

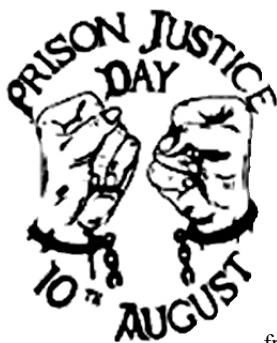
[arts & culture]

Prisoner's Justice Day (a retrospective montage¹)

*"We can't change prisons without changing society;
we know that this is a long and dangerous struggle.
But the more who are involved in it, the less dangerous,
and the more possible it will be."*

(Claire Culhane's letterhead of the PRISONERS' RIGHTS GROUP)

It is said to have begun in Millhaven Maximum Penitentiary in Bath, Ontario on August 10th 1975, when prisoners refused to work or eat for the day in honor and remembrance of Edward Nalon, who had bled to death in an administrative segregation cell on August 10th 1974.



◀ original image from 1975, artist unknown, but it was created by a prisoner at Matsqui Medium Security Prison, BC.

"[That day, he] was expecting to be given the news that he was to be released from solitary confinement. The guards neglected to tell him of his pending release. [He'd been in segregation for more than a month, much of it in spent in 'the hole' on a restricted diet.]

¹ Compiled by pj lilley

Out of frustration or despair, he cut the vein in his inner elbow. The cells were equipped with call buttons that could be used to summon the guards in an emergency. He pushed the button in his cell, other prisoners pushed their buttons, nobody responded, and he bled to death.

An inquest into his death found that the guards had deactivated the call buttons in the unit. There were a number of recommendations made by the coroner's jury, including the immediate repair of the emergency call system.

On the first anniversary of Eddie's death, prisoners at Millhaven refused to work, went on a one day hunger strike and held a memorial service, even though it would mean a stint in solitary confinement. Many of the alleged leaders in this one day peaceful protest would still be in segregation a year later.

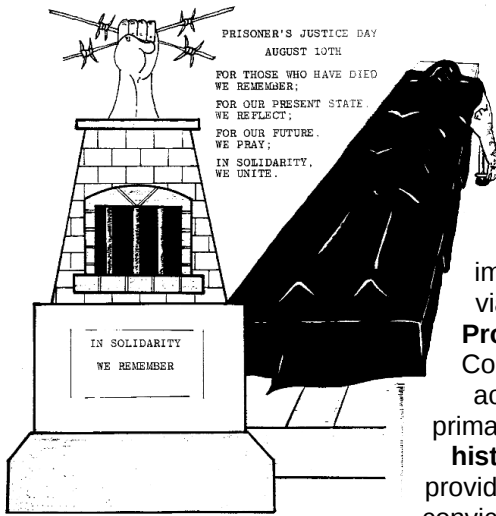
In May 1976, another prisoner, Bobby Landers died of a heart attack in the same unit. He tried to summon help but the call buttons had still not been repaired. Medical testimony at the inquest into his death established that he should have been in intensive care, not solitary confinement."

[He had been involuntary transferred to Millhaven on account of his activism in Archambault Penitentiary in Quebec.]

Prisoners at Millhaven put out a call for August 10th to be a national day of protest against an apathetic prison system that did not seem to care if people in prison lived or died."

"On **Aug 10, 1976** thousands of prisoners across Canada staged a one day hunger and work strike in honour of Edward and Robert and since then August 10th has become a traditional day of remembering prisoners who died inside across Canada and internationally."

[The histories above are quoted from *'Prisoners' Justice Day from 1975 to 2013: Stories from Inside and Out'* (August 9, 2013) by the QPIRG-Concordia collective and from various notes on "Prisoner Justice Day" by the prisoners at Williams Head federal prison and from the website <prisonjustice.ca>]



◀ The cover of “Highwitness News” out of Millhaven Penitentiary, in July 1986. This image and several of the other historical archival images in this article, via the **Penal Press Project** (at Okanagan College). This open access archive is a primary source of prison **history from within**, providing insight into how convicts viewed the penal

justice apparatus, its policies and its practices. Thanks to Prof.

Melissa Munn (and students) for diligence in scanning and indexing these newsletters, and to Dr. Robert Gaucher for his dedication over years of collecting, preserving and cataloging these important public records.

In his insightful historical account (1991²) of the Odyssey Group, and how the various prisoner committees built the initial momentum that first spread PJD recognition, Robert Gaucher writes

The political consciousness and struggles of Canadian prisoners has been either denied or ignored by Canadian criminologists and social scientists. The slow, grinding struggles characteristic of the process of advancing prisoners’ rights have also led some prisoners to devalue their political struggles as pointless or unproductive. However, in the tradition of the penal press, prisoners continue to reach outside the walls to educate and radicalize the public vis-à-vis the nature of criminal justice and penal oppression. Contemporary groups such as “Infinity Lifers” (1986-1991) at Collins Bay

² Gaucher, Robert. “Organizing Inside: Prison Justice Day (August 10th) A Non-Violent Response to Penal Repression” in the *Journal of Prisoners on Prisons*, Vol. 3 Number 1 & 2 Autumn, 1990/ Spring, 1991: *Capital Punishment & Prison Justice Day*

Penitentiary and “The Justice Group” (1987-1991) at Stony Mountain Penitentiary, represent this tradition. The success of the Odyssey Group’s Prison Justice Day initiative exemplifies the outside directed nature of prisoner politics and the ability of prisoners to effect change. It should give strength to prisoners and their outside supporters and encouragement in their struggles for rights and against penal oppression.



This image, by Frank Borg, was the cover of the August 10th 1988 magazine *Out of Bounds* created inside Williams Head Prison.

[via the Penal Press archive: http://penalpress.com/wp-content/uploads/OOB_Volume1No4JulAug1988.pdf]

As the stories, reflections, poems, and artwork spread by the penal press across to other (mostly the maximum-security) prisons, the observation of the memorial also spread. It was not just a memorialization, but a resistance, a demand for change, and an assertion of previous victories won through struggle, so of course, this was recognized as a threat by the prison authorities.

In the first few years, administrative reprisals were harsh against those hunger striking and refusing to work on August 10. Besides facing stints in segregation for their participation, organizers, as well as newsletter editors, and even artists and contributors often were transferred to a different institution after speaking out.

But, as Gaucher (1991³) describes, it continued to grow, and,

By 1979, virtually all federal maximum security prisons were solidly represented and the proportion of federal prisoners taking part continued to grow through 1981. This was paralleled by growing national recognition and support outside the prison walls. Claire Culhane's Prisoners' Rights Group of Vancouver, Marianne Rox, the Prisoners' Rights Group of Montréal and the Civil Liberties Association of Ottawa continued to provide publicity and organize major events in their areas, while smaller demonstrations of support sprang up in other cities. The Law Union organized Toronto's first public demonstration of support in 1978, and laid the basis for the tradition in that city [often outside the Don Jail.] Increasingly, outside support took the form of vigils and demonstrations outside prisons, including press conferences and the presentation of briefs outlining prisoners' concerns and demands.

After years of harassment of those prisoners who took part in PJD, including the loss of privileges and 'good' time for the general prison participants, and segregation and kidnapping (i.e., involuntary transfers) for the leadership, in 1988 the senior management committee of CSC decided to eliminate the practice of issuing 'performance notices', although those who refused to work were still docked a day's pay (*Tightwire*, 1988:15). Some members of Odyssey are on the street and doing well, some are still doing time. Prison violence and prisoners' deaths continue. Last month (March, 1991), ten women in the segregation unit of Kingston Prison for Women engaged in a hunger strike in response to the suicides of six Native prisoners in the past eighteen months and the institution's repression of the prison population's grief and anger.

Aboriginal women inside the prison have endured not only the violence and oppression a patriarchal society forces on women, but also the genocidal campaigns of our white supremacist state in its attempts to conquer the Indigenous peoples of Turtle Island. The resistance of Feb. 6 (1991) was a response among the Native women and their sisters inside the walls to the death just days before of their sister and the racist and vile attempts of

³ *ibid*

the prisoncrats to blame the death on Native women and on the Native services which elders provide (*Through The Walls*, “Press Release”, March 6, 1991).⁴



▲ “Keep your spirit strong” • Prison Justice Day • by Gord Hill [1999?]

DECARCERATION & DECOLONIZATION

“I hope that people will take the 10th to think about, not only the people in prisons and the history of prisons, prison organizing and resistance, but also the way prisoners’ justice and resistance against prisons intersects with the fight for justice for missing and

murdered Indigenous women, for the victims of police murder, and for all families and communities struggling against the ongoing racist legacies of colonialism and capitalism that continue to attack us everyday.” (Alex Hundert, preface to his statement to the court at sentencing as part of his G20 ‘main conspirators’ case conviction.⁵)

Indigenous women have borne a particularly heavy carceral burden as a direct result of the devastating legacy of colonialism which has attacked their spiritual and cultural (as well as economic and political) traditions at the foundation, and which continues to cause brutal dislocations, isolation, poverty and abuse.

⁴ As quoted in: Gaucher, Robert. “Organizing Inside: Prison Justice Day (August 10th) A Non-Violent Response to Penal Repression” in the *Journal of Prisoners on Prisons*, Vol. 3 Number 1 & 2 Autumn, 1990/ Spring, 1991: Capital Punishment & Prison Justice Day

⁵ Hundert, Alex. “For Prisoners Justice Day I am finally posting my Sentencing Statement from June 26, 2012” From his blog, Narrative Resistance, Aug. 8, 2013. <http://alexhundert.wordpress.com/2013/08/08/for-prisoners-justice-day-i-am-finally-posting-my-sentencing-statement-from-june-26-2012/>

Many First Nations historically have operated on a matrilineal system where descent is traced through the mother, meaning that a child would become a member of his or her mother's clan. Many societies were also matrilocal, in which a man married into a woman's family and would live with her community, resulting in settlement patterns based on the female line. In contrast, European settlers had taken for granted that a family was structured with men as the head of the family and the women as subservient, and tried to understand Aboriginal families by imposing a patriarchal European family model onto matriarchal Aboriginal kinship systems. This belief was perpetuated throughout government policies that attempted to restructure the Aboriginal family to fit this mould. Aboriginal kinship systems were forcibly restructured over time through a number of policies, including the Indian Act, Indian status, and the residential school system.”⁶



[both above by Gord Hill]

The settler-colonialists also imposed their patriarchal Victorian moral values through the sexual policing of Indigenous women, and the construction of “deviance”. As Gaucher explained,

These concepts were written right into the Indian Act, with certain rights afforded to men and women of “good moral character,” as determined by the Indian agent. The Indian

agent became, therefore, a sort of sexual policing agent. Indian agents had the power to act as justices of the peace or magistrates, giving them legal authority to monitor and control their Indian charges. Any sexual relations that did not conform to monogamy in marriage were seen as un-civilized and counter to the government's civilizing mission.

⁶ “A Brief History of the Marginalization of Aboriginal Women in Canada”. 2009. First Nations Studies Program at the University of British Columbia. <http://indigenousfoundations.arts.ubc.ca/home/community-politics/marginalization-of-aboriginal-women.html>

Scholar Joan Sangster points out that female sexuality was regulated in numerous ways, with colonial law as “one crucial site of sexual regulation.” The Indian Act gave the agent power to jail people, and the agent’s responsibility for registering births, marriages, and those eligible for Indian status gave agents power to punish those who did not conform. While many First Nations customary laws allowed for divorces, Indian Agents forbade them. A woman cohabitating with a new partner could be charged with bigamy and sent off to a reformatory, far from her family and homeland. As Sangster points out,

The fact that the Indian Affairs filing system designated a whole category for ‘Immorality on the Reserves,’ with almost all the complaints centering on sexual misbehavior, indicates the importance of the agent’s role as custodian of sexual morality.⁷

As explained by INCITE, it was a similar process in the US context:

“Native peoples’ experiences of law enforcement violence are often com-



▲ by Neal Freeland. [2005] Cover art for Vol 18, #1-2 of the *Journal of Prisoners on Prisons* (2009). They say:

[T]he medium is pen and ink. The picture shows a man leaning against the bars, with cuffs on his wrists. It was originally drawn in 1995 and used for T-shirts in Stony Mountain Institution. The piece has since been redrawn with additional shading details using newer pen and inks.

“Neal Freeland is a Saulteaux artist and poet who spent 17 years in prison, and is currently living in the city, going to college, as well as continuing to work on his graphic novels and poetry.”

Read more of him, and view other major artworks & commentary at their “Artists Guild” page: <http://www.jpp.org/Coverart.html>

⁷ As quoted in: Gaucher, Robert. “Organizing Inside: Prison Justice Day (August 10th) A Non-Violent Response to Penal Repression” in the *Journal of Prisoners on Prisons*, Vol. 3 Number 1 & 2 Autumn, 1990/ Spring, 1991: Capital Punishment & Prison Justice Day

pletely erased from mainstream discussions of police brutality and immigrant rights.

Yet, since the arrival of the first colonists on this continent, Native women and Native Two Spirit, transgender and gender non-conforming people have been subjected to untold violence at the hands of U.S. military forces, as well as local, state and federal law enforcement. Movement of Native peoples across borders with Canada and Mexico has been severely restricted, often by force, separating families and communities. The notion of “policing” was forced on sovereign nations and cultures that had previously resolved disputes within communities.”—**INCITE: Policing Native Women & Native Two Spirit and Trans People**⁸



◀ Artist: BobbyLee Worm, (for PJD, 2012) As an Indigenous woman and residential school survivor, she further suffered through the trauma of domestic violence. Convicted in 2006, she was sentenced to 6 years, but she spent nearly 4 years locked in solitary confinement at the Fraser Valley Correctional Institution. In 2013, she won a civil suit (with the help of the BCCLA) against the government for its use of long-term “Management Protocol” (administrative segregation).⁹

So now, we are in a situation here where, according to the Canadian state’s own 2013 statistics,

[w]hile Aboriginal people make up about 4% of the Canadian population, as of February 2013, 23.2% of the federal inmate population is Aboriginal (First Nation, Métis or Inuit)...The incarceration rate for Aboriginal adults in Cana-

⁸ <http://www.incite-national.org/page/policing-native-women-native-two-spirit-and-trans-people>

⁹ Her case, which includes extensive details on the physical, psychological and social effects of isolation and segregation (was aka ‘Management Protocol’) is reprinted here: <http://bccla.org/wp-content/uploads/2012/03/20110303-BCCLA-Legal-Case-BobbyLee-Worm.pdf> & after the court settlement: <https://bccla.org/tag/bobby-lee-worm/>

da is estimated to be 10 times higher than the incarceration rate of non-Aboriginal adults.

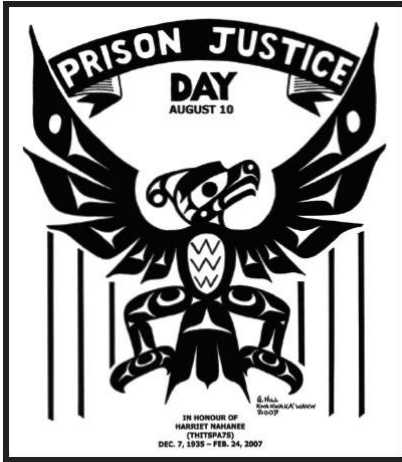
The over-representation of Aboriginal people in Canada's correctional system continued to grow in the last decade. Since 2000-01, the federal Aboriginal inmate population has increased by 56.2%. Their overall representation rate in the inmate population has increased from 17.0% in 2000-01 to 23.2% today ... Aboriginal women are even more overrepresented than Aboriginal men in the federal correctional system, representing 33.6% of all federally sentenced women in Canada.¹⁰

Yet, as bad as the statistics are, they don't convey how and why these horrors still keep playing out. The experience is often referred to as a 'double punishment', being Indigenous and a woman, but it adds up to a multiplicity of penalization: judges order on average longer sentences, and when the women get inside, they're usually given higher security risk assessments. Though solitary confinement is known to trigger depression, trauma and self-harm, the terrible truth is they are subjected to more frequent 'disciplinary' segregation time (23.5 hour/day lockdown/isolation) and much more frequent (than the 'average') administrative segregation (more than 45 days, 'indefinite' length isolation time.) This situation is actually significantly *worsening*—in the past decade more than ever before. According to the Ontario Women's Justice Network,

[T]he effects of colonisation, assimilation, and systemic discrimination against Aboriginal peoples are still being experienced today, especially by Aboriginal women. These effects increase women's vulnerability to poverty, addiction, physical and sexual violence; this is reflected in the Aboriginal women offender population, where 90% of the women in prison report experiences with physical and/or sexual abuse ...¹¹

¹⁰ Office of the Correctional Investigator, *Backgrounder: Aboriginal Offenders—A Critical Situation*, (Office of the Correctional Investigator, 16 September 2013), online: <http://www.oci-bec.gc.ca/cnt/rpt/oth-aut/oth-aut20121022info-eng.aspx>

¹¹ "Over-Represented and Over-Classified: Crisis of Aboriginal Women in Prison". June 2014. *Ontario Women's Justice Network*, http://www.owjn.org/owjn_2009/jasons-test-submenu-page/367



◀ Image by Gord Hill (2007)

**In Memory of
Harriet Nahanee
(Thitspa7s | Tseybayotl)
Dec. 7, 1935–Feb. 24,
2007**

She came from the Pacheedaht, who are part of the Nuu-chah-nulth peoples, and she married into the Squamish nation. She was a residential school survivor who

became an activist for Indigenous rights and environmental justice. Harriet was sentenced to two weeks in a provincial jail in January 2007 for 'criminal contempt of court' for her part in the protest against the Sea-to-Sky Highway expansion (for the Olympics) at Eagleridge Bluffs. She died after developing pneumonia, which was attributed to the brutal cold concrete conditions in Surrey Pre-trial detention centre.

In Canada, (as under most other states), the majority of women in prison arrive there having been criminalized for some act of self-defense. This is especially the situation for Indigenous women, who are

3.5 times more likely than non-Aboriginal women to be victims of violence; and Aboriginal women between the ages of 25-44 are 5 times more likely to die from acts of violence than other women the same age.¹²

They are detained and arrested more frequently, and

Aboriginal women are put into segregation more often and for longer periods of time than other offenders. ...

Aboriginal women are more likely than non-Aboriginal women to report the most severe forms of spousal abuse. 54% of Aboriginal women report having been choked, beaten, threatened with a weapon like a gun or knife, and sexually assaulted by their partner.

¹²*Ibid*, based on information from Amnesty International, "Stolen Sisters: A Human Rights Response to Discrimination and Violence against Indigenous Women in Canada", (2004), online:

<http://www.amnesty.ca/sites/default/files/amr200032004enstolensisters.pdf>

Most women who are charged for a violent offence like murder were defending themselves or their children from partner-violence. When an Aboriginal woman is charged with a crime, the discrimination that put her at risk of experiencing violence and offending in the first place, also impacts how the justice system and other institutions treat her. Aboriginal women are more likely to be sentenced to a prison term than any other population in Canada.¹³

#ITENDSHERE #ITSTARTSWITHUS

It is for all these reasons and more that the prison abolition movement has always been strongly tied to Indigenous resurgence movements. More and more prisoners, activists and artists are beginning to walk on that path, joining in struggles that are connected to the defense of land and water, and to traditional (and often women and elder-led) social structures and practices; they assert that it is only through grassroots processes of transformative and restorative justice that any measure of healing can be achieved.

Or, as artist Erin-Marie Konsmo put it, “Ceremony *as* harm reduction”.¹⁴

via âpihtawikosisân > “It might not seem political to do art or ceremony...but it’s important as Indigenous ppl to do that work and name the violence.” #IW2SHRC [Indigenous Women & Two-Spirit Harm Reduction Coalition]¹⁵

In their collaborative response to the calls for a national enquiry by some family members of the hundreds of missing and murdered Indigenous women, the activist groups Families of Sisters in Spirit (FSIS)¹⁶, No More Silence (NMS)¹⁷ and the

¹³ *Ibid*, based on information from Aboriginal Corrections Policy Unit, *Marginalized: The Aboriginal Women’s experience in Federal Corrections*, by Mandy Wesley (Ottawa: Public Safety Canada, 2012), online: Public Safety Canada at <http://www.publicsafety.gc.ca/cnt/rsres/pblctns/mrgnlzd/mrgnlzd-eng.pdf>

¹⁴ From the conference *waniskâtân nîtisânitîk: Indigenous Feminist and Two-Spirit Resistance on Turtle Island* (<https://www.facebook.com/events/375002092649806/>)

¹⁵ <https://twitter.com/apihtawikosisan/status/515634081498152961>

¹⁶ Families of Sisters in Spirit (FSIS): <https://www.facebook.com/pages/Families-of-Sisters-in-Spirit/169989823049052>

Native Youth Sexual Health Network (NYSHN)¹⁸ came together “to name the specific forms of state violence”, and then express their frustration with the limitations of state grievances and “sham” inquiries:

[M]uch of the violence we face as communities, nations, and families stems from colonial nation-states like Canada and the US and the laws themselves. Structures of colonialism (i.e. state governments, foster care, prisons, social services) are responsible for and contribute to ongoing violence against Indigenous women, girls, Two Spirit, and lesbian, gay, bisexual, transgender, transsexual, queer, questioning intersex, and asexual (LGBTQTQIA) people.¹⁹



[Artwork by: Erin Marie Konsmo, Media Arts Justice and Projects Coordinator, Native Youth Sexual Health Network]

They say they've “gone through ‘the proper channels’ and it hasn’t got us any closer to justice that we are seeking.” That instead, they would

prefer to look to each other for solutions. Where we have seen success has been in engagement with people on the front-lines and in our communities who live these realities everyday and seek change. This is where we draw our strength. ...

Collaboratively we are interested in nurturing self-determined and community-led solutions to interpersonal and structural violence. This is where our hearts are; in resistance

¹⁷ No More Silence: <https://www.facebook.com/pages/February-14-National-Day-of-Action-No-More-Silence/126403794094498>

¹⁸ Native Youth Sexual Health Network (NYSHN): <http://www.nativeyouthsexualhealth.com/>

¹⁹ FSIS, NMS & NYSHN, “It Starts With Us” on the Indigenous Nationhood Movement blog, March 14, 2014. <http://nationsrising.org/it-starts-with-us/>

to colonialism and in fostering our solutions as Indigenous peoples with the support and consensual allyship of our non-Indigenous friends and family members in the struggle.²⁰

They then proceed to outline several specific “examples of on the ground responses to deaths, disappearances and gender based violence” and how each of these can play out in practice is elaborated upon in their statement:²¹

How to foster resurgence in everyday ways to respond to gender-based violence? Resurgence is working from our strengths and cultures as Indigenous nations and communities.

1. We need to lift each other up and support each other’s well being.
2. Teach-ins and critical education with families and communities.
3. Media Arts Justice.
4. Centering Indigenous youth leadership and inter-generational organizing.
5. Supporting people in the sex trade.
6. Community-led database.
7. Local initiatives.

#ItEndsHere #ItStartsWithUs
#Support Not Stigma

Similar grassroots solutions are proposed in the “Organizing for Community Accountability Fact Sheet” produced by INCITE²²

“Developing community-based responses to violence is one critical option. Community accountability is a community-based strategy, rather than a police/prison-based strategy, to address violence within our communities. Community accountability is a process in which a community—a group of friends, a family, a church, a workplace, an apartment com-

²⁰ *ibid*

²¹ *Ibid.*

²² Community Accountability Fact Sheet and Tool Kit. INCITEblog.wordpress.com and at http://www.transformativejustice.eu/wp-content/uploads/2010/06/6685_toolkitrev-cmtyacc.pdf

plex, a neighborhood, etc—work together to do the following things:

- Create and affirm **VALUES & PRACTICES** that resist abuse and oppression and encourage safety, support, and accountability
 - Develop sustainable strategies to **ADDRESS COMMUNITY MEMBERS' ABUSIVE BEHAVIOR**, creating a process for them to account for their actions and transform their behavior
 - Commit to ongoing development of all members of the community, and the community itself, to **TRANSFORM THE POLITICAL CONDITIONS** that reinforce oppression and violence
 - Provide **SAFETY & SUPPORT** to community members who are violently targeted that **RESPECTS THEIR SELF-DETERMINATION**"
-



◀ Artist: Michelle Commisso Pesce, PJD 2012

"All Prisoner Justice Day T-shirt designs were to be approved at the national level. The design this year had featured a fallen angel; wings outstretched with her face covered by her forearms, which were covered in scars. It drew attention to high rates of self-mutilation and suicide in the prison system, but also spoke to the potential of those who have fallen. But once

national supervisors reviewed the T-shirt design, a new national directive was handed down: there would be no Prisoner Justice Day T-shirts."²³

²³ Anonymous. "On a Precipice: Reflections on Prisoner Justice Day on the cusp of Bill C-10". Aug 16, 2012. Halifax Media Co-op: <http://halifax.mediacoop.ca/fr/story/precipice/12144>

Obviously, the increasing repression of free speech & expression isn't just about t-shirts, or even just books, art and the right to organize around grievances—a whole host of new controls and “cost-cutting” measures were imposed with the Conservatives’ Bill C-10: charging prisoner’s room and board; upping the costs of telephone access; and generally limiting access to creative materials and learning opportunities. The Harper Conservative government even made it a point to shut down all six of the prison farms (where 300 prisoners had worked).

“Canadians are being silenced on more and more issues,” said Dianne Dowling, a Save our Prison Farm member and former leader of the group, in a statement. “From prison farms to pipelines to climate science, we need to stand against the silencing and stand for the well-being of our communities and our country.”²⁴

All these measures are being implemented while literally billions of dollars are being pumped into building new US Republican-style “superprisons” all across the country. In 2011, Alex McLelland of the Prison Moratorium Action Coalition wrote about the \$1.1billion pricetag on the construction of the massive Toronto South Detention Centre:

As Justin Piché, a renowned critic of the federal and provincial “tough on crime” agenda, has noted, the cost of this new prison is so great that “those of us in our late twenties... will still be paying for the construction of this facility well into our fifties and its operation likely until the day we die.”

Piché’s research²⁵ has found that these new institutions are being developed based on the argument that the “prison population is no longer a homogeneous population,” meaning: politicians and corrections bureaucrats need a way to deal with the increasing number of women, undoc-

²⁴ MacAlpine, Ian. “Prison farm protestors appeal to be heard Friday” in the Kingston Whig-Standard On-line, Jan. 30, 2014. → <http://www.thewhig.com/2014/01/30/prison-farm-protestors-appeal-to-be-heard-friday>

²⁵ Piché, Justin. “Tracking the Politics of Criminalization and Punishment in Canada” at tpcp-canada.blogspot.ca/2011/02/canada-at-crossroads.html

umented people, those with mental health issues, and drug users who are being incarcerated, not to mention the many indigenous peoples who have always been overrepresented in Canada's prisons.²⁶

The earlier anonymous report from Halifax on Prison Justice Day in the women's federal prison continued:

As one woman put it: "All over Canada, they are building and building, but you can't hide suicides with fancy new rooms".

Funds spent on ballooning renovation budgets and increased numbers of prisoners has led to under-staffing. Everything from fewer programs due to lack of staff support to constant mail mix-ups creates dangerous levels of stress and upset amongst inmates. The complaint process is woefully inadequate. Staff don't have the time nor the training to help women resolve disputes. Women are frustrated.

"We might as well not even have a complaint process," said another inmate. "They convince and intimidate women to sign it off as 'resolved' when it is not resolved. Admin doesn't want the correctional investigator to see it."

It is likely that there will be a lot happening in Canadian prisons over the next few years that Federal departments wouldn't want an independent investigator to see. As we talked, the women lamented how, in just a few short years, the Harper government has decimated the positive changes that were made following public outcry over the events that took place at the Kingston Prison for Women in 1994. Prisoner Justice Day is the one day a year when prisoners come together to talk about injustice and those who have died. Given the swiftness with which our current Federal government has moved to undo years of progress in prison justice, it's no wonder they moved swiftly to cancel Prisoner Justice Day T-shirts. It is likely they were terrified of a riot. And available evidence suggests that they should be.

When I asked the women what they would have talked about if a Prisoner Justice Day event had taken place that evening,

²⁶ McLelland, Alex. "More Jail Than We Need." in the *Torontoist*, March 17, 2011. http://torontoist.com/2011/03/a_superjail_in_toronto/

they responded with stories of men and women they had known who had died in prison, most of them by suicide. One woman said:

“I would have shared a poem in honour of Ashley, a woman in her early twenties who stuck to my side like glue in the remand centre, simply because it was my idea to make an apple crisp out of the kitchen scraps. Ashley wanted to belong and be safe and when she didn’t feel those two things, she wanted to die. In segregation, she died alone after drinking a bottle of toilet sanitizer. She was being filmed on suicide watch, but it was too late. She died while they watched.”²⁷

► [“Hang Rope” by
Peter Collins, 2004.]

In his conclusion to his poignant, disturbing account of how Ashley Smith died, Don Weitz writes²⁸:

It’s also significant that CSC’s [Correctional Service Canada] mental health professionals as well as most of the inquest lawyers didn’t try to deconstruct “mental disorder” or “mental illness” as attempts to cope with personal life crises. Together

with psychiatrists and other mental health professional witnesses, they failed to understand that “mental health treatment” in prisons really means fraudulent psychiatric diagnoses, forced drugging, physical restraints, daily degradation and humiliation.

Ashley’s suicide, like many other prisoner deaths, was not accidental, it was predictable and preventable.



²⁷ Anonymous. “On a Precipice: Reflections on Prisoner Justice Day on the cusp of Bill C-10”. Aug 16, 2012. Halifax Media Co-op: <http://halifax.mediacoop.ca/fr/story/precipice/12144>

²⁸ Weitz, Don. “How Canada’s Prisons Killed Ashley Smith: A National Crime and Shame” in Mad in America: Science, Psychiatry, and Community, December 14, 2013. <http://www.madinamerica.com/2013/12/canadas-prisons-killed-ashley-smith-national-crime-shame/>

He ends with the warning:

The Harper government's "get tough on crime" policy that legislates building more prisons, overcrowding ("double-bunking"), mandatory and longer prison sentences have undoubtedly contributed to the epidemic of self-harm, suicide and violence in virtually all federal prisons in Canada. What's needed is not "prison reform" but prison abolition and community alternatives which were denied Ashley and many of her sister prisoners. There are and will be many other Ashley Smiths—a national shame and crime.²⁹

NO DEATH IN PRISON IS A NATURAL DEATH

Artist and long-term prisoner Peter Collins has contributed a number of uniquely gut-wrenching pieces to the memorial of PJD. About it, he writes in his blog:

August 10th is now the **International Memorial Day** for people who died while in the forced custody of the state, whether they were transgender, men, women, or children. Whether they were labelled criminal or political and whether medical negligence, beating, abuse, disease, old age, shock treatment or experimentation killed them, we solemnly remember. Whether it was a heart attack, overdose, shooting, gassing, asphyxiation, stabbing or state execution that killed them, we remember. Whether starvation, electrocution, hanging, murder, or suicide stopped their hearts, we remember. Prisoners and their families, friends and loved ones observe their suffering and their passing.

There is **no natural death in prison** and there is no exclusion from the August 10th memorial if they died in custody.³⁰

► ANGORR
#019226 [2012]³¹



²⁹ *Ibid.*

REMEMBERING TOGETHER

The outward expressions of PJD, the arts and poetry, have always been a central aspect of the process of remembering and passing it along. But there is also a constantly evolving struggle over the observance of the day, as some parts of it have become “accepted routine” by prison wardens. Certain practices, like making t-shirts featuring artwork for the day, have even become “institutionalized” although this is a highly contested process, as the approvals can be taken away on a whim, as happened in 2010...

► On our Radical Criminology cover, this image was cover of the prison press newsletter, *Cell Count* (Issue #66, Summer 2012).³² According to editor, Tom Jackson, the artist(s) were anonymous due to possible repercussions. The designers, prisoners at Joyceville, had made the logo as part of the 2010 memorial t-shirts. These were ordered (up to 400, according to media reports), delivered and worn that day by at least 150 prisoners, but then the shirts were banned and were either confiscated, or were put into storage, as prisoners were no longer allowed to wear them.

About a week before the T-shirts were declared contraband, [Conservative Vic] Toews, in his capacity as public safety minister, described their display as offensive and dishonourable and said he would direct the Correctional Service of Canada to ensure there were no repeat incidents.³³

³⁰ Excerpt from “Prisoner’s Justice Day” by Peter M. Collins (#079283B published July 2011: <http://joanr73.wordpress.com/2011/07/07/prisoners-justice-day-by-pete-collins/>)

³¹ As published in *The Peak*, Vol 51, Issue 7, August 8, 2012. “Prisoner Justice Day: A Brief history of How it Started” Compiled by Bryan Hill. <http://guelphpeak.org/vol51/2012/08/prisoner-justice-day-a-brief-history-of-how-it-started/>

³² *Cell Count* (Issue 66, Summer 2012). Published by PASAN (a community-based organization to provide “advocacy, education and support to prisoners and youth in custody on HIV/AIDS and related issues”. http://www.pasan.org/Cell_Count/Cell_Count_-_Issue_66.pdf

³³ Yanagisawa, Sue. “Inmates’ lawsuit over T-shirts not over: lawyer”, *Kingston Whig-Standard*, Thursday, May 29, 2014. <http://www.thewhig.com/2014/05/29/inmates-lawsuit-over-t-shirts-not-over-lawyer>

With the help of lawyers Shane Martinez and Davin Charney, those 150 prisoners filed a class action lawsuit in 2012 "to teach the state 'not to engage in actions that infringe people's charter rights.'"³⁴ [Sailors at sea recognize the upside down flag as a sign of distress.]

"The T-shirts, according to Martinez, were meant to express a message to those in power," that "Canada is really in a state of social and political distress," with respect to justice issues.



³⁴*Ibid.*

Free speech, he maintained, is uniquely valued among those "marginalized and isolated from society."³⁵

Then in Issue #67³⁶ of *Cell Count* ran the editor's note:

"The 'Summer Issue-#66' of *Cell Count* was banned from 10 buckets/joints in Canada. 'Public Health Info' & 'Freedom of Speech' are still: 'Not Allowed in Canada!'"

The lawsuit was set aside in 2014, but the many battles over free speech and free expression by prisoners continue.

CANADIAN PRISONS ARE HOME TO:

Over-Incarceration of Indigenous People and People from Racialized Communities * Harsh Sentences for Non-Violent Crimes * Classism * Lack of Harm Reduction Policies and Programs * Personality Assassination *

Coercive Behavioural Modification * Oppression * Racism * Fear * Double/Triple Bunking * High Rates of Infectious Diseases * Over-Incarceration of People with Mental Health Issues * Higher Security Classification of Indigenous Women * Inadequate Educational Opportunities * Transphobia * Substandard Health Care * Homophobia * Stigma and Discrimination * Persecution of Visiting Families and Friends * Human Rights Violations * Non-Conformity to United Nations Minimum Standards for the Treatment of Prisoners * Inadequate Opportunities for Personal Growth * Segregation and Isolation * Inadequate Release Support * Arbitrary Punishment * Abuse of Power * Hopelessness *

Till the walls fall, the bars bend, the chains rust and the locks break, we will remember.

By Peter M. Collins #079283B [in 2008]

³⁵ *Ibid.*

³⁶ Jackson, Tom. "Editor's Note" *Cell Count*, #67, Fall 2012, pg.4
http://www.pasan.org/Cell_Count/Cell_Count_-_Issue_67.pdf

Many say the observance of the day through hunger and work strikes has been lessening inside prisons in the past decade, as the action around PJD has grown into a routine. But this tension between keeping one's head down, and standing up to remember the importance of past struggles has always been part of it, too:

From 1986:

"In an interview for Kent Times with Jack McCann and Bobby Paul on PJD, Steve Reid provides a sense of the meaning of those past struggles and their accomplishments.

KT: As a survivor of long years in solitary as chronicled in *Prisoners of Isolation* how do you look back on those times of heavy prison-prisoner confrontations?

JM: Guys don't realize the fury, the anger, the bitterness. The pain that a lot of guys put out to achieve some change. I mean we were hurt. We were hurt.

KT: So August 10th symbolizes the cost of achieving change?

JM: Exactly. I remember the cost.

BP: The hole. There's a good example right there. Now you can smoke. You get your meals. Look how many years were spent on bread and water. Not too long ago neither. That's something that came about because of the guys who were sacrificed. The guys who died, the other guys who spent years in solitary being labelled ring-leaders. The younger guys don't realize it, they [the Canadian Penitentiary Service] or nobody didn't just come along and say "hey, we better change this." It was changed because it was brought to people's attention with blood, literally with blood. Then they changed it (Kent Times, 1986:17).³⁷

³⁷ Gaucher, Robert. "Organizing Inside: Prison Justice Day (August 10th) A Non-Violent Response to Penal Repression" in the *Journal of Prisoners on Prisons*, Vol. 3 Number 1 & 2 Autumn, 1990/ Spring, 1991: Capital Punishment & Prison Justice Day

As Clare Culhane put it, in her third book on prisons “*No Longer Barred from Prison: Social Injustice in Canada*”³⁸:

We can only proceed, individually and collectively, to make whatever improvements are possible in our respective areas of concern, sustained by the hope that others are doing the same.

PRISON JUSTICE DAY



WORD IS OUT BENEFIT

FRIDAY AUGUST 7TH 7:00 PM

Rhizome Café, 317 East Broadway @ Kingsway
Sliding scale \$10-15. Proceeds will support *The Word is Out*, a women in prison news service.

MUSIC LOUD

READINGS Lora McElhinney & Anne Stone

FILM SCREENING Prison Town USA

COAST SALISH WELCOME Cease Wyss

MEMORIAL RALLY

MONDAY AUGUST 10TH 6:00 PM

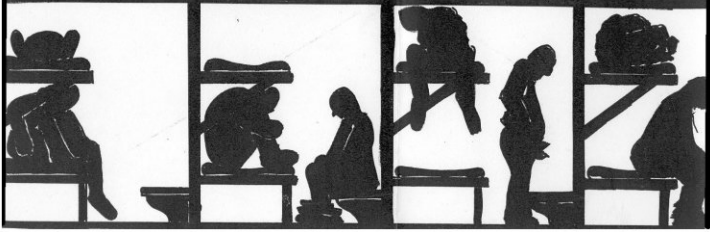
Claire Culhane Memorial Bench, Trout Lake Park, East Vancouver, SE corner of the lake, near the snack bar and large playground. Rain or shine.

SPEAKERS will include ex-prisoners and prisoners' rights activists.

National Prison Justice day was started in 1975 by prisoners in Canada to remember all the men and women who have died unnatural deaths inside prison. On August 10th prisoners across the country go on a work stoppage and refuse to eat. On the outside it is a day to build solidarity and support for prisoners' rights issues. Visit www.prisonjustice.ca or the PJD table at Under the Volcano to learn more about the cancellation of the Mother & Child Program at Alouette Correctional Centre for Women and what you can do to support the women inside.

▲ Vancouver PJD poster, 2009 [Artist: Tania Willard, 2008]
{Note the support for the Mother & Child Program at Alouette}

³⁸ Culhane, Clare. 1991. *No Longer Barred from Prison: Social Injustice in Canada*. Montreal: Black Rose Books



Two Man Cell (Peter Collins, 2005)

INTERNATIONAL DAY OF SOLIDARITY WITH PRISONERS

In 1983, prisoners in France refused to eat in recognition of August 10th, the following statement would be read on the Paris radio station Frequence-Libre:

Why not have on August 10 an international day of solidarity with
our imprisoned brothers and sisters,
For here or elsewhere, prison kills,
Whether it be Nalon in Ontario, Bader or Meinhoff in West
Germany,
Claude or Ivan in Switzerland, Bobby Sands in Ireland,
Mirval, Haadjadj, Onno, Youssef or so many others in France,
Whether they are serving 53 years like Alexandre Cotte or 16 years
like Youssef,
Whether they are considered political or common prisoners,
PRISON KILLS!

By the mid 1990's prisoners in parts of Germany, England and the United States would join this day of peaceful protest.

INSIDE /OUTSIDE SUPPORT:

“ALL PRISONERS ARE POLITICAL PRISONERS”

Outside the prison walls, people still gather for vigils, demonstrations, “noise rallies” (so they can be heard inside), or they gather at places of significance to the struggle. There are ‘Books to Prisoners’ & postcard mailings meetings, lots of different campus and community radio station programming, various documentaries shown, film nights, art shows & fundraisers held, all sorts of ways of gathering to remind each other and to bring the noise out to the public attention. The stories of those who have been lost are often told and retold in these gatherings, their names remembered, and their humanity raised up.



▲ Rocky Dobe "Prison Justice Day: August 10 is Prison Justice Day. PJD started in Canada in 1976 to pay tribute to prisoners who died in prison. On this day, prisoners hold a work stoppage while outside activists organize public events." This is a striking 2 color offset printed poster (11"x17") which was unsigned/unlimited edition [Year?]; part of the "Celebrate People's History" Series (\$4 via http://www.justseeds.org/celebrate_peoples_history/02prisonjust.html)

In Vancouver, a memorial gathering has often been held at the Clare Culhane Memorial Bench in Trout Lake Park. She was a long-time prison justice activist of great courage and determination, who passed away in 1996.

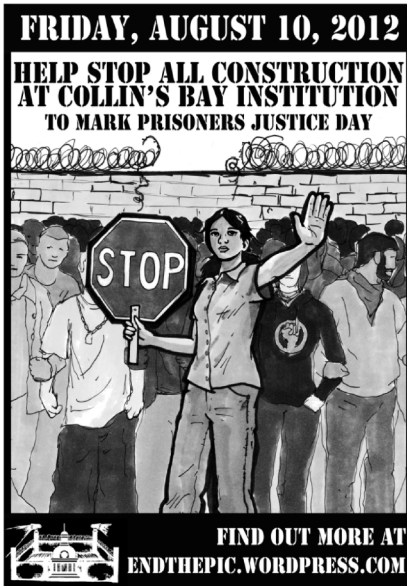
Her contributions to the movement are often remembered along with other histories of the day.

► Photo Date? By:?

www.prisonjustice.ca/action/claire_culhane.html



- Another image from Rocky, this one features prominently the 13½—a common recurring symbol of prisoner defiance in the face of bad odds: “12 jurors, 1 judge, and ½ a chance.”



At Collins Bay in Kingston, Ontario, in 2012, there was a demonstration against prison expansion.

◄ Aug, 2012. “Help Stop All Construction at Collin’s Bay Institution” | [Artist: ?] more @ endthepic.wordpress.com³⁹

³⁹ <http://prisonstatecanada.blogspot.ca/2012/07/prisoner-justice-day-august-10-2012.html>

In Montreal that same year, people took it right to the doorstep of the coroner, calling out for justice:

Every year people die in prison, murdered by a system that refuses them adequate care, puts them in situations of abuse, subjects them to violence, is designed to rob them of their humanity. August 10 is a day in which we remember those who have died on the inside, and demand an end to the travesty that is the prison system. Join us for a vigil in front of the offices of the coroner, whose job it is to cover up deaths on the inside.⁴⁰

According to Megan Kinch, in *The Dominion*, actions were also taken in Toronto and Hamilton that year:⁴¹

On August 10, 2012 in Toronto, about 100 people gathered outside The Don Jail (formally The Toronto Jail, a provincial prison) to read a statement that had been written by prisoners themselves. Many in the crowd were directly affected by the prison system through their own personal encounters or through the imprisonment of those they cared about.

Last Friday in Hamilton 50 protesters marched against lockdowns and poor conditions⁴² at the Barton Street Jail (formally the Hamilton Wentworth Detention Centre) as a result of a work-to-rule action on the part of the guards. Just this week, early the morning of Wednesday September 12, only hours after correctional officers returned to work, a 42-year-old inmate was found dead.

In such conditions, simply communicating about conditions on the inside to people on the outside becomes a form of resistance.

⁴⁰ *Ibid.* "Vigil, Testimonies, Audio Documentaries, and Commemoration in memory of those who died in custody August 10, 2012 from 2-4pm 1701 Parthenais Street [Montreal], outside the Coroner's office

⁴¹ Kinch, Megan. "Reporting as Resistance: Prisoner: Prisoners shed light on conditions by blogging from the inside". *The Dominion*, Sept. 17, 2005. <http://www.dominionpaper.ca/articles/4623>

⁴²K., Devin. "Solidarity with prisoners, not OPSEU 248" Aug. 22, 2012. in *Linchpin*: <http://linchpin.ca/content/Work-workplace/Solidarity-prisoners-not-OPSEU-248>

► "Candle" by Peter Collins. Of it, he says,

"I did this design for the 2003 August 10th memorial. The design was censored by the Administration for being offensive to the CSC. Apparently, they feel it shows them in a bad light!?"



► This image also via "La Journée pour les Droits des PrisonnierEs Montréal & QPIRG Concordia" and it appeared also in a report from 2003 out of Australia, where a group of folks with Justice Action and Prisoner's Action Group (and others) wanted to observe the annual "IPJD" (International Prisoner Justice Day) and formed a small solidarity brigade on August 10 to go to Silverwater Jail Complex. They reported things went smoothly that day with "no tensions at all", visiting (listening & speaking with family members and friends in the visitor's room, and also using megaphones so that they could be heard on the inside) and sharing copies of their magazine. But they add that it wasn't always so:

in 1997 a JA group celebrating the day, handing out balloons and gifts to visitors entering Silverwater were assaulted by prison officers. The officers had two dogs, almost pushed over a man with a 20 month baby and strangled a 17 year old woman with a camera strap. Police refused to charge the officers. However the next year an even larger support group was permitted to remain there without interference. It has been celebrated each year. (2003, 8)⁴³

⁴³ "International Prisoners Justice Day 2003". in *Framed: The Magazine of Justice Action* (Issue 45), October 2003.

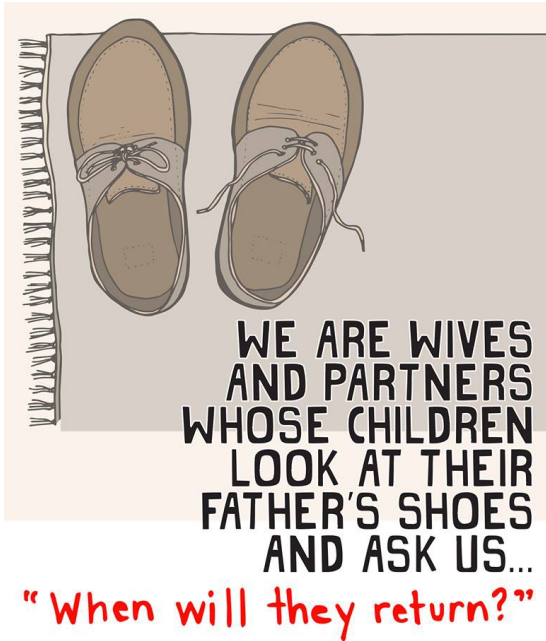
*Some of the issues addressed by
Prisoner's Justice Day over the years....*

Double Bunking
Youth Incarceration
Safe Tattooing Inside
Special Handling Units
The Wrongfully Convicted
Twenty-five Year Sentences
The Right to Freedom of Speech
The Women Self-defense Review
Abolition of National Parole Board
The Right to Vote in Federal Elections
Decriminalization of Victimless Crime
Health Care Needs of Prisoners With HIV & AIDS
Return to Shorter Sentences with 1/3 Time Off For Good Behaviour
Medical Care & Same Options for Treatment as Outside Prison
Integration of Protective Custody prisoners into General Population
Decarceration—Release Prisoners Who Already Served The Sentence
Alternatives to Incarceration - the Eventual Abolition of Prisons
The Recognition of Political Prisoners in Canada
Early Intervention Programs for At-Risk Youth
Moratorium on the Building of New Prisons
The Incarceration of Refugee Claimants
The Prisoners' Right to Unionize
Privatization of Food Services
Needle Exchange Programs
Privatization of Prisons
Involuntary Transfers
Education Programs
Gating of Prisoners

[these words & design, with more background
on Prisoner's Justice Day, via <http://prisonjustice.ca>
who say it's based on notes published by the
Vancouver Prison Justice Day Committee in 2001]

PRISONJUSTICE.CA

via the **End Immigration Detention Network**⁴⁴.
In support of 191 migrants on strike in Lindsay, ON
#MigrantStrike (began on September 17, 2013 >>
▼ Artist: Tings Chak & the Public Studio [2014]



END IMMIGRATION DETENTION.COM

“Over the last year, despite being locked in cages, their resistance has continued.⁴⁵ They have boycotted their detention reviews, refused to go on lock down, and refused unjust prison orders. As a result, strike leaders have been deported, faced coercion and fines while some have been released. They continue.”

“THESE WALLS WILL FALL”

This fall there will be a number of actions and concert events to mark the one year anniversary.

More info @ their website: endimmigrationdetention.com or
(705)340-4432 or migrantstrike@gmail.com

⁴⁴ <http://endimmigrationdetention.com/>

⁴⁵ <http://guelphpeak.org/news-updates/2014/07/end-immigration-detention/>



▲ Via Tings Chak and The Public Studio... Aug.10, 2014

"TODAY, Prisoners' Justice Day. And in the spirit of this day, which began as an act of mass civil disobedience nearly 40 years ago at Millhaven, we remember and honour those who have lived, resisted, and lost their lives in prison. The 15,000 across Canada, occupied Turtle Island in federal penitentiaries, the thousands more in provincial prisons, on remand, and under state supervision, and the hundreds of migrant women, men, and children locked up in prisons and detention centres right now.

"In resisting the prison industrial complex, we must recognize who this system criminalizes and violently targets: Indigenous, poor, and racialized people, migrants, sex-workers, and drug-using people, disabled, queer/trans/gender non-conforming folks.

"Prisons force us to connect our struggles. And today we honour and remember the nearly 2000 people killed in Gaza. This occupation traumatically reveals how the violence of borders and violence of occupation and de facto imprisonment are part of one struggle—that the fight for the freedom to move in search of flourishing lives, the freedom to stay and resist displacement, and the freedom to return to the places we call home means that we must tear all the fences down ... that anti-borders work is anti-prison work."⁴⁶

Finally, the words of prisoners at Drumheller in 2009, impress the importance of immediate action; after a long description of how rotten prisons were in the 1970's, and how much has been won, they note the decline of these gains in the past decade:

But guess what--every year we lose some of these things. One by one they are slowly being taken away and there seems to be no end in sight. Even Healthcare services are

⁴⁶ Tings Chak > "AUG 10: Prisoners' Justice Day: ART and/in MIGRANT DETENTION", a public event in Toronto, "honouring creative resistance in immigration detention through conversation, screen-printing and letter-writing." <https://www.facebook.com/events/621525571279487/>

being scaled back, the increasing costs touted as the rationale, but how many times have guys heard the “we can only give you what someone on welfare would get” reasoning when denied a type of medication or treatment? The availability and frequency of pre-release passes into the community are also being gradually reduced--they say due to media and CSC corporate image concerns.

Well, regardless of the reasons, or what particular this or that we have or had, the bottom line and indisputable fact is that us prisoners have less now than we did ten years ago. Want to guess how much we will have ten years from now--more or less? Think about how much we are going to lose in the ten years after that. So, please do not forget those who came before us and what they fought for, because there will come a day not far from now when prisoners like you and me wake up and realize we've lost all of what we once had, and then we will have stand together and fight to get it back.⁴⁷

This retrospective was compiled in anticipation of the upcoming 40th anniversary of that first strike at Millhaven, and it is by no means a comprehensive survey of all the Prisoners Justice Day related artworks, in fact there are many more significant pieces that we could not include at this time. However, we would like to contribute to the archiving and cataloging of these important visual histories, as well as strengthen the networks of those who continue to remember and resist, and we will definitely publish more abolitionist art in upcoming issues.

We are especially interested in oral, written and/or sketched histories & herstories of the movements against prison injustice (not only under/across the Canadian state). If you know of some work(s) that we've omitted, or there is something new or original which you'd like to see included in a future publication,

please get in touch with us at
editors@radicalcriminology.org

⁴⁷ “Prisoner's Justice Day” by OBM staff & Co. in *The Drum: The Drumheller Newsletter* (#18, August 2009, pages 6-7)
<http://penalpress.com/wp-content/uploads/DrumAugust2009.pdf>