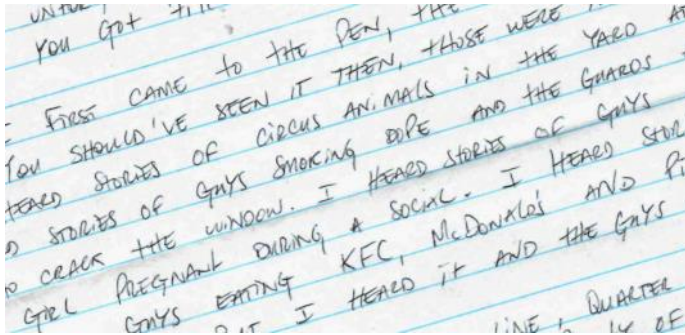


the Sou'Wester

Spring 2020

A VIEW FROM THE INSIDE



In the unforgettable words of Joni Mitchell, “You don’t know what you got ‘till it’s gone”. When I first came to the Pen, the old heads used to say: “You should’ve seen it then, those were the days.”

I heard stories of circus animals in the yard at Archies’. I heard stories of guys smoking dope and the guards asking them to crack the window. I heard stories of guys getting their girls pregnant during a social. I heard stories of food drives, guys eating KFC, McDonalds and Pizza Hut. I never saw it, but I heard it and the guys telling it seemed credible.

I did see real food on the line, quarter chickens, salmon steaks, baked cakes. There was plenty of it too, you could get extras, no sweat. I did see pre-sales for anything from maple products to Easter chocolates to wild meats to protein and work-out supplements, and all coming off your savings account. I even saw Haagen Daaz and Ben and Jerry’s ice cream for sale at the Lifer’s Group.

I used to tell the New Guys “You should’ve seen it then, those were the days.” We just didn’t realize it.

I was walking the yard today with a guy who came in last week. I told him of how we used to get visits. We used to be able to hold and kiss those dear to us and share an overpriced snack or coffee with them. There used to be trailers - guys would spend three whole days in there with their girl or their family. There used to be Temporary Absences. Guys who had been in a long time got to gradually reacquire themselves with the outside world. They would also volunteer and feel useful. There used to be Unescorted Temporary Absences. Guys would go out by themselves, get a taste of freedom and build credibility with their Case Management Team so that they could hope to be released. There used to be AA and NA meetings with volunteers from outside. There used to be masses and Protestant services. There used to be an Imam and a Rabbi. There used to be meditations with a Buddhist named Maya. There was even a gym, a weight pit

Continued on Page 2

Spiritual needs of vulnerable federal inmates unmet during pandemic: chaplains

The Canadian Press, Jim Bronskill June 4, 2020. Printed in the National Post

OTTAWA — Federal prison chaplains say the spiritual needs of inmates have become an unnecessary casualty of the COVID-19 pandemic at a time when offenders are feeling particularly vulnerable and alone.

The Correctional Service of Canada is allowing only emergency in-person visits from chaplains to prevent the spread of the novel coronavirus.

Continued on Page 3



We would love to hear from you!



3974 Notre Dame West, Suite B
Montreal, QC H4C 1R1 Tel.: 514-244-6147

Send your letters to our editor at:
info@communitasmontreal.org

www.communitasmontreal.org

The Sou'Wester name is a reference to Montreal's Southwest, where Communitas began its work in 1999 and is still based today.

 @communitas_MTL
 /communitasmontreal

A VIEW FROM THE INSIDE

(Continued from page 1)

and a pool table. There was a library, with books. There used to be jobs, programs and Parole Officers and Psychologists – there used to be school. That was a month ago.

You should've seen it then, those were the good old days. The reality is that, much like the rest of everyone's lives - lives as we knew it are gone. Correctional Services Canada, like every other part of every other government has been expeditive in applying unilateral measures to vastly different situations in the face of Covid-19.

It would be hard to say they were wrong, here in Ste-Anne-des-Plains, on a complex totalling four different institutions. There have been no positive tests yet. Quarantine Units have been set up, but no one has been sent there yet.

This situation has created two classes of inmates – those serving a sentence with an end of mandate and those serving indefinite sentences: Lifers.

For those who know they have a release date, the only issue is the mind-numbing idleness hidden away beneath the flimsy blue mask all inmates are now mandated to wear at all times.

For Lifers, the uncertainty of the unknown looms. Because of Covid-19 CSC has mandated an end to all Temporary Absences and applications for Temporary Absences.

Lifers need T.A.s. That is what they are supposed to do in a Minimum Security Penitentiary. T.A.s are a reintegration tool, but they have also been traditionally the only currency with which a lifer could build his credibility with his Case Management Team. And it was that credibility on which the CMT relied to recommend a lifer for parole in front of the Parole Board of Canada.

In the absence of T.A.s and all other rehabilitative programs because of Covid-19, lifers are standing still, treading water as they watch the days waste away. There will be no T.A.s for as long as social distancing rules are in effect. To send inmates out before that would be unsafe during the pandemic. To ask guards to accompany inmates in their homes for a whole day with untested family members present would be unfair to them.

We know CSC is a monolith. It moves slow. The criteria which have existed for decades to justify recommendations to the PBC

will not change swiftly. It will be an arduous process to get Case Management Teams to support lifers who have not gone through the traditional steps towards release.

But these aren't traditional times. The world has changed. No one knows if things will get back to the way they were, never-mind when.

And so, the only body with authority must show leadership. It is essential for people who are confined to feel hope amidst times of desperation and only the Parole Board of Canada can provide that hope for lifers.

The Canadian government keeps running ads on television acknowledging that stress, anxiety and sadness are side-effects of confinement. They insist that every Canadian use the tools available to them to protect their mental well-being. In penitentiaries these tools have been reduced to nearly nothing. If hope is what those confined since mid-March need, how much more those who have been confined for over a decade.

The only hope lifers have at this moment is that the PBC will recognize the situation as it now

is, that it will recognize that due to newly outdated procedures, Case Management Teams no longer have the tools to recommend lifers for parole because CSC fails to provide the traditional avenues lifers used to take to obtain that support.

Halfway Houses and Community Resources must create new services and measures that can be as effective in protecting society and reintegrating inmates as temporary absences were for all these years. They must pick up the slack where CSC is no longer able to perform its duties.

As for the PBC, it must recognize the hermetic direction in which penitentiaries are headed, adapt and release lifers to halfway houses able to provide the proper structure and support, impose stricter restrictions and thus continue to give lifers a chance to become positive elements in their communities,

A new way is required now. Because the world as it was, - as much as you should've seen it then, as much as those were the good old days, - is gone. In all likelihood never to return.

M. O. *Ste-Anne-des-plaines*

SPIRITUAL NEEDS OF VULNERABLE FEDERAL INMATES UNMET DURING PANDEMIC: CHAPLAINS

(Continued from page 1)

The correctional service says it is ensuring inmates have access to spiritual guidance from chaplains via telephone or other technology as a temporary alternative.

The chaplains, however, say few inmates even know about such options, let alone have a chance to use them. In some cases, technological hurdles are preventing prisoners from connecting with chaplains.

It means many inmates no longer have regular contact with a person they trust, said one chaplain who works with offenders at a federal prison in Ontario.

It's just not a good situation and the tensions are rising, and there's a lot of fear and isolation," she said in an interview.

"They need something to reach out to, and have something there."

The Canadian Press granted the chaplain anonymity due to concerns about repercussions from her employer.

Some 180 chaplains representing various faiths work at the correctional service's 43 institutions across Canada, said Troy Lundblad, a staff representative with the United Steelworkers, the union representing chaplains as they negotiate their first collective agreement.

About one-third of the chaplains usually work on-site at institutions full-time, while others have hours that vary from month to month, he said.

The decision to curtail in-person spiritual services during the pandemic has forced chaplains to turn to government-assistance programs, Lundblad said.

The right of offenders to practise their religion is guaranteed by the Charter of Rights and Freedoms.

Chaplains ensure inmates of all traditions can observe their faith, examine their behaviours and decisions and discover new ways of living, the correctional service says on its website.

"This can help offenders find greater wholeness and accept responsibility for their actions, which in turn contributes to their safe reintegration into our communities."

When they do make emergency visits to prisons, chaplains often open their email inboxes to find numerous requests for assistance from inmates, Lundblad said.

"They're not allowed to access their CSC (correctional service) email outside of the institutions themselves for security reasons. So they really don't know what's going on inside."

The correctional service has put a process in place to ensure inmates have virtual access to spiritual services from chaplains, said service spokeswoman Esther Mailhot.

"Additionally, in cases where there is urgent need for a personal visit from a chaplain — where safe and practicable — institutional managers are able to make the required arrangements," she said.

The Ontario chaplain told The Canadian Press she recently heard from some inmates through letters they sent to the church with which she is affiliated.

"And basically they were unaware at all that there was any way they could rely on us," she said. "That bothers me a lot."

In an April 22 letter to the correctional service, the bargaining team for the chaplains said "creative solutions for delivering spiritual care in this time of necessary social distancing are possible, doable and necessary."

It proposed measures such as making the closed-circuit TV channel at institutions available for chaplains to teach and offer reassuring messages, as well as allowing inmates to contact chaplains directly through prison video-conferencing stations.

At the very least, a chaplain and an Indigenous elder should have "a visible presence in every institution across the country," the letter said.

"Most importantly, this information should be shared with the institutions, and designed in an efficient way, which doesn't increase their workload unmanageably. All necessary precautions can and should be taken to ensure the safety of the inmates and other staff."

The Ontario chaplain acknowledged there are concerns about transmitting COVID-19 in institutions.

"We want everybody to be safe," she said. "We're asking for the possibility to sit down and problem-solve this and brainstorm it, and work out a way where we can all be happy with what's happening."

The correctional service is "constantly evaluating its responses to the risks of the pandemic and, as soon as it is safe to do so, we will once again facilitate greater access to institutions," Mailhot said.

This report by The Canadian Press was first published June 4, 2020.



COVID AND THE LAW



There cannot be a reader in Quebec, perhaps not in the world, who yearns to hear the word 'unprecedented' one more time, so we shall instead agree that the times are unusual, if not downright peculiar. This label is aptly applied to the murky web of imperious decrees which materialized in an instant to micromanage our lives as never before, leaving civil libertarians gravely concerned for what is, and what may be. Surveying the wreckage of our economy, social and cultural life, and hard-won liberties, they fretfully appeal to the newly-fortified state to exercise restraint, and urge all citizens to exercise vigilance. They do so with reason, embodied neatly by the Aylmer and Sarnia police departments who, in charging overseas travellers for failing to self-isolate upon their return, were eventually discovered to be citing an offence that Ontario's Emergency Measures and Civil Protection Act does not even contain. Now, errors of law are not uncommon— this is why we have courts of appeal— but Canadians are not accustomed in normal times to being charged under laws which don't exist.

But these of course are not normal times, not here, and not anywhere. We think it telling that Amnesty International, which typically reacts to existing abuses, has issued a prophylactic document signed by more than 300 organizations and individuals calling on the world's governments to employ effective safeguards to prevent the abuse of their citizens' human rights during The Age of COVID.

Many victims of the heightened COVID controls are impossible to miss— the right to associate, right to travel, right to work. A less conspicuous but possibly farther-reaching casualty is the right to privacy from state surveillance. It now seems inevitable that invasive

tracking methods will be adopted throughout Canada. Our politicians and public health officials are conscious of the example afforded by places like Taiwan, where social and economic activity was not shut down, contact tracing was exploited, and the country passed through its epidemic with only a few hundred positive cases. On the strength of such successes, the clamour for contact tracing has circled the globe. The mobile phone industry is thought to be engaged in the development of a world-wide data-sharing system to track individuals wherever they go, but for the moment, the tracing initiatives are happening at the national level. In Noida, India, for example, if a spot check by police uncovers someone who has failed to download the tracing 'app', that individual will be liable to a fine or a jail sentence.

In Canada, we must expect that the authorities will soon be ready to conscript our smartphones to trace our movements, communicate with other peoples' devices, and warn us if we were exposed to someone infected with COVID-19. Prime Minister Trudeau's announcement that he is favourable to the adoption by our public health authorities and all Canadians of a single tracing system has turbo-charged the competition between high-tech companies to develop the winning product. Privacy advocates, always suspicious of state surveillance, and also mindful of previous data-sharing scandals involving Facebook, Google, Apple, Desjardins, and Equifax, are less enthusiastic than the industry players. On May 29, 2020, Privacy Commissioner Daniel Therrien told a Parliamentary Committee that current laws cannot protect Canadians' rights if the government approves a COVID contact tracing 'app,' which is why, on May 7, 2020, the official privacy commission-

ers of the federal government and of all the provinces and territories issued a joint declaration setting out their minimum demands for limits and controls of COVID contact tracing. As for the Quebec Civil Liberties Union, it contends tracing has shown itself to be frankly ineffective, and should simply be eschewed.

Rule by Decree

The arrival of the novel virus brought forth novel rules whose legislative wellspring is novel as well. Our readers have watched representatives from all levels of government issue an endless barrage of wide-ranging and sometimes alarming instructions, as if they have the right to rule by decree. Do they? What allows police to ticket us for going to a park?

In fact, these ad hoc pronouncements, if endorsed by the applicable Cabinet Ministers, and registered in the Official Gazette, are as binding on the citizenry as statutes debated and voted by legislative assemblies and declared in force by the Queen's representative. They draw their authority from properly enacted emergency laws intended to equip the federal, provincial, territorial, and municipal governments to respond quickly and forcefully to crisis situations related to their respective jurisdictions. These emergency laws specify the matters a government is able to regulate through the issuance of orders and decrees, and the length of time these rules will have effect. Thus, governments are able to bypass the lengthy parliamentary process through the use of expedient decrees, but only because, on an earlier occasion, the legislative assembly voted to entrust government with that function. The emergency powers are brought

into play when the government in question declares a state of emergency exists, after which the relevant cabinet ministers are able to issue orders. Measures adopted federally remain subject to the Charter of Rights and Freedoms and the Canadian Bill of Rights; at the provincial and municipal level, the provincial human rights charters also apply.

Federal Emergency Powers

The Emergencies Act, which replaced the War Measures Act in 1988, has yet to be used. It defines a national emergency as “an urgent and critical situation of a temporary nature that (a) seriously endangers the lives, health or safety of Canadians and is of such proportions or nature as to exceed the capacity or authority of a province to deal with it, or (b) seriously threatens the ability of the Government of Canada to preserve the sovereignty, security and territorial integrity of Canada and that cannot be effectively dealt with under any other law of Canada.” The Act contemplates four scenarios: Public Welfare Emergency (natural disaster, disease, pollution), Public Order Emergency (threat to national security), International Emergency (intimidation or force against Canada), and War (involving Canada or its allies). In each case, the Act sets out the matters which may be treated and the available powers, with terms and conditions applicable to their use.

In March of this year, and again in April, the Prime Minister consulted the provinces, as the Emergency Act requires, to determine if they favoured a declaration of a Public Welfare Emergency, authorizing the federal Cabinet to employ the Emergency Act’s extraordinary powers, many of which are normally provincial responsibilities. Their reply: thanks but no thanks. The Trudeau Liberals have therefore mobilized their response through existing federal legislation such as the Quarantine Act, the Aeronautics Act, the Employment Insurance Act, and many other statutes; and through the adoption of four new quite specific emergency laws: An Act to amend the Financial Administration Act, COVID-19 Emergency Response Act, COVID-19 Emergency Response Act, No.2, and Canada Emergency Student Benefit Act. These, then, are the statutes which underwrite the multifarious binding pronouncements emanating from the Prime Minister’s cottage during this period of enforced isolation.

Of course, where extreme circumstances provoke drastic responses abuses may occur, but is it realistic to hope the courts can be persuaded to rein in governmental efforts to combat a catastrophic crisis? Obviously, the Canadian Civil Liberties Association (CCLA) thinks so, for on May 12 it filed a constitutional challenge to the government’s handling of the pandemic in federal correctional institutions, asserting violations of certain obligations in the CCRA and the Charter of Rights and Freedoms.

Ruling Quebec by Decree

Quebec, like the other provinces and territories, has its own emergency legislation providing for rule by decree. On March 13, 2020, acting under the Quebec Public Health Act, the Government of Quebec issued a Public Health Emergency Declaration, which by the end of May it had renewed five times. Endowed with sweeping powers, the Minister of Health and Social Services has proceeded to make orders we may neither rebut nor ignore for the regulation of our schools, our hospitals, our recreation areas, our cultural institutions, our stores, our nursing homes, our social interactions, and our movements. Never has government so thoroughly insinuated itself into our lives. Observers predicted resistance, but in the thrall of a deadly, invisible enemy, Quebecers until now have for the most part chosen cooperation.

As the Quebec courts have had no experience with government conduct of this nature and scope, it is difficult to foresee to what degree these orders are vulnerable to court challenge. It seems reasonable to assume that urgent public interest considerations will bestow partial immunity on the government’s impositions where they do not violate the Charter of Rights and Freedoms or the Quebec Charter of Human Rights, and are not arbitrary and irrational, or made in bad faith. In fact, in Ontario, where some history of litigation in the wake of SARS does exist, the complaint brought to court was that government restrictions were lifted too fast!

Public health notwithstanding, one attempt has been made to overturn the decree-mandated lockdown as overly broad. Jean-Félix Racicot, a lawyer, argued that it infringed his freedom of assembly, freedom of religion and conscience, freedom to educate his children, freedom of movement, and,

through the suspension of the National Assembly’s physical sittings, his democratic rights. The Superior Court rejected his application for habeas corpus, ruling that the proper vehicle for such an attack would have been judicial review. The Quebec Court of Appeal upheld that decision, pointing out that the remedy of habeas corpus is reserved for unlawful deprivations of an individual’s liberty, whereas the impugned regulations were “of general application and impersonal,” and “have a scope infinitely more vast than that of a decision to restrain (...) the rights of an individual.” The procedural dispute aside, the reasoning is interesting for us in that it contrasts the collective good the COVID decrees promote against the hardship they allegedly have caused an individual complainant.

The CCLA also has announced its desire to challenge all municipal tickets received in the pursuit of municipal recreational activities during the time of COVID-19. Presumably, this initiative will include tickets given in Quebec, which are accompanied by hefty fines. For the present, the case remains at the stage of tracking down potential litigants.

A New Legal Order?

The COVID disaster has forced a near-universal retreat from liberty, much of it easy to understand, if not accept. For many, a concern remains that liberties lost will not be found once the virus is vanquished or substantially subdued. New Yorkers are still waiting for the withdrawal of emergency measures adopted after September 11, 2001. And in Montreal, on May 2, a police officer checked a man’s ID after the City suggested people stay in their own neighbourhoods to avoid impinging on the parking elsewhere. Is this a hint of future restrictions? Are tracing ‘apps’ here to stay? Will proof-of-immunity cards become the new normal for those wishing to travel?

Steve

Communitas successfully held its End of Year meetings as planned.

On April 21st we had our Annual Consultation at which our members and participants gathered to learn more about the growth of our activities and the different elements behind it. It was also an opportunity to share valuable feedback with their reflections on the closing year as well as their views on the one to come.

Almost a month later, on May 27th, again our membership gathered for our Annual General Meeting (AGM) which had as its main focus the presentation of the 2019-2020 Annual Report (including the approval of last year's Financial Report), and of the 2020-2021 operation guidelines and budget. The Board of Directors was also voted on, with all of the previous Directors standing for election again and being returned to office by the membership. Thank you, Bill, Jeri, Michele, Pauline, Peter, Roch, and Steve!

Communitas is alive and well in a COVID world.

When the winds of COVID began blowing through Montreal, Communitas was challenged to step into the world of the "new normal". There have been many pluses and minuses along the way, but we have continued to be present for many who count on our support.

The first activity that was affected was Open Door, the very centre point of Communitas activity. The March 17 meeting was cancelled for the first time in its 19-year history. However, both Jeri and Peter gathered at the doors to greet anyone who may not have received the cancellation notice. Jeri now proudly proclaims that Open Door was not cancelled that evening. She says it was an Open Door with just two people and ready for any more who may have shown up.

Unlike many other sister organizations who had to shut down completely, Communitas embraced online technology and Open Door went "virtual" using the Zoom platform, beginning a week later. Now, an average of 30 people log in each Tuesday evening to talk about the week, listen to presentations and just stay in contact with one another. Participants log in not only from Montreal but now across Canada using their computers, tablets, and smartphones. The real loss here of course is that those "inside" who used to come to Open Door under escort cannot take part as they become victims of isolation within their various institutions. Another absence is the shared food and socializa-

tion that takes place at the end of each in-person meeting.

Very... normal for Communitas, eh? Well no. We never imagined having to organize and execute these meetings in the middle of a crisis.... each of us knows very well where we are at. The systems behind our societies' health – physical, social, mental and emotional, financial, the list can go on – cannot continue as they are, as they have been for so long. There are many things moving, hopefully, towards a deep and compassionate change. And it has been very difficult for all of us at so many different levels.

Having said this, do you know what are my highlights of our End-of-Year? I really can't complain:

32 attendees! Each time! All of whom have been so open and collaborative that, without hesitation, they just dived into the world of Zoom, the cloud, and other mysteries. A few even joining our online meetings via telephone!

Open Door is always full of excitement and not without its flaws. On our second Open Door Online session, we got Zoom-bombed as some outside troublemakers started bombarding our collective screens with obscenities and our speakers with screams and screeches. After a quick reset and a new invitation sent out by email.... Open Door continued. Changes were made to the way invitations were being sent out and we have been problem-free since that event.

The second immediate victim of the COVID virus was Table Talk held on Fridays where a number of members gather every week for a shared meal and lots of catching up and chatter. The problem is not only the lock-down but the cramped quarters at the Office in which to hold such an activity in COVID times. Gord says he misses seeing everyone's smiling faces as well as preparing meals each week for everyone. For Table Talk to resume in the new normal, many challenges have to be faced to ensure social distancing and proper hygiene. One thing is for sure: expect a real celebration when Table Talk resumes.

Monika had just returned to Montreal from outside the country when the self-isolation restrictions were put in place, so she found herself in a two-week period of lockdown at home. However, the office telephone line was forwarded, and she managed activities from a distance as always with her cheery outlook.

Circles continued but on a reduced basis using both Zoom technology and regular phone calls. Members have been keeping in touch with one another through phone calls and texting.

The business of keeping Communitas alive carried on as the Board used Zoom for frequent meetings as did the editorial board and others. The Annual Consultation was held online as was the Annual General Meeting, allowing us to meet the requirements of our by-laws.

The Board wrote to CSC Commissioner Anne Kelley to express our concern for inmates and those in transition during the pandemic, and we did receive a response. Both letters were posted to our website.

Our real thoughts during this pandemic, of course, are with those "inside". Old technology has not been abandoned with letters written to them. Contact with those inside perhaps the area of our activities the most seriously affected by COVID, but we have to be patient while Correctional Services work out their "new normal" and Communitas can develop ways of restarting this particularly important aspect of our work.

Yes, Communitas will be ready for the "new normal" and be present to those we serve.

Gracias so much to all of you!

Monika, Coordinator



Bill

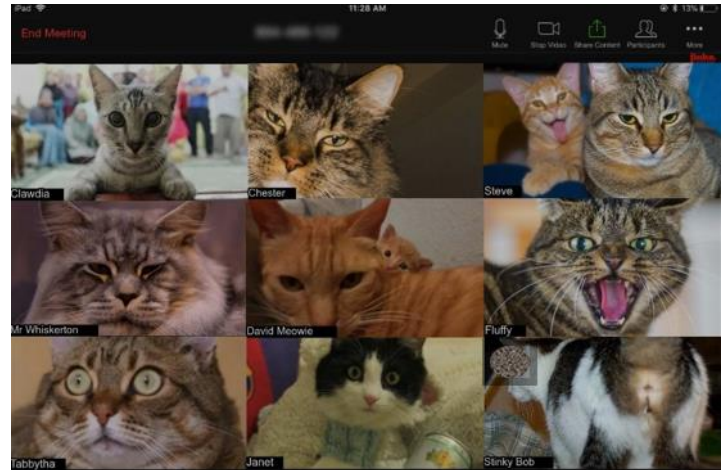
Hello to our dear members of Open Door!

We want you to know that everyone from Communitas is thinking of you every day. We realize the social distancing we are forced to practice throughout Montreal is insignificant compared to the isolation that you are feeling in the prison, and we look forward to freer, happier times for all of us.

The last Open Door at the Cathedral was on March 10. At that point, 79 people in Montreal were infected by Covid19 and we knew that we needed to care for each other by shutting down. On March 17, Peter and Jeri went to the Cathedral just to see if anyone showed up but nobody did. Shutdown of all social gatherings was in full force and Open Door, 19 years young, was ready to adapt to its new environment.

The following Tuesday, on March 24, we started a new Open Door: a Virtual Open Door that everyone could attend from home using a video-conferencing computer software called Zoom. Four weeks into this new medium, Open Door draws about the same number of people as when we all were all together at the Cathedral. People without computers or smart phones can connect using their telephones. We can't see them but they are full participants in the discussion. One low-tech guy told us it took him a day and a half to figure out the software, but he made it to the meeting and we applauded his success!

An example of virtual Open Door, if attended by cats



Communitas sent a letter to the Minister of Public Safety and CSC's Commissioner calling for a drastic reduction of the prison and halfway house populations, and enhanced measures for the safety of those who cannot be released, and we continue to be in contact with CSC to see how we can help you. One Open Door inmate who received an early release joined Open Door this week and told us what is happening in the pens. We know that there is a lot of cleaning of surfaces going on and that you're doing what you can to stay safe and stay connected, although you miss your regular visitors such as chaplains, families, and volunteers. Please know that we are all praying for you and are really looking forward to our next real Open Door with you, downtown on Tuesday night.

(signed by hand: "Everybody from Open Door")

Community Building Workshop (CBW) ??? Where are you?

We talked about it for so long. There were people asking for it for so long and, finally, we fixed a date, never dreaming that the whole world around us was about to change, as the pandemic was about to hit.

There were hints being announced on the news, but to me it still seemed far away—a problem in some other places! I even received a couple of phone calls, questioning the wisdom of going ahead with the CBW, but I resisted. On the Thursday evening, the three facilitators held their final preparation meeting. There was no question of cancelling and so, on that Friday the 13th of March, I set about my last day of preparations. With the cook, menu in hand, we bought the requirements for the weekend at a local store and then delivered them to the CBW locale and filled the refrigerator there. All was ready!

Returning home, late in the day, and mentally ready for the weekend to come, turning on the news, I began to hear blow after blow; all schools, churches, public places, etc, etc. closed!! Impossible, but true! The task then became sending out cancellation messages, and, on Saturday morning, March 14th, greeted by the circle of empty chairs, carefully prepared for us, we reclaimed the fridge-full of provisions to await the next opportunity to hold that promised CBW. When?

Margaret





Canada's prison watchdog calls out prison officials over handling of COVID-19

Lindsay Richardson

Apr 24, 2020

The Office of the Correctional Investigator is the latest to join a chorus of voices criticizing Correctional Services Canada's handling of COVID-19 outbreaks in its federal prisons.

According to Ivan Zinger, the outbreaks, coupled with a perceived lack of action by prison officials, were the subject of over 100 complaints lodged with his office over the last month.

"Complaints and allegations range from staff not wearing proper protective gear or not practicing safe physical distancing, to loss of yard time, lack of access to programs, chaplaincy, and overall restrictive routines and conditions of confinement," he writes.

According to Correctional Services Canada (CSC), there are 193 cases of COVID-19 confirmed among the federal inmate population.

One COVID-related death was reported at the Mission Institute in British Columbia over the weekend.

But in his status report, released Friday, Zinger says "data maintained but not publicly released by [CSC]" indicates close to 400 inmates are currently flagged as being under some form of medical isolation.

"It is not clear that CSC was resourced or fully prepared to deal with this pandemic when it eventually and predictability was introduced from the outside," Zinger wrote in his nine-page briefing.

"Though CSC prepares for seasonal influenza each year, with all respect COVID-19 does not behave like a normal virus," he added.

Zinger recommends CSC's infection prevention and control protocols and procedures in federal penitentiaries be "independently verified, audited, inspected, and tested" by outside experts.

"Local and/or national public authorities need to visit, inspect, and confirm that federal institutions have the capacity, resources, staffing, and equipment to deal with an outbreak, when or if it occurs," he explained.

Despite measures in place, the Zinger reports "contradictions and inconsistencies" in their application.

For example, protective masks were initially issued only to staff, not inmates. Practicing social distancing is also a challenge, he said.

Zinger recommends that all corrections staff and inmates working at a prison with an ongoing outbreak be immediately tested and provided additional face masks and protective equipment.

"National direction for staff indicates that soap and hand sanitizer were to be made available to everyone, though the Office has subsequently confirmed that inmate access to the latter has been denied on the basis of its high alcohol content, even though bittering agents can be added to the mixture," Zinger said.

"As good prison health is also good public health, we cannot afford to leave anybody behind in the fight against this pandemic," he added.

Also in Zinger's recommendations to corrections officials: better communication of data with journalists and other stakeholders.

He says there has been a "general lack of proactive and regular information-sharing from CSC."

"A centralized – and often sanitized – approach to crisis communications does not serve the public interest well, Zinger writes, adding that Wardens or Deputies should be authorized to provide consistent media updates as the pandemic plays out.

Working with families of the incarcerated during COVID

Canadian Families and Corrections Network (CFCN) works on the front-line with families of those incarcerated.

At the start of the Covid-19 pandemic in mid-March 2020, there was considerable confusion and relentless fear for families. Visiting federal institutions was banned; prison contractors and volunteers were removed; and staffing was reduced as Correctional Service of Canada (CSC) worked to build protocols for hygiene, personal contact, and front entrance virus screening. The families struggled to keep up with the prison changes on top of all the new

rules in their communities. CFCN took on the role of determining relevant, authenticated, factual information to broadcast to the families through our toll-free support line, emails, and on social media under our 'Latest Covid-19 Federal Prison Facts' banner.

The questions asked of CFCN resulted in very long, emotional days. We worked to stay up-to-date about prison hygiene supplies, lockdowns, mental health, the need to increase video visiting, and potential releases due to the fear of a possible unstoppable virus wave sweeping through Canada's prisons. CSC's tracking of Covid-19 cases allowed CFCN to console worried family members looking at the data, hop-

ing the virus had not spread to the institution holding their person.

As the days pass, CFCN continues to assist families by promoting our children's free Letter-Writing kits, Parent-Child Activity sheets, and Art Contest; posting information about self-care and factual prison information; and researching crosswords, sudoku, and word searches to give to CSC for the men and women in prison. Families need support more than ever and we are grateful to begin to turn our thoughts to prisons re-opening and the new normal. Don't worry, CFCN will be there to help!

<https://www.cfcn-rcafd.org/>

To all inside during COVID

Hi there, you have been in our thoughts every day since this isolation started. We wrote a letter to our members on the inside and asked CSC to post it on a bulletin board for you to see, but since you have been confined to your limited spaces for 23 hours a day, we fear that no one has been able to see it. Every day you are in our prayers and we dream of a healed community in which we can all be together again. The loss of the contact we were accustomed to enjoying with you and your peers has left us also feeling cut off and isolated.

While some of our activities have been suspended, others have become virtual: on Tuesday everyone sits in front of their computer screen at home and we hold virtual Open Door; some circles of support (CoSA) are meeting over the phone; and the Board of Directors continues to meet via computer to help create a community with you on the outside with us. No one knows what the new reality will look like. Since Montreal is hit so much harder than other Canadian cities, much depends on discipline and patience.

You probably want the Communitas news. There isn't much, really. Since the beginning of COVID, we've been able to celebrate the release of two members of our little community. They're confined but can attend virtual Open Door every Tuesday. Two weeks ago, Michael pre-

sented "What is life? What is a virus?" We learned that viruses aren't alive because living things have cells and viruses don't have cells. Communitas' fiscal year end was March 31 and we hope that all our members on the outside will attend the (virtual) Annual General Meeting. Just as you're pretty tired of pacing your cells, we're pretty tired of the world being virtual. You'll see the proceedings of the AGM in the next newsletter. Marie Beemans, our most venerated volunteer who has been doing prison justice work since she was 17, just celebrated her 87th birthday! She phoned in to Open Door this week and was as full of energy as ever. Some say that Marie has spent as much time in prisons as some of the guys.

Stay well! It would be nice if we had more to offer than this letter, knowing that the good behaviour that earned you codes and privileges is now in complete lockdown. We think back to the conversations that we had at chapel and at Open Door, the simple routine of going around the room doing introductions or sharing a humble snack, and now realize how precious and important these small shared experiences are. You are in our hearts and we are soooo looking forward to seeing you again.

Once again, please take care.

From everyone at Communitas

Viruses: What are they?

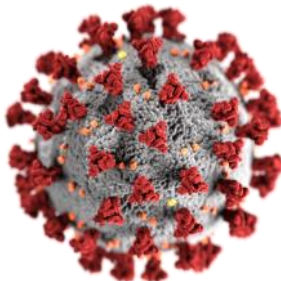
By Michael, from the very first online presentation at our virtual Open Door on Zoom.

When most people hear the word virus they know that it's something that can cause disease. Polio, HIV, Chicken pox, rabies, the common cold, and the flu, are all well known diseases caused by viruses, a club to which Covid-19 now belongs. While this list is formidable, viruses aren't the cause of all infectious diseases. Diseases like cholera, tetanus, and tuberculosis, for example, are instead caused by bacteria. It's an important distinction to make, because understanding a disease's cause can affect its treatment, and it's also an interesting distinction to make for an unusual reason: while biologists readily agree that bacteria are alive, biologists generally agree that viruses aren't.

Instead, many biologists would probably say that viruses occupy a shadowy region that exists between the worlds of living things and non-living things. They're not as alive as people, bacteria, plants, or fungi, but they're more alive than a rock or a book, for example. How can this be? To start, let's think a bit about what living things have in common. Living things are made of cells that contain genes. A

simple living thing like the bacterium *E. coli* is just one cell, while a more complex living thing like you has many cells that work together to make you tick.

Genes are instructions for how a cell is supposed to work, how to make proteins for the cell, and how to make more cells. Importantly, most of the work done by cells (e.g. nerve cells send messages to other nerve cells, and muscle cells scrunch up to help us move) is done by their proteins in cooperation with other parts of the cell: the genes give the instructions on how to make proteins, and the proteins work within the cell to carry out its tasks.



Here's where we can make a distinction between living things and viruses: like living things viruses contain genes and proteins, but unlike living things viruses aren't made of cells. Without the components of a cell the virus has nothing to read the instructions in its

genes and make new proteins. Without the components of a cell the virus is missing elements that would allow its proteins to carry out work. As a result, a virus on its own is just a bunch of genes and proteins – if it could find a cell it could make new proteins, do work, and make new viruses, but on its own it's inert. This is where viral infections come in. Viruses don't have cells, but they're specialized in taking over the cells of living organisms and getting those cells to put aside their normal work in favour of making new viruses. In essence, during an infection the virus's genes become the instructions that a cell follows, to the detriment of the cell. The cell could be killed during the infection, overtaxed by the burden of making new viruses, or destroyed by the immune system to protect other cells from infection. In any case, the cell isn't going to be doing its job very well while a viral infection is on going.

This then is the cause of the Covid-19 pandemic – a tiny collection of genes and proteins that have the ability to enter human cells and get those cells to make new viruses instead of whatever they should be doing. Turns out you don't need to be alive to change the course of history.

Michael



An interview with Steve

SW: Steve, tell us what kind of a little boy you were. What did you and your friends like doing?

If you picture a fat little five-year old with glasses you won't be surprised I spent more time reading than pole-vaulting. I joined the Fraser-Hickson Library the year of its creation – I still have the card– and burned my way through the horse and dog literature. Sadly, at home there were no dogs or horses, but the family turtle was always up for a romp in the park. School was enjoyable, my grades were good, except for my handwriting, which was lousy. And that makes no sense cuz I liked to draw.

SW: How about your teenage years? Were you a beatnick or a wild child of the sixties or anything like that?

Sorry to disappoint—I DO remember where I was during the 60s. Never touched a cigarette, Orange Crush tasted better than booze. Tried a beer in CEGEP. Tasted like crap, as I'd suspected it would. As you all know it did your first time, if you wanna be honest. Moved downtown when I was 18, as my father and I hadn't spoken for years. The gameplan was to hide out in university as student then professor until retirement age. Got my B.A. from the fairly red history department at Sir George Williams University, then went on to Columbia University in Manhattan on full scholarship money to study history. I got involved with radical student politics, Caesar Chavez's United Farm Workers, and the movement building N.Y.'s last big demonstration against the Vietnam

War. And sometimes I went to class. Then we all learned the universities were going to have more graduates looking for teaching jobs than potential students, and there was no point in sticking around unless we had wealthy families to support us. My father was working on a loading dock, and wasn't speaking to me anyway. So I quit, and did what all desperate, directionless ex-students do: I enrolled in law school.

SW: How did you decide you wanted to be a lawyer? And what attracted you to carceral law?

The attraction of law at my stage of the game was that you didn't need to know what you wanted to do, just get the degree and it would take care of you. Law grads litigate, draw up deeds and contracts, go into the business world. Political life is crawling with them. And then the unexpected– McGill presented its first-ever workshop in prison law. For a graduate of Sir George's pinko history department, this was manna from heaven, a path to a practice on behalf of the little guy.

SW: Did you start your practice in Montreal? What was the carceral landscape like in those days?

In 1980 I came out of McGill with the common law and civil law degrees. Bar school was next, and it turned out in those days they didn't take attendance, but as long as you registered you qualified for student loans and bursaries. So I registered as a full-time bar student, skipped the classes, lived like a church mouse off the loans and bursaries, and worked as a volunteer seven days a week at the Civil Liberties Union and the Prisoners' Rights Committee—the Office des Droits des Détenu(e)s (ODD). Every once in a while I'd drop into school and write an exam. After four years I'd passed them all and I became the stagiaire– articling student– of Renée Millette at the ODD. Nicole Daignault and Lucie Lemonde were the only other lawyers in the province doing prison law full time. Back then the authorities and the courts didn't expect prisoners to be represented, and we were like a novelty act. And that pretty well takes us up to today, because I practiced prison law until my retirement. And Marie Beemans, Jean-Claude Bernheim and I are still the three board members of the ODD, although the organization has been fairly moribund since we lost our office and telephone.

SW: You've recently retired. How many years were you a lawyer?

Too many. Literally. My heart attack in 2015 did a fair bit of damage, and the doctor ordered me to avoid stress. And since the early 1970s my arthritis had been up and down, but by now it was all going in one direction. I wanted to wrap it up, but couldn't retire until I'd gotten to the end of a slow-burning case with the Canadian Human Rights Tribunal. I finally made it out in April, 2018. You do the math.

SW: You've certainly met a lot of characters over the span of your career, on both sides of the law. One name that comes to mind is Marie Beemans. Can you talk about your journey with her?

When I met the one and only Marie in 1982 she was enrolled in a sociology course which she attended IF she couldn't find some emergency at the ODD to keep her busy. I remember the tremendous team spirit at the ODD in those days. We were always operating on a crisis footing, especially the two years following the riot at Archambault Max on July 25, 1982. It was the good guys against the bad guys, and we were 100% convinced we were the good guys– and that's a great motivator. We started calling her Marie l'Inévitable, because if anything was happening in the prisoners' right movement, you'd find her there. You could call on Marie if you needed a partner for some screwball risky stunt, or you needed to locate a social resource, or you had a client who needed a place to stay, or you just wanted some really good cake. She liked good literature, history, dogs, birds, and trouble.

SW: Tell us about some others. You can use initials or pseudonyms, like BM for Bugsy Malone.

C'mon, you can't tell stories with pseudonyms, cuz if the tale is truly interesting, it'll be recognized, and if it's not, then why are we talking? But I will tell you I had a bizarre client who wanted to punish CSC for refusing to agree he was Black. Which he wasn't. His Caucasian arm was as pale as mine, and I'd position one beside the other and say, do they look different to you? And he'd say with complete sincerity, ben oui, you can't see it? Yours is white and mine is black. Go figure. One of my most unforgettable characters is Honest Ed Kotapski, my friend and client since 1985.

Years ago the Journal de Montréal carried his photo with the caption, The Zealot of Parthenais. Ed used to preach the Bible as only he understood it, and whenever he did time he'd end up with a loyal band of disciples. So in remand at Parthenais the guards would put him in a sector where the kids were bouncing off the walls, and Ed would get hold of them and preach. And once he had the sector blissed out and everything was quiet, the guards would transfer him to another sector where he was needed. It's all in the article.

SW: What were some of the highlights and low points of your career?

The highlights have to be the leadership positions I was fortunate to have my entire career. Such as representing the interests of the patients at Pinel on the hospital's board of

directors for 20 years. And my leadership role with our national prison law association from its creation in 1985 until I retired. And the presidency of Quebec's carceral lawyers' association for its first 21 years. Imagine that-- the only anglophone in the room, one of the very few males, the only Jew, and yet my colleagues allowed me to speak for the province's carceral bar all those years. It says something about the inclusiveness of Montreal society. And now I get to be on the Communitas Board. Lowpoints? Worrying after making wild public accusations with the ODD which I always figured were going to get me kicked out of the Bar, after all my studies.

SW: No portrait of you would be complete without talking about your love of cats. Out of respect for the nice tabby you have now, tell us about your favourite former cat.

I love the cats I have now, but the dearly departed Mr. Muscles, aka Mr. Shaggypants, the Orange Wonder of the World-- what can one say about perfection? Back at the cat rescue operation he was big and clawed and ornery, and the volunteers were afraid of him, but he'd been stuck in the cage for four months, and I wondered if the problem was him or the cage. So I took a chance and brought him home, opened the cage, and he ran one way, and I ran the other. Before long the true Mr. Muscles had surfaced. Something I found endearing was that when we wrestled he'd grab with his claws and his teeth, but be careful to exert no pressure. He could have messed me up but he never did. Not on purpose, anyway.

Rainbow in the Dark

By Alan, May 25-20

I used to live in the darkness
Heartless

Now I see a rainbow in the dark
I can see the stars
My eyes are open
I can feel the power from above

My head is screwed on properly
My heart is about to explode
I found a friend who holds the light
At the end of the tunnel

You all are signs of great love and friends always

I found the rainbow in the dark
No longer afraid

Daydreaming
I consume the Holy Spirit
The dark has become light
There truly is gold at the end of the rainbow



Tomorrow

By Bob, April 16-20

Today I thought of tomorrow,
Wonderful — Peaceful.

Granted I'm guilty of a little impatience.
Nevertheless, I thought of tomorrow.

And what a joyous moment that will bring,
When doors will open once again,

But who can know where or when.

Surrounded by beauty;
Moments of bliss,
Challenges, new and inspiring .

A few good friends,
A few companions.

To live again with much to share;
With problems that challenge;
And experiences to live.
To discover and learn once again.

Places to see,
And travel within the limits
Of our imaginations.

Yes, today I thought of tomorrow.
And I don't mind when,
And I don't mind where.

Everything has a time,
And everything has a place.

The joy that I may embrace
When persons I can touch
Can reach out and touch me back.

Please support Communitas!

Communitas is a non-profit, volunteer-driven organization which welcomes (ex-)offenders back to the community by supporting them in their social, spiritual, emotional and practical needs.

We rely heavily on support from individual donors like you. The stigma associated with work in this area brings unique financial and other challenges with it and so your contributions are essential in sustaining our important work.

I support Communitas and their programs and am enclosing a donation of:

\$25 \$50 \$100 Other _____

"Tax receipts will be issued for donations of \$20 or more. Please include the following information for that purpose:"

Full name Including middle initial: _____

Address: _____

E-mail: _____



Circles of Support and Accountability (COSA) at Communitas: Is it for you?

Communitas is proud to have introduced Circles of Support and Accountability (COSA) to Quebec in 2000 and have provided more than 50 circles since. COSA matches individuals with a history of sexual offending with a group of trained everyday community members who are committed to helping you navigate the challenges of life in the community and achieve a successful, crime-free life.

If you are interested in hearing more about the possibility of having your own circle, contact:

Monika Barbe 514-244-6147

coordinator@communitasmontreal.org

We would love to hear from you!



3974 Notre Dame West, Suite B
Montreal, QC H4C 1R1 Tel.: 514-244-6147

Send your letters to our editor at:

info@communitasmontreal.org

www.communitasmontreal.org

The Sou'Wester name is a reference to Montreal's Southwest, where Communitas began its work in 1999 and is still based today.

 @communitas_MTL
 /communitasmontreal