

Crime and Corrections – Myths and Facts

Media Backgrounder

Prepared by the John Howard Society of Manitoba

August, 2011

'Crime and corrections' will very likely come up as topics throughout the current election campaign. Despite the fact that crime rates in Canada are now at a 40 year low, there is an impression among the public that crime is out of control. In part this impression is fueled by political rhetoric and ideology. What is most often missing from the debate on crime are workable solutions. Instead of solutions the public is offered slogans, and simplistic solutions which sound good but don't work. And although they don't work, these solutions come at a great cost, and can actually make the problem of crime worse over time.

This document was prepared to address some of the misinformation and misconceptions around crime and corrections and to provide media outlets some facts in a debate that for the most part avoids any examination of the evidence. The sources for much of what we say are a number of recent articles and editorials attached in Appendix B. *For a more detailed list of sources, and/or if you have any questions or concerns about what's been presented, contact **John Hutton, Executive Director at 775-1514 (315).***

We hope that you will find this information useful when reporting on crime and corrections policies over the next few weeks. Crime is an issue that needs to be taken seriously and addressed by strategies that can be proven to work.

Myth #1: *Crime is increasing in Canada.*

Fact: While there may be an increased *awareness* about crime, crime rates in Canada have been falling steadily for several years according to Statistics Canada and are now at a forty year low. There are some hot-spots where crime seems more common, and spikes in certain types of offences, but even here in Manitoba, crime overall is going down. The decline in Canada mirrors that seen in the US and other western democracies; the most likely cause for the decline is the overall aging of the population. (crimes are more commonly committed by people in their younger years).

Myth #2: *Building more jails and hiring more police brings down crime.*

Fact: The answer to reducing crime does not lie in simply building more prisons and hiring more police. If that were true, then the United States – which has taken this approach for over thirty years would be the safest place on Earth. But despite all it spends on arresting, convicting and incarcerating more of its citizens per capita than any other country in the world, the US has the 8th highest per capita rate of crime according to the most recent United Nations Survey on Crime Trends. By comparison, Canada is 12th. The US experiment with this approach is now thirty years old and there has been **no** American evidence to show that putting more people in crime has any effect on crime rates. All increasing rates of incarceration does is create vacancies for others to commit crimes in place of those locked up.

Even the Americans no longer support a “lock ‘em up” solution which has been repudiated by political leaders of all stripes. According to Newt Gingrich, a prominent US conservative, “our prisons might be worth the current cost if the recidivism rate were not so high, but, ... half of the prisoners released this year are expected to be back in prison within three years. If our prison policies are failing half of the time... *it is time to fundamentally rethink how we treat and rehabilitate our prisoners.*” (Appendix B)

Myth #3: *Staying in prison longer increases the chance prisoners will be rehabilitated, so longer sentences make us safer.*

Fact: While it is true that programming offered in federal prisons can be an effective tool in terms of rehabilitation, there is *already* a shortage of resources for programming and new laws increasing the length of incarceration are making a bad situation even worse. As Post Media reported recently (Appendix B), figures released by Correctional Services of Canada show that 40 per cent of offenders requiring programs in 2009-2010 *did not get them*. In his annual report, Canada’s Correctional Investigator, Howard Sapers expressed concern over this and predicted the situation will worsen as prison populations increase due to even more ‘tough on crime laws’. This is exactly what happened in the United States as they began increasing their use of incarceration some thirty years ago. Programming was the first thing to go and American prisons became nothing more than warehouses which do little if anything to rehabilitate inmates.

Myth #4: *We can afford to be ‘tough on crime’.*

Fact: Since the United States began using increased incarceration to prevent crime more than 30 years ago, the amount it spends on Corrections increased *by more than 600%*. Despite this massive expenditure the actual drop in crime rates was only about 20-30% - almost exactly the same drop that Canada experienced *without* a ‘get tough’ approach, strongly suggesting that the decrease was the result of other factors, such as the aging of the population. The connection between lack of education and crime is well known, yet at least four states in the US, including Michigan now spend more on prisons than they do on schools. According to the Right on Crime coalition in the United States,

in 2008, Florida cut education spending by \$332 million, while adding \$308 million to the corrections coffer. While prisons are vital for protecting the public from violent and dangerous criminals, fewer than 20 percent of admissions to Florida prisons are for offenses against the person.

In Canada, the Parliamentary budget officer has calculated that just one Bill, the elimination of the two for one credit for pre-trial custody, would cost Canadians approx 8 billion dollars over five years. In part because of this new legislation, last year the Correctional Service of Canada received a 22% increase in its overall budget – at a time when crime rates in Canada are at a 40 year low. With the cost of prisons steadily increasing, where is the government going to take this money from? What other services will have to be cut to pay for these increases?

Myth:#5 Canadians Support a Tough on Crime approach.

Fact: Canadians *are* concerned about *crime*, but when they have the facts they strongly support preventative measures over punitive ones. During the recent federal election a forum on crime was held at the Magnus Eliason Recreation Centre, in the Spence Neighbourhood, where crime is a major issue. After listening to both community panelists, and the candidates, residents in attendance voted overwhelmingly to have the government invest in preventative approaches to dealing with crime, instead of spending more on police and prisons (Appendix C).

Solutions that have been proven to work:

- ***Preventative programs aimed at youth who are ‘at risk’ of getting involved in crime.*** Manitoba has one of the highest percentage of young people in Canada. Proactive programming for Youth needs to keep up.
- ***Increasing the amount of programming available in jails and prisons (best done by decreasing prison populations)***
- ***Increasing the supply of safe, affordable housing.***
- ***Increasing support for addiction treatment programs, and supports for those with mental health issues both inside correctional facilities and in the community.***
- ***Increasing employment and re-training programs aimed at ex-offenders***
- ***Increasing the use of community sentencing, rather than incarceration.*** Having an offender serve their sentence in the community is much less costly than incarceration and more effective in terms of reducing recidivism. As well, only 22% of those serving sentences in provincial jails were convicted for a violent offence. Does public safety require that all non-violent be locked up?

About us: **The John Howard Society of Manitoba**, founded in 1957, works primarily with male offenders before, during and after their incarceration. Our Reintegration and Literacy programs are intended to be tools our clients can use to make better choices and live crime free in future (see appendix A for a more detailed description of our

programs and services). We also work with victims and offenders through our Restorative Resolutions program. We advocate for *evidence-based* approaches to reducing crime – strategies that have been shown to work when used elsewhere.

Appendix A

JHS of Manitoba

Description of Services and programs:

1. *Reintegration Service:* JHSMB provides programming and services at the Winnipeg Remand Centre and Headingly Correctional Centre. JHS staff meet with clients inside the institutions on a weekly basis performing intakes, providing direct services and information on how to find housing, employment and a wide variety of social service programs post-release. We also see clients in our offices for follow-up once they are back in the community, including those being released from federal custody. The first six to eight weeks following an individual's release from jail and prison is a critical time; this is the time we are most active with our clients as we support their reintegration into the community in a wide variety of ways.
2. *Literacy Program:* A lower than average level than learning is consistently identified as a barrier for ex-offenders as they re-integrate into the community and look for employment. Our research and experience shows that on average, those who are incarcerated are at least three years behind their peers in terms of educational attainment. An ideal time to help an individual improve their literacy is when they are incarcerated; they have time to study with fewer distractions and may be more motivated to make changes in their lives. The JHS offers a literacy program at the WRC and our literacy materials are used independently in a number of jails. Our clients are encouraged to continue their learning once they return to the community or begin serving a sentence.
3. *Restorative Resolutions:* Restorative Resolutions is a community-based sentencing program operating out of the John Howard Society of Manitoba, Inc and funded by Manitoba Justice. It seeks to hold offenders accountable for their behaviour in the community, to consider the needs and concerns of victims, and to keep the offender living and participating in the community.

To be eligible for the program

- An individual must be facing a jail sentence of 6 months or more.
- An individual must plead guilty to an offense(s) and is prepared to accept responsibility for his/her behaviour
- An individual must be prepared to make pro-social lifestyle changes.

Completion/compliance rates are at about 90%, and the recidivism rate for RR clients is only 18%, compared to about 45% for those who are sentenced to jail.

4. The *John Howard Society of Manitoba* will shortly begin operating a *Bail Support and Supervision program* for up to 75 clients. The program will provide

supervision and support for men living in the community awaiting trial. Up to 20 clients may live in a residence component we will be developing as well. The program was created to provide men on bail with immediate supports and services to address risky and problematic behaviour and increase community safety. Expected start date for the program is October, 2011.

The program will have three main functions

- i. Staff from the program will assess risks and behaviour of potential participants in custody, and put together a plan to address these concerns. These plans will then be submitted to the court as part of a bail-hearing.
- ii. Should the individual be released on bail, the program will then provide ongoing support to the individual as they follow the plan through face to face meetings, group-work, advocacy and other services that the JHSM has available (Anger Management, Parenting Classes, Literacy instruction, etc).
- iii. As well, the program will have a supervisory role over the individuals on bail with an obligation to report any failures to comply with bail conditions to the courts.

The additional support and assessment is expected to decrease the likelihood of an individual offending or breaching a condition while on bail. The program will also encourage personal accountability and responsibility, making it less likely that the individual will offend in future.

Appendix B
Collected Articles

Edward Greenspan & Anthony Doob, "Ottawa's drug problem: The penalty doesn't fit the crime," *The Globe and Mail*, Aug. 22, 2011

The federal government has promised to reintroduce its Penalties for Organized Drug Crime Act – a bill that died when the spring election was called. The bill is aimed at combatting illicit drug production and distribution by imposing harsher penalties on organized crime, such as six-month minimum prison sentences for those found growing as few as six marijuana plants and a two-year minimum sentence for those selling marijuana to persons under 18 near schools.

Does organized crime really cultivate just six marijuana plants in its grow-ops? Six months for six plants! Why not seven, like the musical *Seven Brides for Seven Brothers*? Unfortunately, sentencing isn't a musical. Two years in jail for giving marijuana to a friend near a school? What does "near" mean? Anything less than far? If the marijuana is given or sold "near any other public place, usually frequented by persons under the age of 18," it's also a mandatory sentence of two years. What public place in urban areas isn't "usually frequented by persons under the age of 18"? Does the government really think that an 18-year-old giving or selling marijuana to his friend near a school constitutes organized crime?

There are at least two problems with this approach. First, many studies demonstrate that increases in penalties will not affect crime. This has been known for years. Eighteen years ago, a Progressive Conservative Party of Canada election platform noted that the answer to offending "does not lie in simply building more prisons and getting more police. If that were true, then the United States would be the safest place on Earth." Similarly, that same year (1993), the Reform Party urged "greater certainty in sentencing" rather than increased imprisonment.

Second, this isn't the best way to deal with Canada's illicit drug problem. Imprisonment is very costly and, if it's being justified as a means to address drug problems or achieve public safety, the government needs to demonstrate that imprisonment is the most cost-effective way of achieving reduction in drug use, production and trafficking. It won't be able to do this. Interestingly, it never tried.

Placing eight or nine people in a penitentiary for drug offences costs \$1-million a year. But certain types of targeted policing can reduce the incidence of drug sales. A million dollars is the cost of about 12 police officers for a year. Which would we prefer: 12 more police officers or eight or nine more people in jail?

Teachers, public health nurses and those treating people for drug addiction can also serve to reduce Canada's drug problems. A million dollars is the cost of 14 more public health nurses or teachers, the benefits from which would extend far beyond any reduction in the use of drugs.

We need to debate these options. In justifying the expansion of the use of imprisonment for drug offenders and other crimes, the government says: "A safe and secure society is worth the cost." Almost everyone supports a safe, secure, addiction-free society.

Wouldn't a fiscally responsible government want to ensure that it achieved the greatest possible benefit for the money it invested?

Focusing on jail to reduce the illicit use of drugs has been proved to be an expensive way to fail. Increasing imprisonment will have very little, if any, net impact on drug use.

The manner in which we sentence those who violate our laws is important. Various committees and commissions over the past 50 years have consistently noted that sentencing in Canada needs serious attention. Reasonable people can differ on how they want sentences to be determined, but most Canadians appear to prefer that sentences reflect the seriousness of the offence.

By addressing sentencing for drug offences in an unprincipled and incoherent manner and by suggesting that its new set of drug sentences will help address Canada's drug problem, the government is doomed to failure on two counts: It will not address Canada's drug problems, and it will make sentences less coherent than they are at the moment.

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Edward Greenspan is a Toronto criminal lawyer. Anthony Doob is a professor of criminology at the University of Toronto.

Emile Therien, "Prison plan emulates American model," The Whig Standard, 4 August 2011

The allegation that Correctional Service Canada will build maximum- security cellblocks in medium- security prisons in Ontario and Manitoba, a move some observers say is a government scheme to create super-prisons while avoiding public scrutiny and controversy, should raise serious concerns and raise many questions. The Harper government, in face of criticism of this idea, has consistently denied it has any plans to build mega-prisons.

In an address to the Criminal Lawyers Association, noted criminal law expert and influential Ontario Court of Appeal judge Marc Rosenberg said Canadians must take stock of the shambles that has been created through the indiscriminate use of prisons. According to Judge Rosenberg, the justice system has fallen into a state of disrepair as a result of punitive federal legislation and a legion of accused criminals who languish behind bars awaiting trial. These concerns come at a time when the Harper government is pushing its so-called "tough-on-crime" legislation.

This proposed legislation, including mandatory sentences for some drug offences, is ideologically and politically driven, not evidenced- based, embarrassingly flawed, and smacks of everything that is wrong with our criminal justice system. A classic case of crime as politics. As usual, this legislation when it sees the light of day will prey on the socially, culturally and economically disadvantaged, especially aboriginals and the mentally ill.

For the record, excluding the provincial system, there are approximately 13,000 federal offenders in custody and about 8,000 in the community on some form of conditional release. CSC manages more than 50 facilities, employs more than 20,000 people, up from 14,000 in 2005-06, and has an annual budget of \$3 billion, up from \$1.6 billion in

2005-06. And this government wants to blindly and wilfully add to this disinvestment in society and to these dismal statistics. Obviously, jailing that many more Canadians, regardless of the social and economic costs, is a huge priority for this government. Tougher sentences, however defined, and more and bigger jails have never and simply do not prevent crime.

Can we not learn something from our southern neighbour that a flawed and discriminatory criminal justice system does not and has never prevented crime. Two cases in point. California's prisons are so overcrowded that thousands of criminals have been turned loose. Some other states have also adopted this practice. That state now spends about two and a half times as much per prison inmate than it does per student in its world-renowned University of California system. Pennsylvania's prison population is growing so rapidly and outstripping the system's capacity so extensively that officials instituted a plan to house inmates in other states, which it did, and at a cost. America's incarceration budget, federal and state, now exceeds a whopping \$50 billion a year, and shows no signs of abatement whatsoever. Prison construction and management is among the fastest growing industries in America. Do we want to emulate this in Canada? Or are we slow learners or simply do not care?

(United States)

Prison reform: A smart way for states to save money and lives

By Newt Gingrich and Pat Nolan

Friday, January 7, 2011

With nearly all 50 states facing budget deficits, it's time to end business as usual in state capitols and for legislators to think and act with courage and creativity.

We urge conservative legislators to lead the way in addressing an issue often considered off-limits to reform: prisons. Several states have recently shown that they can save on costs without compromising public safety by intelligently reducing their prison populations.

We joined with other conservative leaders last month to announce the Right on Crime Campaign, a national movement urging states to make sensible and proven reforms to our criminal justice system - policies that will cut prison costs while keeping the public safe. Among the prominent signatories are Reagan administration attorney general Ed Meese, former drug czar Asa Hutchinson, David Keene of the American Conservative Union, John Dilulio of the University of Pennsylvania, Grover Norquist of Americans for Tax Reform and Richard Viguerie of ConservativeHQ.com. We all agree that we can keep the public safe while spending fewer tax dollars if we spend them more effectively.

The Right on Crime Campaign represents a seismic shift in the legislative landscape. And it opens the way for a common-sense left-right agreement on an issue that has kept the parties apart for decades.

There is an urgent need to address the astronomical growth in the prison population, with its huge costs in dollars and lost human potential. We spent \$68 billion in 2010 on corrections - 300 percent more than 25 years ago. The prison population is growing 13

times faster than the general population. These facts should trouble every American.

Our prisons might be worth the current cost if the recidivism rate were not so high, but, according to the Bureau of Justice Statistics, half of the prisoners released this year are expected to be back in prison within three years. If our prison policies are failing half of the time, and we know that there are more humane, effective alternatives, it is time to fundamentally rethink how we treat and rehabilitate our prisoners.

We can no longer afford business as usual with prisons. The criminal justice system is broken, and conservatives must lead the way in fixing it.

Several states have shown that it is possible to cut costs while keeping the public safe. Consider events in Texas, which is known to be tough on crime. Conservative Republicans joined with Democrats in adopting incentive-based funding to strengthen the state's probation system in 2005. Then in 2007, they decided against building more prisons and instead opted to enhance proven community corrections approaches such as drug courts. The reforms are forecast to save \$2 billion in prison costs over five years.

The Lone Star State has already redirected much of the money saved into community treatment for the mentally ill and low-level drug addicts. Not only have these reforms reduced Texas's prison population - helping to close the state budget gap - but for the first time there is no waiting list for drug treatment in the state. And crime has dropped 10 percent from 2004, the year before the reforms, through 2009, according to the latest figures available, reaching its lowest annual rate since 1973.

Last year we both endorsed corrections reforms in South Carolina that will reserve costly prison beds for dangerous criminals while punishing low-risk offenders through lower-cost community supervision. The legislation was a bipartisan effort with strong support from liberals, conservatives, law enforcement, the judges and reform advocates. The state is expected to save \$175 million in prison construction this year and \$60 million in operating costs over the next several years.

Some people attribute the nation's recent drop in crime to more people being locked up. But the facts show otherwise. While crime fell in nearly every state over the past seven years, some of those with the largest reductions in crime have also lowered their prison population. Compare Florida and New York. Over the past seven years, Florida's incarceration rate has increased 16 percent, while New York's decreased 16 percent. Yet the crime rate in New York has fallen twice as much as Florida's. Put another way, although New York spent less on its prisons, it delivered better public safety.

Americans need to know that we can reform our prison systems to cost less and keep the public safe. We hope conservative leaders across the country will join with us in getting it right on crime.

Newt Gingrich was speaker of the House from 1995 to 1999 and is the founder of American Solutions. Pat Nolan was Republican leader of the California State Assembly from 1984 to 1988 and is a vice president of Prison Fellowship, a Christian ministry to prisoners, ex-prisoners and their families that also works on justice reform.

(United States)

The conservative case for reform: Fighting crime, prioritizing victims and protecting tax-payers.

MARCH 25, 2011

by Dominic Calabro and Marc Levin

Floridians pour nearly \$3 billion a year into the state's corrections system, primarily to incarcerate more than 100,000 inmates. What taxpayers get in return is a broken system that too often fails to reverse the cycle of crime. One in three released prisoners re-enters Florida's corrections system within three years, and 65 percent return behind bars within five.

To address this concern, the Florida TaxWatch Center for Smart Justice is hosting Americans for Tax Reform Chairman Grover Norquist in Tallahassee this week for discussions with state policymakers about the nationwide Right on Crime initiative.

In December 2010, the nation's conservative leaders launched the Right on Crime campaign to increase public awareness of the truly conservative stance on criminal justice policy. Individuals such as Norquist, former U.S. Speaker of the House Newt Gingrich, former Attorney General Ed Meese, and former federal "drug czar" Bill Bennett are among its strongest supporters.

Historically in Florida, political rhetoric has hindered reform efforts. However, with a crippling \$3.6 billion budget gap and a powerful conservative movement rooted in limited government, personal responsibility and local accountability, there is a renewed effort to address the inefficiencies in government — including the corrections system.

In 2008, Florida cut education spending by \$332 million, while adding \$308 million to the corrections coffer. In total, 15 percent of state general revenue funds are used for the criminal justice system. While prisons are vital for protecting the public from violent and dangerous criminals, fewer than 20 percent of admissions to Florida prisons are for such offenses against the person.

If booming expenditures and incarceration rates were the best strategy for making our streets safer, the cost would be worthwhile, but other states are finding that alternative approaches can more affordably reduce crime.

From 2000 to 2007, New York decreased incarceration by 16 percent. During that same period, Florida increased incarceration by 16 percent. Despite lower imprisonment rates in the Empire State, New York's crime rate fell by twice as much as Florida's.

Much of that dramatic reduction is attributable to New York City, where data-driven policing and evidence-based practices in probation supervision have become the corrections system's focus.

If inmates are not properly managed and treated, they are going to come out of prison prepared for a life of crime. We have inadvertently set up some of our prisons to be crime colleges.

Florida's criminal justice system needs corrections, and conservatives must lead the way toward reform.

When it comes to nonviolent offenders, Right on Crime looks beyond the "lock 'em up and throw away the key" approach.

Today's criminal justice must transition from a system that grows when it fails to one that rewards results.

Florida has implemented successful education reforms that measure performance and incentivize progress on key benchmarks, and the state must do the same in corrections, holding prisons and probation offices accountable for reducing re-offending, lowering substance-abuse rates, collecting restitution for victims, and transitioning ex-offenders from tax burdens to taxpayers. Probation offices that succeed in keeping more of their supervised offenders on the straight and narrow, thereby saving the state money on prisons, should receive a share of those savings.

In 2005, Texas legislators adopted an incentive-based paradigm that tied probation departments' funding to the enhancement of supervision strategies and the reduction of the rate at which probationers are revoked to prison. Two years later, policymakers advocated for proven community-based corrections approaches (such as drug courts) in an effort to avoid building more prisons.

Texas' reforms have saved that state more than \$2 billion in prison construction and operation costs over five years. Additionally, from 2004 to 2009, the crime rate fell by 10 percent, reaching its lowest point since 1973.

Currently, one in 31 adults is under some form of correctional control in Florida, and the state's incarceration rate is 26 percent higher than the national average.

When low-risk, nonviolent offenders go into prison, they often arrive back to our communities as more hardened criminals. Far less costly interventions have proven to better reduce re-offending and promote employment so participants contribute to their communities rather than drain our treasury.

Conservatives are rightly tough on crime, but writing a blank check for any government program without demanding results is in opposition to every conservative principle.

It is time for Florida policymakers to get criminal justice right by implementing cost-effective approaches that have proven to enhance public safety in other states.

**Gloria Galloway, “Canada warned not to follow U.S. tough-on-crime ‘mistakes’,”
Globe and Mail, Mar. 03, 2011**

The man who headed the U.S. Drug Enforcement Agency under U.S. president George W. Bush says Canada should avoid the mistakes that caused incarceration rates to soar in his country.

Asa Hutchinson, a Republican who represented Arkansas in the U.S. Congress and a former prosecutor who advocated a tough approach to crime, has joined other high-profile members of his party in advocating a revision of harsh American justice policies.

“We have made some mistakes and I hope you can learn from those mistakes,” Mr. Hutchinson told the Commons public safety committee on Thursday.

“I am here,” he said, “because I signed on to a Right On Crime initiative, which is an initiative led by a group of conservatives in the United States who support a re-evaluation of our nation’s incarceration policies.”

The Conservative government in Canada has introduced a slate of justice bills – some of which have been passed into law – that will put more people in jail for longer periods of time. According to the Correctional Service of Canada, the federal prison population will increase by 30 per cent in coming years.

There are limited estimates for how much that expansion will cost but public safety is one of the few areas of spending that is anticipated to increase in the coming budget.

The debate around the crime bills is likely to feature prominently in campaign messaging, should a vote be held this spring, with Liberals arguing that the cost of many of the Conservative justice initiatives cannot be justified.

Mr. Hutchinson said he was motivated to join the Right on Crime initiative, which has been led by people such as former Republican House Speaker Newt Gingrich, because of two principles: Fairness and the “long-time conservative principle of cost to the taxpayers.”

Because of tough criminal justice policies in the United States, one in every 100 American adults is behind bars – up from one in 400 in the 1970s.

“The United States has five per cent of the world’s population but 23 per cent of the world’s recorded prisoners,” said Mr. Hutchinson. “The incarceration costs are staggering, [running from] \$18,000 to \$50,000 per prisoner per year, depending upon the state and the level of security. And that cost is very challenging for many states.”

The mistakes his government made were two-fold, he said.

First, it did not put enough emphasis on preparing convicts for release, which led to a high degree of recidivism. Critics say Canadian proposals to reduce parole eligibility, which will cut the amount of time convicts spend under supervision in the community, will have the same effect.

Second, said Mr. Hutchinson, the mandatory minimum sentences introduced in the

United States were often unfair and put people behind bars who did not need to be there. In some cases, he said, people who were only peripherally involved in a crime were sent to jail for 10 years because of mandatory minimum sentencing.

As a result, said Mr. Hutchinson, his country had to do some "fixes" to its justice laws to give judges more discretion.

The Canadian government has also expanded the number of crimes that would require a mandatory minimum sentence, though they are, in general, more lenient than what is in place in the United States.

(United Kingdom)
Three prisons to close in coalition justice reforms

[The Guardian](#), Thursday 13 January 2011

Three prisons are to shut by July with the loss of 800 places, it was reported today.

The closures, which tally with justice secretary Ken Clarke's plans to reduce the prison population in England and Wales by around 3,000 over four years, will be announced today, according to the Times. They are likely to dismay Conservative rightwingers who have reacted angrily to Clarke's previous pronouncements on prison population. However, prison reformers have long argued that building more prisons is not a long term solution to offending.

The prisons that will reportedly close are Ashwell prison in Rutland, Lancaster Castle in Lancashire and Morton Hall women's jail in Lincolnshire. The inmates will be moved elsewhere while staff will be transferred to nearby prisons or invited to apply for voluntary redundancy.

The latest Ministry of Justice figures show there are currently 82,991 prisoners, around 5,000 less than the usable operational capacity of 87,936.

Clarke's plans would see judges given more discretion over how long killers spend behind bars, more offenders handed fines or community sentences, and some foreign nationals allowed to escape jail as long as they leave the UK forever.

Clarke said it was a "simpler, more sensible" approach but Tory backbenchers voiced concern that criminals would avoid being sent to prison. Shortly after becoming justice secretary he clashed with former Conservative leader Michael Howard when Clarke signalled an end to the "Victorian bang 'em up culture" of the last 12 years, marking an assault on Howard's 'prison works' orthodoxy. Howard responded by insisting that "crime went down as the prison population started to go up".

The Conservatives went into the election pledging to match Labour's plans to build sufficient prisons to house 96,000 inmates by 2014. The Liberal Democrats had a pledge to halt the prison building programme and urge the courts to use community

punishments instead of short prison sentences. The coalition agreement split the difference by agreeing to take a fundamental look at sentencing policy.

Ashwell prison, a former Army camp, is a facility for medium risk males with a capacity of 214. Lancaster Castle is leased from Lancashire County Council while the land itself is owned by the Duchy of Lancaster. It has a capacity of 238. Women's prison Morton Hall, a former RAF base, has a capacity of 392. It will be converted into an immigration removal centre housing illegal immigrants awaiting deportation, according to the Times.

(Canada)

Fewer prisoners taking treatment : Almost half avoiding required programs

By Rob Tripp, Postmedia News January 15, 2011

Thousands of federal offenders are not taking intensive treatment programs, according to recently released figures compiled by Correctional Services Canada.

In 2009, 5,539 inmates took part in programs designed to address their key criminal factors, compared to 8,775 who participated in 2000. The figures also show that 40 per cent of offenders who were identified as requiring programs in 2009-10 did not get them. Correctional Services Canada said it could not immediately provide comment.

In 2000, nearly 90 per cent of offenders who needed programs accessed them.

"I think Canadians should be concerned for two reasons," said federal prisons ombudsman Howard Sapers. "I think that they should first be concerned from a dollars-and-cents standpoint ... incarceration is expensive and it's a public-safety issue.

"Participation and successful completion of core correctional programming decreases recidivism, so it decreases crime."

Research, including some by Correctional Services Canada staff, has shown that treatment can cut recidivism among high-risk offenders by as much as 30 per cent.

In the past, Sapers has praised Correctional Services Canada for developing some of the best treatment programs in the world.

Ex-convict Pat Kincaid, 58, said he took a cognitive skills program while he was behind bars at minimum-security Beaver Creek Institution in Gravenhurst, Ont., about six years ago.

"It was the first program that I took," said Kincaid, who had been committing break-ins since he was a teenager. "I picked up stuff that I should have known since I was a kid." The program taught him that there are always choices in life, he said. It allowed him to break a roughly 40-year cycle of reoffending and re-incarceration.

The figures were released by Public Safety Minister Vic Toews in response to questions by Liberal critic Mark Holland, the MP for Ajax-Pickering, near Toronto.

The 12-page document provided by Toews shows that spending on what Correctional Services Canada calls "nationally recognized correctional programs" increased 35 per cent between 2004 and 2009. Correctional Services Canada spent \$75 million on the programs in 2009, roughly three per cent of its total budget of \$2.2 billion.

Sapers said Correctional Services Canada is failing to deliver programs because of a lack of staff and space inside penitentiaries.

"They've recognized that they have a problem and they are trying to do some things about it," he said. "I would say that these efforts, while they are commendable, are very tentative and really not robust enough to meet the challenge."

The high cost of incarceration

By Ron Evans
January 17, 2011

The federal government announced on Jan. 10 it will be adding 634 new beds to prisons as part of a \$2.1-billion expansion plan to create 2,700 new beds in total, or \$800,000 per bed.

It costs approximately \$100,000 a year to keep someone in a federal prison. Furthermore, while people are in prison, they are not filling job shortages. They are not contributing to the economy through work or taxes. They are not raising their children, which may mean foster care. All of these costs add up. Incarceration is expensive.

The correlation between poverty and crime is well-documented. Consider also the correlation between poverty and incarceration.

Those who cannot afford lawyers are more likely to be incarcerated and must use the already stretched legal aid system.

At the time of the Aboriginal Justice Inquiry, fine defaulters made up about 25 per cent of the prison populations at any given time, 60 per cent being aboriginal.

So is it any surprise the vast majority of those incarcerated in Manitoba are indigenous people when one in four First Nation children in the province live in poverty? This is a statistic in a country with one of the highest standards of living in the world.

The *Winnipeg Free Press* series *No Running Water* highlighted the lack of running water in 50 per cent of the homes in the Island Lake area. The cost of retrofitting 1,000 homes for plumbing is a one-time cost of about \$35,000 per home. That's for an entire household of people.

In this society, lack of education is almost a guarantee of poverty. Manitoba has the highest rate of high school dropouts in the country. In Manitoba, First Nations, Métis and Inuit have the highest dropout rate and the highest rates of incarceration.

It could be said that lack of education often leads to incarceration.

Here in Manitoba, it costs about \$15,000 a year to put a person through high school. Those who graduate from high school are far more likely to find meaningful work and far less likely to earn their living from the avails of crime.

There are some obvious barriers to education for First Nations. Report after report show a poor graduation rate due to underfunded schools. Just last week, I was interviewed about the situation in Oxford House, where the school has been closed for nearly a year due to mould. Our children are having difficulty just getting an elementary school education, let alone high school.

So it doesn't make a lot of economic sense to incarcerate people longer, unless rehabilitation through education is a major part of it, because the longer someone is incarcerated, the less likely they are to transition into the mainstream working world afterwards.

And without education, that same person is likely to live off the avails of crime to escape poverty.

Preventive measures like plumbing for northern homes and schooling costs less than \$25,000 per year per person while incarceration in federal prisons costs \$100,000.

It's obvious that helping people out of poverty is a bargain in comparison with incarceration. But Federal Public Safety Minister Vic Toews says expanding the prison system is worth the price. "Action has a cost and it is a cost that Canadians are willing to pay because the cost to society is so much more and not just in dollars, the cost of fear," he told the media.

Fear is costing us all a lot of money and, indeed, the cost to society is even greater.

(At the time this article was written, Ron Evans was the grand chief of the Assembly of Manitoba Chiefs).

Government tough-on-crime policies worsening prison conditions, guards say

Bill Curry

Globe and Mail, Feb. 15, 2011

Double-bunked inmates are attacking each other in the night, Canada's prison guards say, warning that the Harper government's tough-on-crime laws are creating dangerous conditions in jam-packed corrections centres.

Members of Parliament looking for answers on the impact of recent justice bills got an earful Tuesday when they heard from the Union of Canadian Correctional Officers.

A visibly steamed president Pierre Mallette provided details on how prison guards are scrambling to manage what he says is the heightened risk to their safety – and the safety of convicts – as a result of higher inmate populations.

“It’s a difficult environment,” he said in French. “With all these laws that we’ve changed, all these rules to be ‘tough-on-crime,’ there’s an impact.”

The government has said its plan includes more double bunking, and Mr. Mallette said close to 30 per cent of prison cells now include two inmates. It’s not easy for guards to tell which two can safely share a cell.

“We’ve had some deplorable situations in the past year,” he said. “You have two detainees assaulting each other, and in the morning one gets up and says: ‘Oh, by the way, I stabbed him.’ Our guards do their rounds and discover this. It makes no sense.”

Mr. Mallette gave his testimony as a major battle brews between the opposition and government over the ultimate cost of crime bills. Parliamentary Budget Officer Kevin Page said Tuesday that MPs risk losing control of their constitutional role as spending watchdogs if they continue to approve government plans without understanding the consequences.

The issue will soon come to a head: The three opposition parties want the Speaker to find the government in contempt of Parliament for refusing to provide detailed cost estimates for its range of criminal justice bills. The government says the information is a cabinet confidence.

Conservatives on the government operations committee, which heard from the prison guards, noted that the government already announced it will build more prisons and hire more staff to accommodate the expected increase in the prison population.

Mr. Mallette said the new focus on minimum sentences robs prison managers of the incentive of early exits for good behaviour. That makes it harder, he said, for guards to persuade inmates to participate in rehab programs such as counselling for substance abuse or domestic-violence issues.

An internal Correctional Service Canada report – which was leaked to NDP MP Don Davies – shows the impact of just two government bills approved by Parliament. The inmate population will grow by up to 4,000 in the next two to three years because of a law doing away with the two-for-one credit for time served in a jail awaiting sentencing, and the Tackling Violent Crime Act, which brought in new mandatory minimum sentences for violent offences. That would be nearly a 30-per-cent increase from the current federal inmate population of 13,500.

The commissioner of Correctional Service Canada, Don Head, told the same committee last week that there are plans to hire about 5,000 staff to manage the increased workload.

The commissioner said a small team is working to assess the impact of all the crime bills before Parliament.

“I am concerned about what the tipping point might be for Corrections,” Mr. Head said.

“But I'm confident with the exceptional staff I have across the country that we'll manage in a way that we deliver good, effective corrections.”

Appendix C

Friday, April 29th, 2011

FOR IMMEDIATE RELEASE:

Winnipeg Centre residents votes for getting smart on crime

Residents attending an Winnipeg Centre election forum last night at the Magnus Eliason Rec Centre voted overwhelmingly to have the federal government invest in preventative approaches to dealing with crime, instead of spending more on police and prisons. In an exercise held as part of the meeting, residents were given “tax dollars” to spend on different initiatives – support for social housing received the most support, closely followed by funding for education.

“It is very encouraging to see those most closely impacted by crime call for privative rather than punitive measures” observed John Hutton, Executive Director of the John Howard Society of Manitoba and one of the panelists at the event. “It also shows the importance of having some real discussion on crime – something almost entirely absent in the campaign, despite crime legislation being such a big tickets item.”

The forum featured three presenters from the local community – Mr. Hutton, Joan Hay from Ma Mawi Wi Chi Itata, and Jamil Mahmood from the Spence Neighborhood Association who gave presentations on the root cause of crime, and how it is being addressed in this community. Three of the candidates running in Winnipeg Centre were in attendance as well - Liberal Allan Wise, Darrell Rankin of the Communist Party and the incumbent, New Democrat Pat Martin. Also they were also invited neither the Green Party or the Conservatives took part. All the candidates agreed that while crime is continually mentioned as a major concern to voters, crime is not, in fact, on the rise, just public awareness of it is. The candidates also agreed that seemingly simple solutions such as expensive helicopters and more prison cells do nothing to prevent crime and so they do not make for safer communities.

“The intent of the forum was to hold a dialogue, not just a one-way conversation”, explained Jackie Houge, of the West Central Women’s Resource Centre one of the organizers of the event. While the candidates did have an opportunity to explain their parties crime policies – it was also a chance for them to hear what the community had to say, through the presentations, questions from the floor, and the interactive exercise.

During a break community members had a chance to ‘vote’ for their preferred responses to crime. “Everyone was given stickers representing \$100,000, the average cost of incarcerating one person for a year. We then looked at what else we could get for the same amount – in terms of housing, employment programs for ex-offenders, support for at risk youth, single parents and low income families,” Houge explained. “The results were very clear – those in attendance want government to spend our money on social and community supports – not on more cops and prison cells.”

The full results of the exercise were as follows:

1. Social Housing: 49 votes (Average cost of a two bedroom apartment for one year = \$9,840 so for \$100,000, 20 or more people would have a roof over their heads)
2. Community programming for at risk youth: 38 votes (Average salary of a community based worker = \$30,000 so for \$100,000, would allow three people to be employed actively promoting safe and stable communities)
3. Training/Apprenticeship: 30 votes (Average annual cost to enroll 1 participant = \$30,000 so for \$100,000, at least 3 people can work towards getting themselves and their families out of poverty).
4. Education: 29 votes (Average cost for 1 student to attend school in Winnipeg School Division # 1= \$10,000; for \$100,000, 10 kids can receive an education).
5. Basic Income Support: 24 votes (Living wage for a single parent, one child family is \$35,000 for a year so for \$105,000, 3 families receive the basic necessities for life)
6. Hiring more Police: 5 votes (Average salary for a Winnipeg Police Officer = \$56,105 so for \$112, 000, 2 new police officers could be hired)
7. Incarceration: 2 votes (Average cost to incarcerate 1 person for 1 year = \$100,000)

“This tells me, that while support for ‘tough on crime’ measures tends to be strong in the suburbs and rural areas with relatively low crime rates, those who live and work in areas where there are high concentrations of crime areas want solutions that have been proven to work not just something that sounds sexy in a radio ad,” Hutton noted. “Real people need real solutions.”