fact that our correctional system no longer corrects, but merely punishes, is not. There comes a point when ones life is nearly spent when any debt to society can be forgiven and keeping someone in prison for the last months, weeks, or even days of their life no longer serves any societal purpose. The truly inhuman result is that Pete's family was in turn punished by the system even though they themselves had committed no crime to take their father away from them in his last moments here.

The real point is that the system currently is not capable of treating us as people. As we all know, people are not perfect, and make mistakes. But perhaps more importantly here is the fact that they are not robots and cannot always be counted on to behave or react or exist within set boundaries. Sometimes there are extenuating circumstances like when you are about to die and your children want to make up whatever lost time they can while it is still possible. I tell you: The best way to turn a human into an animal is to put them in a cage.

In a world where routine and systemic dehumanization of thousands of Canadians takes place while average citizens turn a blind eye to the practice there exists a small remnant who stand by us year after year. We especially appreciate those who fast with us on this hallowed day in remembrance of those who have died – either naturally or unnaturally – but all deaths behind bars are not natural, and all too increasingly frequent. Thank you.

This is an excerpt from a longer article. You can read the full text at epic.noblogs.org.

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For example, on August 10th 1974, Eddie Nalon died in the Millhaven hole, where he had been kept for over three years, a result of his participation in the Kingston Penitentiary riot. The subsequent inquiry board looking at Eddie's death made several recommendations for improving prison conditions which one year later were still not yet implemented. As a memorial to Eddie Nalon, on August 10th 1975, Millhaven prisoners refused food, didn't report to work, and asked the administration to have the Nalon inquiry board's recommendations finally fulfilled. On May 11 1976, Robert Landers, a prison organizer and spokesman died of a heart attack in the Millhaven hole. When the Millhaven warden testified at the inquest into Landers' death, he explicitly stated that Robert was segregated because he was demanding that prisoners rights be acknowledged and respected. The inquest also concluded that the cell alarms in the hole were not in working order. Later, in an unrelated incident, Robert's brother, Glen Landers, was shot while climbing Millhaven's fence during an attempted escape. He bled to death by the fence and no staff member went to aid him. Shortly after Robert Landers' demise, for the anniversary of Eddie Nalon's death, Millhaven convicts issued an appeal to all prisoners to join together in a peaceful one day strike for sharing the remembrance of those who died in prison. Thus, Prisoners Justice Day was born. From thenceforth, incarcerated men and women across the country observed the day by not working or eating. Likewise, a number of inmates' family and friends, community members and organizations on august 10th have been holding candlelight vigils outside of various penitentiaries. After 1976, PJD developed into an internationally recognized memorial event.

This is an excerpt from a longer article. You can read the full text at epic.noblogs.org.

Black Squares For Prisoners' Justice Day

In 2010, prisoners at Joyceville Institution designed shirts with an upside-down maple leaf to wear on Prisoners Justice Day. The Correctional Service of Canada (CSC) reacted by banning the t-shirts and other Prisoners Justice Day activities across Canada.

Last year, prisoners at Collins Bay Institution in Kingston wore black squares inspired by the Quebec student strike to mark Prisoners Justice Day and protest the ban on t-shirts and other observations of the day.

In May, the Ontario Superior Court refused to certify a lawsuit brought by two inmates against CSC arguing that the ban on PJD t-shirts violates their charter rights. The court claimed the inmates had not exhausted CSC's official internal grievance procedures.

This year, some inmates wore black squares once again to protest CSC's ongoing crackdown on Prisoners Justice Day. Prisoners across the country continue to observe August 10th despite the t-shirt ban, the refused lawsuit, and other attempts to silence them.

September 17th marked the one year anniversary of the ongoing strike by migrant detainees in Lindsay. Since the beginning of their strike, they have gone on hunger strike a number of times, refused to attend sham 'immigration review' trials, and are working together with community members on the outside of the detention centers to raise awareness about their ongoing struggle.

From the website of the End Immigration Detention Network:

Find out more at endimmigrationdetention.com

Today, in 2014, I think back to the first PJD I ever participated in, in 1980, and can't help but think of the old saying: "the more things change, the more things stay the same."

Now I only mention that she was “heavy set” because she had just been released from segregation where she had spent much of her past fifteen years in prison. A continuous stream of institutional charges had morphed her six-year sentence into fifteen. She was also on heavy prescription drugs that contributed to her weight gain. These details explain why most women who have spent years in segregation, like Ashley Smith and this woman, Kinew James, appear bloated. Anyone would become bloated if they spent years of their life locked up with nothing to do, very little exercise, and sedated with psychiatric medication.

Kinew was also native, another fact I am only mentioning because of the disproportionate number of native women in prison. According to the CSC in 2003, 32% of federally sentenced women were native although native people represent only 4% of the population. This disproportionate population of native women in prison only increases as their security level increases. For instance, in 2007, 45% of all maximum security women were native, and 35.5% of those in involuntary administrative segregation.

The next morning, I was woken up early by Kineu banging on the wall between our cells. “Hey! I need something to eat. I feel weak, and I’ve been pushing my button for an hour now, and the guards aren’t coming. Can you push yours for me?” I could just make out her words.

I pushed my button. Instantly we could hear the guards' soft-soled shoes rushing up the stairs. Breathless, two guards opened my door and asked what was wrong. "Kinew is having an insulin reaction," I said. They glared at me, then reluctantly opened Kinew's door so she could get something to eat. Later that morning, one of those two guards stopped at my cell door when Kinew was off the pod, and suggested in future if Kinew asked me to push my emergency button, that I agree, but then not actually push it. In other words lie to her.

After I was released from prison, the media reported an alleged illicit relationship between a male guard and one of the prisoners in Grand Valley. Kinew was one of three women who had phoned the CBC about this incident. Shortly after, she was transferred to the Psychiatric Treatment Center in Saskatchewan. On January 20th, 2013, she once again pushed her emergency button. When the staff did not respond, and Kinew eventually became uncharacteristically quiet, the other women nearby started pushing their buttons. By the time the guards responded, Kinew was unconscious. She was transported to an outside hospital where she was pronounced dead. She had died of heart failure.

37 years earlier, another prisoner, Bobby Landers, died in eerily similar circumstances. He had been transferred from a Quebec prison where he had been involved in organizing a hunger strike, and was immediately placed in seg at Millhaven. In May, 1976, he had pushed his emergency button, but the guards did not respond. When Bobby became deathly quiet, the other prisoners in segregation started pushing their emergency buttons, but no one responded. The guards had disconnected the emergency buttons in their control booth. He was later pronounced dead.

So here we are almost 40 years later, and nothing much has changed since 1976. However, all is not completely dark and gloomy. Over the past 35 years, the number of activists involved, and the general awareness of the public about what is going on behind the walls has dramatically increased. So hopefully we can change the saying to “the more things change, the more things change for the better,” and develop the movements necessary to end the needless suffering and deaths of people in prison.

You can read this piece in its entirety at epic.noblogs.org

the point is to refuse to be repressed by
any sort of oppressive regime and
while they regress towards the mean we must progress
by any means possible
permitting that we've done our thinking
to prevent ourselves from sinking
to their level when resisting
but all the same we must
respect this game for what it is
there are winners and there are losers
failure to act today could mean
tomorrow we are useless so
on this day when we collect our thoughts and
pay respects to those who fought
and fell victim to an unnatural death
in an unnatural system that exploits peoples breath
by keeping them caged and locked in a cell
solitary confinement a literal hell
whatever the conditions of prison might be
it must be resisted this PJD and
how do you resist something so inhuman?
by being human