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## The Jail Accountability & Information Line: Early Reflections on Praxis

SOUHEIL BENSLIMANE, SARAH SPEIGHT, JUSTIN PICHÉ & AARON DOYLE\*

Poor conditions of confinement and human rights violations have been commonplace at the Ottawa-Carleton Detention Centre (OCDC) since it opened in the early 1970s. Recently, the deplorable treatment of provincial prisoners at OCDC has been documented in reports by the Ontario Ombudsperson, the Ontario Human Rights Commission, the Independent Review of Ontario Corrections, the Community Advisory Board (established in 2014), the OCDC Task Force (established in 2016) and coronial inquests. Despite the avalanche of recommendations flowing from these reform-oriented interventions, pressing human rights issues persist at the facility—ranging from inedible food to inadequate health care that has contributed to preventable deaths in custody. It is in this context that members of the Criminalization and Punishment Education Project launched the Jail Accountability & Information Line (JAIL). This article explores some of the insights emerging from the first year of the hotline’s prisoner solidarity work, in order to contribute to knowledge on ongoing struggles to reform and abolish incarceration. In so doing, our analysis provides tools that prison justice and abolitionist organizers can use to establish new JAIL hotlines in other localities, or other inside-outside collaborative initiatives, with the goal of making life more bearable in carceral settings, while contributing to the long-term aim of ending human caging.

CENTRAL TO THE EXPERIENCE OF IMPRISONMENT are the many deprivations prisoners endure while in custody—including, most crucially, the loss of liberty.<sup>1</sup> Forcibly removed and physically separated from society, incarcerated people have very few means at their disposal to maintain existing connections or establish new connections with supports in the community. For some, the isolation of confinement is occasionally suspended<sup>2</sup>—albeit for a brief time—through visits,<sup>3</sup> and the receipt of written correspondence processed by carceral institutions that is not confiscated for “security” reasons.<sup>4</sup> For others, whether by choice or circumstance (*e.g.*, the

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<sup>1</sup> Gresham M Sykes, *The Society of Captives: A Study of a Maximum Security Prison* (Princeton, New Jersey: Princeton University Press, 1958).

<sup>2</sup> Dominique Moran, *Carceral Geography: Spaces and Practices of Incarceration* (London, UK: Routledge, 2015).

<sup>3</sup> Victoria Simpson Beck, Stephen C Richards & Preston Elrod, “Prison Visits: On the Outside Looking In” (2008) 17:1 *J of Prisoners on Prisons* 91.

<sup>4</sup> Jon Marc Taylor, “What We Have Continued to Exemplify” (2008) 17:1 *J Prisoners on Prisons* 109.

distance of the institution from home or the inability to read or write), phone calls are the only means of initiating or sustaining contact with people on the other side of jail and prison walls. These phone calls are often expensive, and have to be made through telecommunications systems contracted-out by governments to corporations.<sup>5</sup> Prisoners are a captive and lucrative market, as they are heavily dependent on phone calls (that must be made collect in many cases) and are unable to switch phone carriers, a situation that has historically lent itself to exploitation by phone companies and governments. For example, the phone company MCI installed phones throughout the California prison system at no charge, and the California Department of Corrections receives 32 per cent of the revenue from the phone calls prisoners under their control make.<sup>6</sup> Similarly, the province of Ontario currently receives an undisclosed portion of the revenue from Bell's prison phone systems.<sup>7</sup> The high costs that prisoners and the recipients of their calls must pay is often prohibitive for those living without income or who are on a fixed income, often resulting in the cessation of communication through such means.<sup>8</sup> The isolation that prisoners experience behind bars is harmful in its own right. It also poses significant obstacles to their ability to secure basic necessities and services required for their re-entry into the community,<sup>9</sup> while exposing them to the violence of incarceration in ways that are largely hidden from the view of those outside the walls.<sup>10</sup>

Several organizations who work with prisoners have recognized that phone calls can serve as lifelines for incarcerated people to access support from the outside and work toward defending themselves against, and exiting from, state confinement. In Canada, this work has taken different forms. For instance, some non-profit organizations provide support and services to current and former prisoners across Canada through toll-free phone lines. Examples include PASAN, which focuses on health care and harm reduction for prisoners,<sup>11</sup> and the Canadian Association of Elizabeth Fry Societies and its local chapters, which work with criminalized women on challenges related to conditions of confinement and community re-entry.<sup>12</sup> The individual and systemic advocacy emerging from these communications is important. However, the organizations' systemic advocacy is constrained in volume and form due to their charitable status, which limits their political activity, and creates dependency on government service contracts.<sup>13</sup> In contrast, the End Immigration Detention Network's Detainee Support Line<sup>14</sup>

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<sup>5</sup> Steven J Jackson, "Mapping the Prison Telephone Industry" in Tara Herivel & Paul Wright, eds, *Prison Profiteers: Who Makes Money From Mass Incarceration* (New York: The New York Press, 2007).

<sup>6</sup> Eric Schlosser, "The Prison-Industrial Complex," *The Atlantic* (1 December 1998), online: <[theatlantic.com/magazine/archive/1998/12/the-prison-industrial-complex/304669/](http://theatlantic.com/magazine/archive/1998/12/the-prison-industrial-complex/304669/)> [perma.cc/J3TR-YACV].

<sup>7</sup> Judy Trinh, "Province gets 'kickback' from inmates' collect calls, lawyer says," *CBC News* (24 February 2017), online: <[cbc.ca/news/canada/ottawa/ontario-government-bell-jail-inmate-collect-call-commissions-1.3997146](http://cbc.ca/news/canada/ottawa/ontario-government-bell-jail-inmate-collect-call-commissions-1.3997146)> [perma.cc/2PLW-CX7Q].

<sup>8</sup> Artika Tyner et al, "Phone Calls Creating Lifelines for Prisoners and Their Families: A Retrospective Case Study on the Campaign for Prison Phone Justice in Minnesota" (2014) 20:2 *Trinity L Rev* 83.

<sup>9</sup> Rose Ricciardelli & Adrienne M F Peters, *After Prison: Navigating Employment and Reintegration* (Waterloo: Wilfrid Laurier University Press, 2017).

<sup>10</sup> Turnbull et al, "Introduction: Critical Prison Studies, Carceral Ethnography, and Human Rights: From Lived Experience to Global Action" (2018) 8:2 *Oñati Socio-Legal Series* 174.

<sup>11</sup> See "PASAN," online: *PASAN* <[www.pasan.org](http://www.pasan.org)> [perma.cc/UD68-W6ST].

<sup>12</sup> See "Canadian Association of Elizabeth Fry Societies," online: *Canadian Association of Elizabeth Fry Societies* <[www.caefs.ca](http://www.caefs.ca)> [perma.cc/4JAM-W9UQ].

<sup>13</sup> Andrew Woolford & Bryan Hogeveen, "Public Criminology in the Cold City: Engagement and Possibility" (2014) 4 *Radical Criminology* 17.

brought a coalition of organizations together to take calls from immigration detainees held indefinitely in human warehouses like the Central East Correctional Centre in Lindsay, Ontario. The line was able to support hunger strikers and other detainee-led direct action that raised public awareness about their struggles,<sup>15</sup> without facing the same political constraints as non-profit organizations.

The Office of the Correctional Investigator of Canada, which is mandated to impartially review complaints by prisoners held in Canadian federal penitentiaries, and entities responsible for the oversight of provincial jails and prisons, like the Ontario Ombudsperson, also have toll-free numbers for prisoners to call. Ombudsperson offices have the ability to obtain government documents and enter institutions to investigate prisoner-initiated complaints, as well as issue reports and non-binding recommendations for reforms to address human rights and policy violations.<sup>16</sup> However, the Ombudsperson's official stance of impartiality, and the lack of "teeth" of the office's recommendations, which are non-binding,<sup>17</sup> has contributed to prisoner distrust of these formal complaint mechanisms.

Phone calls are also an important medium through which prisoners raise public awareness about the realities of imprisonment, as part of abolitionist struggles aimed at ending human caging. For instance, programs like "Black Power Hour" with El Jones on CKDU 88.1 FM in Halifax,<sup>18</sup> "Prison Radio" on CKUT 90.3 FM in Montreal,<sup>19</sup> "Prison Radio" on CFRC 101.9 FM in Kingston,<sup>20</sup> and "Stark Raven" with Meenakshi Manoe on Vancouver Co-op Radio 100.5 FM,<sup>21</sup> all feature live and recorded interviews with prisoners. Prisoners share their insights and expose the normalized state brutality they face. Phone calls from carceral settings have also provided a means through which incarcerated people can share their analyses in academic settings like conferences and lectures.<sup>22</sup>

Drawing on this work with prisoners, the Ottawa-based Criminalization and Punishment Education Project (CPEP) launched the Jail Accountability & Information Line (JAIL) in December 2018 to impact change at the Ottawa-Carleton Detention Centre (OCDC)—our local provincial jail. Open weekdays from 1:00 pm to 4:00 pm, the JAIL hotline takes calls from OCDC prisoners and their loved ones, working with them to reduce the harms, and use, of human caging. This article explores some of the insights gained in the first year of the hotline's

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<sup>14</sup> See "About Us," online: *End Immigration Detention Network* <<https://endimmigrationdetention.com/about/>> [perma.cc/MN2N-TBCR].

<sup>15</sup> See e.g. Patrick Cain, "Detainees' hunger strike in Lindsay, Ont., jail down to two holdouts, officials say," *Global News* (26 July 2016), online: <[globalnews.ca/news/2846187/detainees-hunger-strike-in-lindsay-ont-jail-down-to-two-holdouts-officials-say/](http://globalnews.ca/news/2846187/detainees-hunger-strike-in-lindsay-ont-jail-down-to-two-holdouts-officials-say/)>.

<sup>16</sup> Sandra Lehalle & Nicholas Fischer, "Le métier de contrôleur des établissements de détention : Regards croisés France/Canada sur l'institutionnalisation de la critique carcérale" in Carolyn Côté-Lussier, David Moffette & Justin Piché, eds, *Enjeux criminologiques contemporains : Au-delà de l'insécurité et de l'exclusion* (Ottawa : Presses de l'Université d'Ottawa, 2020) at 63-82.

<sup>17</sup> Joe Convict for the Inmate Welfare Committee, "Mountain Institution" (2017) 26:1&2 J of Prisoners on Prisons 243 at 247.

<sup>18</sup> See "Black power hour," online: *CKDU 88.1 FM* <<https://www.ckdu.ca/shows/227>> [perma.cc/H8D8-AZ8W].

<sup>19</sup> See "Prison Radio," online: *CKUT 90.3 FM* <<https://ckut.ca/en/content/prison-radio>> [perma.cc/7SKM-PSLT].

<sup>20</sup> See "About," online: *CFRC Prison Radio* <<https://cfrcprisonradio.wordpress.com/about/>> [perma.cc/34DU-MF5B].

<sup>21</sup> See "Stark Raven," online: *PrisonJustice.ca* <<http://prisonjustice.ca/stark-raven/>> [perma.cc/3QR5-YTFQ].

<sup>22</sup> See e.g. Robert Gaucher, "Organizing Inside: Prison Justice Day (August 10th) A Non-Violent Response to Penal Repression" (1991) 3:1&2 J of Prisoners on Prisons 93 [Gaucher, "Organizing Inside"].

prisoner solidarity work, in order to contribute to ongoing struggles to initiate reforms, while working toward abolishing incarceration. In so doing, our analysis provides tools that prison justice and abolitionist organizers can use to establish new JAIL hotlines in other localities, or in ongoing inside-outside collaborative initiatives, with the goal of making life more bearable in carceral settings while contributing to the long-term aim of ending human caging. Our article begins by discussing the context that gave rise to the JAIL hotline, notably the erection of OCDC in 1972 and the persistent human rights issues that have characterized life and work at the detention centre for decades. Following a discussion of how abolitionism informs our research and organizing, we outline the steps we took to launch the hotline, and some of the key lessons learned in the year that followed. We conclude with a discussion on where things stand with the initiative and on future possibilities for collaboration in the struggle against the deprivation of liberty.

## I. CONTEXT OF THE JAIL HOTLINE'S WORK

OCDC was one of a number of provincial sites of confinement that replaced smaller county jails in Ontario in the early 1970s. These new facilities were envisaged by their architects as “rehabilitation units” capable of introducing “intelligent and humane methods of meeting the needs” of prisoners.<sup>23</sup> These facilities were born out of progressive visions for systemic and individual reformation.<sup>24</sup> However, the carceral footprints forged by benevolence were retreaded just a few decades later, when the “no frills” brand of penal austerity took hold under successive provincial Conservative administrations from 1995 to 2003. Under these regimes, both prisoners<sup>25</sup> and staff<sup>26</sup> were openly attacked by the provincial government through draconian and austere policy changes (*e.g.*, the removal of most recreational opportunities to pass the time), as well as hostile labour relations (*e.g.*, a pilot project comparing the cost efficiency of a newly-built, publicly-operated facility versus a privately-managed one). These changes were part of a broader strategy by the Conservative government of Ontario led by Mike Harris (1995–2002) and Ernie Eves (2002–2003) to condition the poor and working classes to expect less from government, while subjecting them to intensified discipline, enabling the concentration of wealth in the hands of fewer and fewer people.<sup>27</sup>

The “common sense revolution” pushed people made vulnerable under capitalism further to the margins, by divesting from and weaponizing social welfare. The reverberations continue to be felt today behind the walls. In addition, there has been a rise of a culture of risk aversion, whereby police, Crown counsel, and judges have been increasingly reluctant to release many individuals facing charges, apparently out of fear that they will be blamed if the accused does

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<sup>23</sup> Peter Oliver, *Unlikely Tory: The Life and Politics of Allan Grossman* (Toronto: L & O Denny's, 1985) at 188.

<sup>24</sup> See Maeve W McMahon, *The Persistent Prison? Rethinking Decarceration and Penal Reform* (Toronto: University of Toronto Press, 1992).

<sup>25</sup> Dawn Moore & Kelly Hannah-Moffat, “Correctional Renewal Without the Frills: “The Politics of “Get Tough” Punishment in Ontario” in Joe Hermer & Janet E Mosher, eds, *Disorderly People: Law and the Politics of Exclusion in Ontario* (Halifax: Fernwood Publishing, 2002).

<sup>26</sup> Greg McElligott, “Negotiating a Coercive Turn: Work Discipline and Prison Reform in Ontario” (2007) 31:91 *Capital & Class* 31; Greg McElligott, “A Tory High Modernism? Grand Plans and Visions of Order in Neoconservative Ontario” (2008) 16:2 *Critical Criminology* 123.

<sup>27</sup> See Joe Hermer & Janet Mosher, *Disorderly People: Law and the Politics of Exclusion in Ontario* (Halifax: Fernwood Publishing, 2002).

something harmful while out of custody. This culture of risk aversion has increasingly turned bail courts into jail courts, as it has become harder for accused people to get bail, even when facing relatively minor charges.<sup>28</sup> Within a span of three decades, as the number of sentenced prisoners in the system diminished, Ontario's jails and prisons went from mostly holding prisoners serving short sentences<sup>29</sup> to now mostly incarcerating people awaiting their day in court.<sup>30</sup> Nearly seven out of ten people forcibly confined in these facilities are on remand and awaiting the conclusion of their legal ordeals.<sup>31</sup> They face constant punishment, uncertainty, threats, and actual instances of violence and death—conditions that violate their human rights.<sup>32</sup> The fact that Ontario's provincial jails and prisons are human warehouses for the poor and homeless, the colonized and racialized, criminalized drug users, people living with mental health conditions without access to care and compassion, and other marginalized populations, is even recognized by some judges.<sup>33</sup> Yet the situation persists.

Many academics recognize that incarceration is inherently damaging.<sup>34</sup> In this age of human disposal, newspapers regularly report on human rights violations and the brutalities of confinement at OCDC and its Ontario contemporaries erected in the 1970's. These include the Elgin-Middlesex Detention Centre in London,<sup>35</sup> the Hamilton-Wentworth Detention Centre,<sup>36</sup> Maplehurst Correctional Complex in Milton,<sup>37</sup> the Niagara Detention Centre in Thorold,<sup>38</sup> the Quinte Detention Centre in Napanee<sup>39</sup> and the Toronto East Detention Centre in Scarborough,<sup>40</sup>

<sup>28</sup> Cheryl Marie Webster, Anthony N Doob & Nicole M Myers, "The Parable of Ms Baker: Understanding Pre-trial Detention in Canada" (2009) 21:1 *Current Issues in Criminal Justice* 79.

<sup>29</sup> Karen Beattie, "Adult Correctional Services in Canada, 2004/2005" (2006) 26:5 *Juristat* 1, online: <<https://www150.statcan.gc.ca/n1/en/pub/85-002-x/85-002-x2006005-eng.pdf?st=Ej8qKozw>> [perma.cc/6GNU-NHD7].

<sup>30</sup> Aaron Doyle & Laura McKendy, "Risk Aversion and the Remand Population Explosion in Ontario" in Stacey Hannem et al, eds, *Security and Risk Technologies in Criminal Justice* (Toronto: Canadian Scholars, 2019).

<sup>31</sup> Jamil Malakieh, "Adult and youth correctional statistics in Canada, 2017/2018" (2019) 39:1 *Juristat*, online: <<https://www150.statcan.gc.ca/n1/pub/85-002-x/2019001/article/00010-eng.htm>> [perma.cc/7UCN-DH4J].

<sup>32</sup> Holly Pelvin, *Doing Uncertain Time: Understanding the Experiences of Punishment in Pre-trial custody* (PhD Dissertation, University of Toronto, 2017); Laura McKendy, *The Pains of Jail Imprisonment: Experiences at the Ottawa-Carleton Detention Centre* (Doctoral Thesis, Carleton University, 2018) [unpublished].

<sup>33</sup> See e.g. Star Editorial Board, "Judges are outraged over jail conditions in Ontario. We should all be," *The Star* (16 January 2020), online: <[www.thestar.com/opinion/editorials/2020/01/16/judges-are-outraged-over-jail-conditions-in-ontario-we-should-all-be.html](http://www.thestar.com/opinion/editorials/2020/01/16/judges-are-outraged-over-jail-conditions-in-ontario-we-should-all-be.html)> [perma.cc/C38B-B9QC].

<sup>34</sup> See e.g. Sykes, *supra* note 1.

<sup>35</sup> See e.g. CBC, "Inmate death toll at EDMC climbs to 14 after weekend fatality," *CBC News* (1 April 2019), online: <[www.cbc.ca/news/canada/london/elgin-middlesex-detention-centre-death-inmate-1.5079593](http://www.cbc.ca/news/canada/london/elgin-middlesex-detention-centre-death-inmate-1.5079593)> [perma.cc/NP8G-3WZU].

<sup>36</sup> See e.g. Nicole Thompson, "Drugs easy to come by at 'extremely overcrowded' detention centre in Hamilton, human rights commissioner says," *CTV News* (12 August 2019), online: <[toronto.ctvnews.ca/drugs-easy-to-come-by-at-extremely-overcrowded-detention-centre-in-hamilton-human-rights-commissioner-says-1.4546234](http://toronto.ctvnews.ca/drugs-easy-to-come-by-at-extremely-overcrowded-detention-centre-in-hamilton-human-rights-commissioner-says-1.4546234)> [perma.cc/U2DY-Y8GN].

<sup>37</sup> See e.g. Nick Westoll, "1 dead and 5 injured after suspected drug overdoses at Milton prison, police say," *Global News* (7 May 2019), online: <[globalnews.ca/news/5252309/maplehurst-correctional-complex-drug-overdoses/?utm\\_exp\\_id=.kz0UD5JkQOC06yMqxGqECg.0&utm\\_referrer=>](http://globalnews.ca/news/5252309/maplehurst-correctional-complex-drug-overdoses/?utm_exp_id=.kz0UD5JkQOC06yMqxGqECg.0&utm_referrer=>)> [perma.cc/L6PV-VC6U].

<sup>38</sup> See e.g. Laura Clementson, "It has to stop" – Mom takes on Niagara Detention Centre after son's overdose death," *CBC News* (8 April 2019), online: <[www.cbc.ca/news/canada/hamilton/niagara-detention-centre-rally-1.5088405](http://www.cbc.ca/news/canada/hamilton/niagara-detention-centre-rally-1.5088405)> [perma.cc/T39R-Y84R].

<sup>39</sup> See e.g. Alexandra Mazur, "Ministry confirms inmate death at Quinte Detention Centre", *Global News* (19 March 2019), online:

as well as other Ontario jails and prisons built more recently.<sup>41</sup> The extent to which Ontario's sites of human caging injure, scar, and kill people officially under their control has also been documented in detail by the Ontario Ombudsperson,<sup>42</sup> the Ontario Human Rights Commission,<sup>43</sup> task forces,<sup>44</sup> the recently disbanded Independent Review of Ontario Corrections,<sup>45</sup> newly formed community advisory boards,<sup>46</sup> Ontario's Auditor General,<sup>47</sup> and coronial inquests (CI).<sup>48</sup>

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<globalnews.ca/news/5068875/inmate-dies-quinte-detention-centre/?utm\_expid=.kz0UD5JkQOC06yMqxGqECg.0&utm\_referrer=> [perma.cc/TU79-NJY9].

<sup>40</sup> See e.g. Christopher Reynolds, "Inmates, guards agree prison violence symptom of system-wide crisis," *The Star* (21 July 2016), online: <www.thestar.com/news/queenspark/2016/07/21/inmates-guards-agree-prison-violence-symptom-of-system-wide-crisis.html> [perma.cc/UU8Q-NUU2].

<sup>41</sup> Examples include the Central East Correctional Centre and the Central North Correctional Centre built during the Premier Harris era, as well as the South West Detention Centre and the Toronto South Detention Centre built during the Premier McGuinty era.

<sup>42</sup> Ontario Ombudsman, *The Code: Investigation into the Ministry of Community Safety and Correctional Services' response to allegations of excessive use of force against inmates*, (Toronto: Ontario Ombudsman, 2013), online: <www.ombudsman.on.ca/resources/reports-and-case-summaries/reports-on-investigations/2013/the-code> [perma.cc/94ZE-KJ3D].

<sup>43</sup> Ontario Human Rights Commission, "A bold voice: Annual report 2016-2017: Ending cruel and inhuman treatment in corrections" (2017), online: *Ontario Human Rights Commission* <www.ohrc.on.ca/en/bold-voice-annual-report-2016-2017/ending-cruel-and-inhuman-treatment-corrections> [perma.cc/3A8Z-SAF5].

<sup>44</sup> See e.g. "Ottawa-Carleton Detention Centre Task Force Action Plan" (2016), online: *Ontario Ministry of the Solicitor General*

<http://www.mcscs.jus.gov.on.ca/english/Corrections/OttawaCarletonDetentionCentreTaskForce/OCDCTaskForceActionPlan.html> [perma.cc/TG43-44X3].

<sup>45</sup> Independent Review of Ontario Corrections, *Segregation in Ontario* (Toronto: Queen's Printer for Ontario, 2017), online:

<www.mcscs.jus.gov.on.ca/english/Corrections/IndependentReviewOntarioCorrections/IndependentReviewOntarioCorrectionsSegregationOntario.html> [perma.cc/BP63-DRD7]; Independent Review of Ontario Corrections, *Corrections in Ontario: Directions for Reform* (Toronto: Queen's Printer for Ontario, 2017), online:

<www.mcscs.jus.gov.on.ca/english/Corrections/IndependentReviewOntarioCorrections/IndependentReviewOntarioCorrectionsDirectionsReform.html> [perma.cc/N4LH-K5EZ]; Independent Review of Ontario Corrections,

*Institutional Violence in Ontario: Interim Report* (Toronto: Queen's Printer for Ontario, 2018), online (pdf): <www.mcscs.jus.gov.on.ca/sites/default/files/content/mcscs/docs/2018\_09\_10\_Interim%20Violence%20Report\_PD F%20ISBN\_Tagged\_FINAL.pdf> [perma.cc/Y26H-VJAH]; Independent Review of Ontario Corrections, *Institutional Violence in Ontario: Final Report*, (Toronto: Ministry of Community Safety and Correctional Services, 2018), online:

<www.mcscs.jus.gov.on.ca/english/Corrections/IndependentReviewOntarioCorrections/InstitutionalViolenceOntarioFinalReport.html> [perma.cc/8F52-NXCV].

<sup>46</sup> See e.g. "OCDC Community Advisory Board Annual Report 2016: Ottawa-Carleton Detention Centre" (2017), online: *Ministry of Community Safety and Correctional Services*

<www.mcscs.jus.gov.on.ca/english/Corrections/CommunityAdvisoryBoards/OttawaCarletonDetentionCentre/CABReport2016OttawaCarletonDetentionCentre.html> [perma.cc/D4L6-MZUF] ["OCDC Annual Report 2016"]; "OCDC Community Advisory Board Annual Report 2015: Ottawa-Carleton Detention Centre" (2016), online:

*Ministry of Community Safety and Correctional Services*

<www.mcscs.jus.gov.on.ca/english/Corrections/CommunityAdvisoryBoards/OttawaCarletonDetentionCentre/OCD C2015CABReport.html> [perma.cc/QW9Q-QGBB]; "OCDC Community Advisory Board Annual Report 2014: Ottawa-Carleton Detention Centre" (2015), online: *Ministry of Community Safety and Correctional Services*

<www.mcscs.jus.gov.on.ca/english/corr\_serv/CABs/EMDC/CAB\_OCDC.html> [perma.cc/2J69-5JUH].

<sup>47</sup> Office of the Auditor General of Ontario, *2019 Annual Report: Volume 3* (Toronto: Queen's Printer for Ontario, 2019), online (pdf): <https://www.auditor.on.ca/en/content/annualreports/arreports/en19/2019AR\_v3\_en\_web.pdf> [perma.cc/842Y-FHNX].

It is against this backdrop that the Criminalization and Punishment Education Project (CPEP) was founded in 2012 by Aaron Doyle and Justin Piché, along with other professors and students at Carleton University and the University of Ottawa. Soon after, CPEP's membership also included former prisoners and the loved ones of criminalized people, as well as other concerned community members. The project aims to reduce the use and harms of imprisonment in the short-term while working toward abolishing human caging and punishment in the long-term. Early on, the project oriented its research and organizing work toward what was transpiring at our local jail, the OCDC, located on Innes Road in Ottawa. To this end, we have engaged in a number of public awareness activities about the jail. We have organized events to raise awareness about conditions of confinement,<sup>49</sup> including two large public forums at City Hall, open mic events, art exhibitions featuring contributions from former prisoners, panels on the need for bail reform and alternatives to imprisonment,<sup>50</sup> and demonstrations and vigils following deaths in custody.<sup>51</sup> We have made recommendations to the provincial government on how to diminish the pains and use of imprisonment, by submitting policy briefs to the 2016 OCDC Task Force,<sup>52</sup> and participating in meetings with ministers and ministerial consultations on policy and legislative reforms. We have facilitated the involvement of former prisoners and their loved ones in debates surrounding provincial imprisonment in Ottawa through the co-creation of videos,<sup>53</sup> and the establishment of a sub-committee advisory group of former prisoners that informs CPEP's priorities. We have also been involved in organizing against the construction of a proposed new, bigger jail to replace OCDC, which was announced by the previous Liberal

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<sup>48</sup> See e.g. Office of the Chief Coroner, "Verdict of the Coroner's Jury: Justin St. Amour" (2019), online: (Toronto: Queen's Printer for Ontario, 2019), online: *Ontario Ministry of the Solicitor General* <[www.mcscs.jus.gov.on.ca/english/Deathinvestigations/Inquests/Verdictsandrecommendations/OCCInquestStAmour2019.html](http://www.mcscs.jus.gov.on.ca/english/Deathinvestigations/Inquests/Verdictsandrecommendations/OCCInquestStAmour2019.html)> [perma.cc/8RV7-YDQ3]; Office of the Chief Coroner, "Verdict of the Coroner's Jury: Cleve Gordon Geddes" (2018), online: *Ontario Ministry of the Solicitor General* <[www.mcscs.jus.gov.on.ca/english/Deathinvestigations/Inquests/Verdictsandrecommendations/OCCInquestGeddes2018.html](http://www.mcscs.jus.gov.on.ca/english/Deathinvestigations/Inquests/Verdictsandrecommendations/OCCInquestGeddes2018.html)> [perma.cc/E4L4-9UZB].

<sup>49</sup> Kelly Egan, "Profs, moms, lawyers alarmed at jail conditions at Innes Road," *Ottawa Citizen* (29 April 2015), online: <<https://ottawacitizen.com/opinion/columnists/egan-profs-moms-lawyers-alarmed-at-jail-conditions-at-innes-road>> [perma.cc/VA97-FA5M]; CBC News, "Ottawa-Carleton Detention Centre conditions prompt public forum tonight," *CBC News* (12 May 2016), online: <<https://www.cbc.ca/news/canada/ottawa/ocdc-ottawa-jail-public-forum-1.3577994>> [perma.cc/QV82-RVV3].

<sup>50</sup> See e.g. Robert Sibley, "Court system undermines the legal presumption of innocence, forum hears," *Ottawa Citizen* (2 October 2014), online: <[ottawacitizen.com/news/local-news/overloaded-jail-system-undermines-the-legal-presumption-of-innocence-forum-hears](http://ottawacitizen.com/news/local-news/overloaded-jail-system-undermines-the-legal-presumption-of-innocence-forum-hears)> [perma.cc/RMW6-KS65].

<sup>51</sup> See e.g. Paula McCooley, "OCDC failing inmates with mental illness, supporters say," *Ottawa Citizen* (15 December 2016), online: <[ottawacitizen.com/news/local-news/ocdc-failing-inmates-with-mental-illness-supporters-say](http://ottawacitizen.com/news/local-news/ocdc-failing-inmates-with-mental-illness-supporters-say)> [perma.cc/GRY6-MXRD].

<sup>52</sup> Aaron Doyle, Laura McKendy & Justin Piché, *Strategies to Reduce Crowding at the Innes Road Jail*, (5 May 2016), online (pdf): *CPEP: Criminalization and Punishment Education Project* <[http://cp-ep.org/wp-content/uploads/2020/01/OCDC-Task-Force\\_CPEP-Submission-1\\_5-May-2016\\_final-1.pdf](http://cp-ep.org/wp-content/uploads/2020/01/OCDC-Task-Force_CPEP-Submission-1_5-May-2016_final-1.pdf)> [perma.cc/65WN-5CQ7]; Aaron Doyle, Laura McKendy & Justin Piché, "Strategies to Improve Conditions at the Innes Road Jail: Second Submission to the Ottawa-Carleton Regional Detention Centre Task Force by the Criminalization and Punishment Education Project" (16 May 2016), online (pdf): *CPEP: Criminalization and Punishment Education Project* <[http://cp-ep.org/wp-content/uploads/2020/01/OCDC-Task-Force\\_CPEP-Submission-2\\_16-May-2016-1.pdf](http://cp-ep.org/wp-content/uploads/2020/01/OCDC-Task-Force_CPEP-Submission-2_16-May-2016-1.pdf)> [perma.cc/MHA6-X35K].

<sup>53</sup> See e.g. CPEP Group, "End Food Privatization at Ottawa's Jail" (13 May 2016), online: *Youtube* <[www.youtube.com/watch?v=kE1bS51JOBM](http://www.youtube.com/watch?v=kE1bS51JOBM)> [perma.cc/C9EV-SZH7].



Government of Ontario under Premier Kathleen Wynne in May 2017.<sup>54</sup> Under the banner of the *#NOPE / No Ottawa Prison Expansion* campaign, we organized a community roundtable attended by representatives from local service providers in March 2018.<sup>55</sup> We also held a demonstration in April 2018,<sup>56</sup> demanding consultation on ways in which the up to \$1 billion earmarked for a thirty-year public-private partnership to design, build, finance, and maintain the new jail<sup>57</sup> could instead be spent in the community to enhance our collective well-being and safety. Since Premier Doug Ford's election in June 2018, we have created infographics<sup>58</sup> and memes<sup>59</sup> as part of our *#got99solutions—a bigger jail ain't one* drive. In this drive, we encourage Ottawa and Ontario residents to contact Premier Ford and other members of his government to say *#YESS / Yes to Education and Social Services* instead of building a larger site of human caging. Spanning the previous and current provincial governments, we have also written several op-eds demanding that the government *#BuildCommunitiesNotCages*.<sup>60</sup>

Along with a number of other groups like the Canadian Somali Mothers Association (CSMA) and Mothers Offering Mutual Support (MOMS), as well as community workers, lawyers, journalists, and others, CPEP has been successful at illuminating the problems at OCDC and available alternatives over the years. However, the day-to-day circumstances of OCDC prisoners largely remained as dire as ever. It is with this in mind that, led by Souheil Benslimane and Sarah Speight, we created the Jail Accountability & Information Line.

Launched on 10 December 2018 and staffed by Souheil, Sarah, and other CPEP volunteers, the JAIL hotline has accepted collect phone calls on weekdays from 1:00 p.m. to 4:00 p.m., and other times by appointment, from OCDC prisoners and their loved ones seeking support. With every passing quarter, the volume of calls we have received has increased. In quarter one, we received 659 calls; in quarter two, 796 calls; in quarter three, 935 calls; in quarter four, 1,012 calls. This is a reflection of the persistent issues faced by those imprisoned at our

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<sup>54</sup> Justin Piché, “The new Ottawa jail will just become another hellhole – don’t build it,” *Ottawa Citizen* (7 May 2017), online: <ottawacitizen.com/opinion/columnists/piche-the-new-ottawa-jail-will-just-become-another-hellhole-dont-build-it> [perma.cc/P7X8-MQVD].

<sup>55</sup> Justin Piché & Aaron Doyle, “Piché and Doyle: There are many alternatives to a bigger jail in Ottawa,” *Ottawa Citizen* (5 May 2018), online: <ottawacitizen.com/opinion/columnists/piche-and-doyle-there-are-many-alternatives-to-a-bigger-jail-in-ottawa> [perma.cc/XR45-7VP9].

<sup>56</sup> Leah Hansen, “Protestors call for better services instead of new jail,” *CBC News* (27 April 2018), online: <www.cbc.ca/news/canada/ottawa/ottawa-jail-detention-centre-protest-1.4638300> [perma.cc/AE2V-RFHG].

<sup>57</sup> Infrastructure Ontario, “2017 Market Update: Alternative Financing and Procurement Projects (2017), online (pdf): *Infrastructure Ontario* <https://www.infrastructureontario.ca/uploadedFiles/\_CONTENT/News/2\_Market\_Update/Market%20Update%20Fall%202017%20-%20CHART.PDF> [perma.cc/4XH8-DLLJ].

<sup>58</sup> See e.g. Criminalization and Punishment Education Project, “#NOPE / No Ottawa Prison Expansion infographics series launched” (1 February 2019), online (blog): *Tracking the Politics of Criminalization and Punishment in Canada* <tcp-canada.blogspot.com/2019/02/nope-no-ottawa-prison-expansion.html> [perma.cc/GSU2-7PDX].

<sup>59</sup> See Criminalization and Punishment Education Project, “99 Alternatives to Jail Expansion in Ottawa” (19 September 2018), online (blog): *Tracking the Politics of Criminalization and Punishment in Canada* <tcp-canada.blogspot.com/2018/09/we-got99solutions-to-enhance-safety-in.html> [perma.cc/G9MZ-KJ5B].

<sup>60</sup> See e.g. Justin Piché, “Doug Ford’s support for a new Ottawa jail will be costly and ineffective,” *Ottawa Citizen* (19 September 2018), online: <ottawacitizen.com/opinion/columnists/piche-doug-fords-support-for-a-new-ottawa-jail-will-be-costly-and-ineffective> [perma.cc/G34C-6688].

local jail, and the rapport we have built with callers. As documented in our quarterly reports,<sup>61</sup> incarcerated callers from all units for women and men in the jail continue to be most concerned about a number of particular issues: first, the lack of access to effective and non-punitive health and mental health care and prescription medications; second, the lack of access to legal information and services as they seek bail or await their trials; third, the ineffectiveness of institutional oversight and redress mechanisms to defend their rights while imprisoned; fourth, the problems arising from the provincial jail phones operated by Bell Canada that, up until April 2020, only allowed prisoners to make expensive collect calls to landlines. This system, which previously did not allow calls to cellphones or service-provider switchboards, greatly restricted communication.<sup>62</sup> Although prisoners can now call cellphones and switchboards, prisoners' support networks continue to be punished with high phone bills that can reach hundreds and even thousands of dollars. Owing to the constraints of the flawed jail phone system, a significant number of our calls entail requests to relay information to, and obtain information from, prisoners' loved ones, lawyers, and service providers in the community.

Callers and CPEP volunteers develop collaborative solutions to these problems experienced as a result of laws, policies, and practices that shape what takes place at OCDC. Through their exchanges, prisoners and JAIL hotline staff and volunteers share information on how to defend prisoners' inherent human rights and facilitate their safe re-entry into the community. As will be discussed further below, our collaborative efforts with callers have resulted in meaningful improvements in the lives of some individual prisoners (*e.g.*, securing access to urgent medical care that was previously delayed or withheld). Before we discuss this work, however, we explain how our initiative is informed by the abolitionist tradition. Given that penal reform gave birth to the practice of imprisonment as we understand it today,<sup>63</sup> we are aware that further reform efforts risk giving new life and legitimacy to the deprivation of liberty, even in the face of the clear failure of the prison to meet its original objectives.<sup>64</sup> Thus, we attempt to carefully engage in reform where OCDC is concerned, while maintaining our long-term commitment to end human caging.

## II. WORKING TOWARD ABOLITION WITH PRISONERS AND THE NEED FOR NON-REFORMIST REFORMS

<sup>61</sup> See Sarah Speight et al, "Jail Accountability & Information Line: Quarterly Advocacy Report #1 – 2019" (2019), online (pdf): *CPEP: Criminalization and Punishment Education Project* <cp-ep.org/wp-content/uploads/2019/09/JAIL-Hotline\_Q1-Report\_Final.pdf> [perma.cc/8FQK-SRTW] [Speight, "Quarterly Report #1"]; Sarah Speight et al, "Jail Accountability & Information Line: Quarterly Advocacy Report #2" (2019), online (pdf): *CPEP: Criminalization and Punishment Education Project* <cp-ep.org/wp-content/uploads/2019/09/Jail-Hotline\_Q2-Report\_Final.pdf> [perma.cc/L3N6-AL7D] [Speight, "Quarterly Report #2"]; Sarah Speight et al, "Quarterly Report #3" (2019), online (pdf): *CPEP: Criminalization and Punishment Education Project* <cp-ep.org/wp-content/uploads/2020/01/Q3-Report\_JAIL-Hotline\_final.pdf> [perma.cc/F7PT-VSLB] [Speight, "Quarterly Report #3"]; Sarah Speight et al, "Quarterly Report #4" (forthcoming), online (pdf): *CPEP: Criminalization and Punishment Education Project*.

<sup>62</sup> Souheil Benslimane et al, "Will You Accept the Charges? The Case for the Government of Ontario to Move Away from the Prohibitive, Predatory, and Outdated Telephone System in its Provincial Jails and Towards Accessible, Free Calling That Promotes Corrections Essential to Community Well-being and Safety" (2019), online: (pdf): *CPEP: Criminalization and Punishment Education Project* <cp-ep.org/wp-content/uploads/2019/10/Ontario-Jail-Telephone-Report\_JAIL-Hotline\_Final\_October-2019.pdf> [perma.cc/HMU5-CRWU].

<sup>63</sup> Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books, 1977).

<sup>64</sup> Thomas Mathiesen, *Prison on Trial* (London, UK: Sage Publications Ltd, 1990).

It has long been recognized that “the prison is a fiasco in terms of its own purposes” such as rehabilitation, deterrence, and justice.<sup>65</sup> Since the emergence of the prison centuries ago, attempts to humanize imprisonment and to improve outcomes for both prisoners and communities have been neutralized by penal policy makers, administrators, and frontline practitioners, as denunciation, deterrence, incapacitation, and punishment are privileged over reform-oriented objectives.<sup>66</sup> Even when meaningful changes have been realized in sites of confinement in the short-term, these have been reversed over the long-term. “Carceral clawbacks,” whereby progressive reforms are dismantled in the name of institutional security, strict discipline, and austere conditions of confinement,<sup>67</sup> have led to the return of widespread human rights abuses that undermine efforts by prisoners and prison staff members to impact positive change that would enhance community safety.<sup>68</sup> These failures generate new rounds of reform, which Michel Foucault has argued is the prison’s “programme.”<sup>69</sup>

Leading abolitionist thinkers and activists have increasingly taken the position that imprisonment is a proven failure in terms of meeting its stated aims, and that the prison’s principal success is its reproduction of various forms of inequality that sustain dominant social relations.<sup>70</sup> Among those seeking to put an end to human caging, there is nonetheless a recognition that this pursuit is a long-term project.<sup>71</sup> The eradication of imprisonment will require profound societal changes to end inequality and oppression, and the vast expansion of prevention, diversion, decarceration, and community-driven accountability measures.<sup>72</sup> In the meantime, human beings that are imprisoned and those who work as staff in sites of confinement—people who are exposed to psychological and physical harm, some of whom may even lose their lives—cannot wait. Thus, abolition informs our organizing strategy and serves as a long-term goal,<sup>73</sup> as is evident in our campaign against building a new, bigger jail in our city. However, we also fight for interim or transitional reforms to alleviate the suffering that imprisonment engenders.

Like many other abolitionists, we do not preclude advocating and organizing for reforms that would diminish the pains of imprisonment, including those experienced by people currently at the Innes Road jail with whom we work in solidarity. In taking this view, the question we ask ourselves is not whether to engage in prison reform, but how to engage in such work while simultaneously working toward abolition. Put differently, like Mathiesen<sup>74</sup> and other

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<sup>65</sup> *Ibid* at 141.

<sup>66</sup> *Ibid*.

<sup>67</sup> Pat Carlen, “Carceral clawback: The case of women’s imprisonment in Canada” (2002) 4:1 *Punishment & Society* 115.

<sup>68</sup> Michael Jackson, *Justice Behind the Walls: Human Rights in Canadian Prisons* (Vancouver: Douglas & McIntyre, 2002).

<sup>69</sup> Foucault, *supra* note 63 at 234.

<sup>70</sup> Angela Davis, *Are Prisons Obsolete?* (New York City: Seven Stories Press, 2003).

<sup>71</sup> Thomas Mathiesen, *The Politics of Abolition Revisited* (Abingdon, UK: Routledge, 2015) [Mathieson, *The Politics Revisited*].

<sup>72</sup> Fay Honey Knopp, *Instead of Prisons: A Handbook for Abolitionists* (Oakland, CA: Critical Resistance, 2005).

<sup>73</sup> Shana Agid et al, *A World “Without” Walls: The CR Abolition Organizing Toolkit* (Oakland, CA: Critical Resistance, 2012), online (pdf): <[criticalresistance.org/wp-content/uploads/2012/06/CR-Abolitionist-Toolkit-online.pdf](http://criticalresistance.org/wp-content/uploads/2012/06/CR-Abolitionist-Toolkit-online.pdf)> [perma.cc/X2Q6-T6BC].

<sup>74</sup> Thomas Mathieson, *The Politics of Abolition* (London, UK: Martin Robertson & Company, 1974) [Mathieson, *The Politics*].

abolitionists, we ask ourselves what kind of reforms can be enacted to reduce the harms of incarceration that prisoners experience, while not further consolidating the power to punish and making our task of dismantling cages more difficult.<sup>75</sup> In organizing with current and former prisoners to reduce the inherent harms of jailing, we keep in mind that carceral spaces are never going to be humane or acceptable, and that we must also always push for alternatives to human caging. In practice, this means avoiding advocating for more funding or resources for spaces and practices of carcerality where possible. We ensure that the language we use to communicate our efforts to “improve” conditions of confinement to the degree that is possible in a carceral setting, is in alignment with our long-term ends to shrink the use of imprisonment out of existence. We do not present reforms in such a way that they seem to solve the problems of imprisonment. We do not construct certain individuals and acts as more imprisonable than others. Instead, we articulate a vision that promotes interim measures to attenuate harm, while we fight for the development of non-punitive and non-carceral alternatives in the community, and eventual freedom for all.

Informed by penal and carceral abolitionism,<sup>76</sup> we attempt to be on guard against community measures such as the use of halfway houses that operate as “alternatives” to confinement, but retain a punishment-oriented mentality and enact oppressive carceral logics that extend state control into the community.<sup>77</sup> These approaches must also become targets of abolitionist intervention down the road. This is one way in which the work of abolitionists must be seen as an always “unfinished,” permanent struggle.<sup>78</sup> Our ultimate goal is to build safe and healthy communities of care, an objective that is undermined by policing<sup>79</sup> and human caging in its various forms.<sup>80</sup> These forms include incarceration, as well as bail, probation and parole when they are accompanied by jail-like conditions, and various other means of surveillance, securitization, and control.<sup>81</sup> Abolition is not just about arguing for more community resources, but also about demanding that communities have the power to shape the form of those resources, and the practices that flow from them.<sup>82</sup> For example, funding should be redirected from police, courts, and the penal system to community-run mutual aid and transformative justice measures, developed and governed by those with lived experience.

Another way that abolitionism informs our work is by orienting our activities to meaningfully involve criminalized and imprisoned people.<sup>83</sup> For Mathieson<sup>84</sup> and the Norwegian Association for Penal Reform that he organizes with, this requires centring those facing the brunt of state repression in conversations to identify priorities and to organize, and meaningfully involving them in seeing their vision through. Rather than conceiving of people who have faced

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<sup>75</sup> Liat Ben-Moshe, “The Tension between Abolition and Reform” in Mechthild E Nagel & Anthony J Nocella II, eds, *The End of Prisons: Reflections from the Decarceration Movement* (Amsterdam: Rodopi, 2013).

<sup>76</sup> Justin Piché & Mike Larsen, “The moving targets of penal abolitionism: ICOPA, past, present and future” (2010) 13:4 Contemporary Justice Rev 391.

<sup>77</sup> See Katharina Maier, “Canada’s ‘Open Prisons’: Hybridisation and the Role of Halfway Houses in Penal Scholarship and Practice” (2020) 59 How J Crim Justice (forthcoming).

<sup>78</sup> Mathieson, *The Politics*, *supra* note 74.

<sup>79</sup> Alex S Vitale, *The End of Policing* (New York City: Verso, 2017).

<sup>80</sup> Piché & Larsen, *supra* note 76.

<sup>81</sup> *Ibid.*

<sup>82</sup> Angela Y Davis, *Abolition Democracy: Beyond Prisons, Torture and Empire* (New York: Seven Stories Press, 2005).

<sup>83</sup> Vincenzo Ruggiero, *Penal Abolitionism* (Oxford, UK: Oxford University Press, 2010).

<sup>84</sup> Mathieson, *The Politics Revisited*, *supra* note 71.

criminalization and imprisonment as people in need of help, we must understand, following the insights of Indigenous organizer Lilla Watson, that “their liberation is bound up” in our own.<sup>85</sup> This engenders a politics of solidarity that binds us and our work together.

### **III. NECESSARY FIRST STEPS**

Much preparation is required to establish prisoner solidarity initiatives that are capable of documenting and diminishing the pains of imprisonment, while other parallel work is done to move toward a world without human caging. In this section, we describe the steps we took to plan and ultimately launch the JAIL hotline, informed by an abolitionist stance that says “no” to, and demands change in the face of, injustice.<sup>86</sup>

#### **A. DETERMINING OBJECTIVES AND OVERALL APPROACH**

As we emphasized above, in organizing an initiative that involves collaboration with people who have been, or are currently, behind bars, it is essential to carve-out space for them to play a leadership role. This is critical to ensure that the work being done will be responsive to their needs and circumstances. People who are currently incarcerated or who have recently been imprisoned are most aware of the needs that exist in sites of human caging. Prisoners or former prisoners know best the resources available to prisoners to address these needs. They also know the risks and potential consequences associated with certain interventions. With this in mind, initial planning for the hotline began with meetings with CPEP’s advisory group, comprised of former OCDC prisoners. At this point, the hotline was referred to as OCDC Watch. Our first planning meeting was held in July 2018. Those present advanced their vision of the purposes a hotline could serve and how it could work, and talked through basic logistical details.

In discussing the mandate of the hotline, those present thought that our idea of creating “a number to call” to get the word out about what was going on at OCDC “wouldn’t help.” Instead, they wanted to see the hotline serve as a resource to share and acquire knowledge. They wanted the hotline to connect people held at the Innes Road jail to community organizations in the housing, health and mental health, employment, and social services sectors to enhance their discharge planning and facilitate their safe re-entry into the community. They felt that information provision should be a core pillar of the hotline, so that callers would be in a better position to stay out of OCDC. Former prisoners explained that this requires building bridges to the community and having consistent support, to avoid being released from jail with no support or resources at one’s disposal. Advisory committee members also noted that, while doing things to decrease the number of prisoners at OCDC was important, the hotline had to hold “people accountable” for the abuses that take place at the jail, and the conditions that characterize life and death there. With accountability serving as another pillar of the hotline, it was hoped that documenting *and* attempting to resolve human rights issues raised by callers would result in meaningful changes to conditions of confinement at OCDC. It is at this point that the hotline was renamed the Jail Accountability & Information Line, in the pursuit of two core aims:

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<sup>85</sup> Joanne Watson, “Lilla Watson” (2007) 14:1 Queensland Rev 47.

<sup>86</sup> Thomas Mathiesen, “The Abolitionist Stance” (2008) 17:2 J of Prisoners on Prisons 58 [Mathiesen, “Abolitionist Stance”].

- 1) Accountability (holding OCDC staff and management accountable for the treatment of incarcerated individuals by tracking and resolving human rights violations within the jail); and
- 2) Information (providing information to people who are incarcerated at OCDC about their rights and community resources available to them upon re-entry into the community).

Questions of process were also central to our discussions during the advisory committee meeting. Those present discussed how to build sufficient trust between hotline staff, volunteers, and OCDC prisoners, in order to make the initiative effective and promote self-determination and empowerment. The advisory committee underscored the knowledge and capacity of prisoners as people “just like everyone else,” along with the need for “active listening” and “follow-through.” This conversation, coupled with knowledge from other prison-related community organizing projects,<sup>87</sup> would later translate into the JAIL hotline’s six-stage call intake and resolution process including: establishing rapport (stage one), defining problems (stage two), exploring available resources (stage three), developing plans of action (stage four), implementing the plans of action (stage five), and assessing results (stage six).

In terms of basic logistics, a central consideration among meeting participants was when during the week to have the hotline open. One advisory committee member noted that when the hotline would get calls would be dictated by when prisoners at OCDC have access to pay phones within the jail to make collect calls. Several former prisoners chimed in with information about when access to phones is allowed on different ranges. Through this conversation, we determined that OCDC prisoners can access phones on most ranges between 1:00 p.m. and 4:00 p.m. and between 6:00 p.m. and 8 p.m. Given that prisoners tend to make calls to family and loved ones during the evenings and weekends when many of them are off work, we anticipated that we would receive the most calls on weekday afternoons and thus selected 1:00 p.m. to 4:00 p.m. as our primary hours of operation.

## B. ESTABLISHING CALL BOUNDARIES, AND INTAKE AND RESOLUTION PROCEDURES

Having emerged from the advisory committee meeting with clear objectives and a general sense of how we would work to achieve them, we began to flesh out how we would work with callers. Informed by a desire to build trust and empower people inside with whom we wanted to collaborate, we developed a list of “do’s” and “don’t’s,” which are listed below.

Do	Don’t
Keep caller confidentiality and privacy	Contact OCDC authorities without caller consent

<sup>87</sup> See e.g. Gayle K Horii, “Guidelines for Advocacy: Introduction” (October 2000), online (pdf): <<http://www.caefs.ca/wp-content/uploads/2013/05/Guidelines-for-Advocacy-Updated-December-2011.pdf>> [perma.cc/72D6-GWMS]; PASAN, *Pros & Cons: A Guide to Creating Successful Community-based HIV and HCV Programs for Prisoners* (Toronto: Prisoners with HIV/AIDS Support Action Network (PASAN), 2011), online (pdf): <<http://www.pasan.org/resources.html>> [perma.cc/DJP4-C9BV] [PASAN].

Be honest about what you can commit to	Ask a caller about another prisoner
Set clear boundaries	Speak “down” to the caller
Follow through	Make promises you can’t keep
Try actively to be nice to callers	Impose your views or judgements
Be authentic with callers	Collaborate with staff

The key features of our procedure involve the basics of establishing trust in any context: maintaining confidentiality and being kind, authentic, and honest about what one is able to commit to. Informed by our discussions with advisory committee members, we endeavoured to be clear with every caller that we cannot promise results, but that we will support them using whatever means available to us that they are comfortable with. Our training guide, which we discuss further below, includes the saying “always do what you say you are going to do and, when things change, communicate that.”<sup>88</sup> However, the inability to contact prisoners directly when issues arise means that this ideal is difficult to maintain in practice. As such, shortly after the launch of our initiative, we began to make sure to set up dates and times for follow-up calls with callers. This way, callers and volunteers could keep each other “in the loop” in terms of actions taken on both sides of the walls, whether pertaining to issues of accountability related to human rights violations such as not having access to health care or the acquisition of information. Having a process for follow-up calls is critical, because a key feature of imprisonment is that it inhibits, and often obliterates, the ability of incarcerated people to sustain connections in the community.<sup>89</sup> Further, although it is important to be realistic and transparent about the services we are able to provide, it is also important to maintain boundaries. For instance, before the hotline was launched, we anticipated that some callers would reach out to us frequently in ways that could prevent others from reaching us by phone. Having anticipated this, we have been clear with repeat callers that on busier days we need to take calls from others. This boundary has been understood and well-received for the most part.

We also “take sides”<sup>90</sup> with prisoners by not collaborating with staff who have, from time to time, called the hotline to inquire about what we have been up to. As a result, we have been successful in achieving the goal of stage one in our communications with callers, which is to establish rapport, where staff and volunteers actively listen and allow room to vent. Active listening continues during stage two, in order to identify the core reason for the calls and the problems callers are facing. Often, a caller simply wants someone to vent to and does not require any further action. In cases where action is required, in stage three we explore available resources to address the issues raised during calls. Where possible, we try to not reinvent the wheel. Thus, we communicate information concerning existing channels to address issues, including internal complaint mechanisms. However, these channels are often either inaccessible due to staff interference,<sup>91</sup> or ineffective, because their recommendations are not implemented in

<sup>88</sup> PASAN, *ibid.*

<sup>89</sup> Kaitlin MacKenzie, “« La seule constance... c’est l’inconstance » : les répercussions des faux positifs des scanners à ions sur les familles des détenus canadiens” (2019) 52:1 *Criminologie* 157.

<sup>90</sup> Howard S Becker, *Outsiders: Studies in the Sociology of Deviance* (New York: The Free Press of Glencoe, 1963).

<sup>91</sup> See Speight et al, “Piché: Stop jailing people with mental health issues. It kills,” *Ottawa Citizen* (9 December 2018), online: <[ottawacitizen.com/opinion/columnists/piche-stop-jailing-people-with-mental-health-issues-it-kills](http://ottawacitizen.com/opinion/columnists/piche-stop-jailing-people-with-mental-health-issues-it-kills)> [perma.cc/KX54-4HJE] [Speight, “It kills”]; Sarah Speight et al, “Jail Accountability & Information Line: Monthly Report #1” (2019), online (pdf): *Criminalization and Punishment Education Project*

policy<sup>92</sup> or, even if they are, do not translate to changes in practice.<sup>93</sup> Based on our discussions about channels with callers, we then move to stage four, where we co-develop plans with callers and outline manageable steps and responsibilities for taking action on both sides of the wall. This stage is critical when working with individuals who experience the extreme constraint of incarceration. Otherwise, it would be easy for a volunteer to default to doing things “for them” that they think will be helpful, without callers’ involvement or consent, because callers are not always readily available to confirm if plans should proceed ahead. However, the caller is the only individual who is aware of the full risks associated with an intervention, based on their intimate knowledge of their own environment. Stage five involves the implementation of the strategies we devise, whether it be to address an issue specific to an individual (*e.g.*, getting access to prescription medication that they lost access to once imprisoned at OCDC) or tackling a problem that is systemic (*e.g.*, inability to call land-lines). Stage five is not initiated on our end unless we are explicitly given the go-ahead by the caller in question, because they know the risks. In some cases an action which could be seen as “helpful” (*e.g.*, calling the institution on someone else’s behalf) could have dire consequences for an individual at risk of reprisal. Following the implementation of action plans, stage six involves periodically checking in and assessing results, and, if required, reinitiating the process to try to address the issue using a new set of tactics.

### C. DEVELOPING AN INFORMATION MANAGEMENT STRATEGY

Central to building and maintaining trust with callers is maintaining confidentiality and privacy in such a way that will not put them further in harm’s way. At the same time, we need to document information about the issues they face in order to translate knowledge as part of our shared resolution work. Our default is caller anonymity, as allowing callers to identify themselves when it feels natural to them is key in establishing trust. Generally, callers are identified in our debrief forms as “unknown callers” unless they explicitly ask to have their names recorded. In individual cases, callers may request that our staff and volunteers contact the institution on their behalf (*e.g.*, when experiencing a medical emergency that they would like OCDC health care unit staff and/or the senior administration to be aware of, so that action stalled at the front lines can be bypassed). In these cases, we obtain a caller’s full name for our records and engage in correspondence with the institution. Over time, it is most often the case that callers eventually make the choice to identify themselves. This is with the understanding that we will not reveal their names, or information that would help identify them, in the publicly accessible materials we produce to work toward achieving systemic reforms (*e.g.*, reports, press releases, op-eds, et cetera). Although limiting identifying information poses some challenges to reporting (*e.g.*, recording the number of repeat callers), oversight reporting through a thematic analysis of

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<[www.scribd.com/document/397447717/JAIL-Hotline-Report-1-14-January-2019](http://www.scribd.com/document/397447717/JAIL-Hotline-Report-1-14-January-2019)> [Speight, “Monthly Report #1”]; Speight, “Quarterly Report #1,” *supra* note 61; Speight, “Quarterly Report #2,” *supra* note 61; Speight, “Quarterly Report #3,” *supra* note 61.

<sup>92</sup> See *e.g.* “OCDC Annual Report 2016,” *supra* note 46.

<sup>93</sup> See *e.g.* Justice David P Cole, “Final Report of the Independent Reviewer on the Ontario Ministry of the Solicitor General’s Compliance with the 2013 ‘Jahn Settlement Agreement’ and the Terms of the Consent Order of January 16, 2018 Issued by the Human Rights Tribunal of Ontario (25 February, 2018), online: <[www.mcscs.jus.gov.on.ca/english/Corrections/JahnSettlement/FinalReportIndependentReviewer.html](http://www.mcscs.jus.gov.on.ca/english/Corrections/JahnSettlement/FinalReportIndependentReviewer.html)> [perma.cc/D32B-PQLM].



call intake and resolution forms is a secondary feature of the hotline. Our primary objective is to work with callers to address the issues they face, using whatever means are most accessible to, and responsive for them.

## **D. DEVELOPING A VOLUNTEER TRAINING GUIDE**

Our organizing team entered this project with the goal of working with prisoners at OCDC and their loved ones to create meaningful change in their lives. At the centre of our work is a desire for establishing, sustaining, and deepening relationships with callers, which made the creation of a training guide necessary. We treat our training guide as a living document, and revise it on an ongoing basis as callers inform us what works for them, so that we are more responsive to their needs.

Volunteers must have an understanding of our organizing principles, and must be willing to put them into practice to work with callers. Our guide outlines “who we are” as a group, and “our aims” in intervening in the face of poor conditions of confinement and barriers to safe re-entry upon release.<sup>94</sup> It outlines our “organizing principles” in engaging in a politics of solidarity, collaboration, and unconditional support in the abolitionist tradition. The manual also focuses on “organizing relationships” to ensure volunteers gain an understanding of establishing boundaries, goal-oriented intervention, caller-led interactions, and collective accountability. They are reminded that the point of this work is not to “fix” a situation or “rescue” an individual, but rather to act as a partner in addressing the issues reported by callers. Volunteers are also trained in situational crisis response, and given sample scenarios in the training guide based on crises that have occurred at OCDC in the past.

As we will discuss in more detail below, prospective volunteers that demonstrate a commitment to the initiative are invited to complete shadowing sessions where they observe and participate in the call intake and resolution process. This is critical to our training process because it ensures that volunteers understand not only our protocols, but also how we interact with callers.

## **E. FORMING A CORE GROUP OF VOLUNTEERS AND BUILDING THEIR CAPACITY**

Before launching the JAIL hotline, we decided to begin with a core group of volunteers who were already familiar with the context and history of OCDC. For the first month of operation, only two individuals managed the hotline, including one who had been incarcerated at OCDC. This facilitated relationship building, as repeat callers developed familiarity with the individuals operating the phones. The individuals established trust with callers, while demonstrating a commitment to follow-through. Advisory committee members have cited this as crucial to the hotline’s ability to gain traction and generate movement toward achieving our objectives.

Since the first month of operation, we have held smaller training sessions for individuals who are willing to devote time on a consistent basis to act as call intake volunteers. New volunteers shadow core volunteers and work under their supervision until the new volunteers

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<sup>94</sup> Criminalization and Punishment Education Project, *Jail Accountability & Information Line Volunteer Handbook* (Ottawa: CPEP, 2018).

develop the capacity to work independently at all stages of our call intake and resolution process. Where original time commitments waned or necessary proficiency was not achieved, those interested in contributing have instead been given research tasks to acquire information required to address the issues raised by callers. While volunteer retention has been an issue because of the time commitment required, the capacity-building approach has allowed us to maintain the politics and processes informing our work with prisoners.

As was the case when the JAIL hotline launched in December 2018, the project continues to be operated by up to three community volunteers at a time on weekdays from 1:00 p.m. to 4:00 p.m., working in solidarity with people who are incarcerated at OCDC and their loved ones. We have also begun to involve law professors and students, as well as practising lawyers. These individuals document conditions of confinement by collecting information and evidence from prisoners to pursue different legal avenues, provide legal information, and build bridges to legal services. Developing this legal capacity is necessary to work toward addressing individual and systemic issues reported by callers, in situations where OCDC and ministry officials fail to act upon the information and the recommendations we have communicated to them through other means.

## **F. ACQUIRING THE MEANS OF COMMUNICATION AND OFFICE SPACE**

Having set the objectives, developed processes capable of flexibility and refinement, and ensured that capable people were in place and ready to begin the work, we went about acquiring the necessary infrastructure to run a hotline. We needed a secure location capable of storing confidential information. We needed to set up a line that could take collect calls from prisoners at OCDC who at the time could only call landlines that do not have extensions or switchboards. We also thought that having a physical space dedicated to taking the calls, rather than forwarding the calls through a landline to volunteers' cell phones, would foster a space for collaborative problem-solving and community for those working the hotline. While we were able to get access to an office at the University of Ottawa to run the JAIL hotline and receive mail from OCDC prisoners, we could not use the university's centralized phone system with an extension dedicated to our initiative. Instead, we had to have a dedicated phone line installed by a third-party provider obtained through the university's procurement channels. This delayed the launch of the hotline by several weeks. We also had to pay hundreds of dollars in initial setup costs. Our monthly phone bills are high, ranging from \$550 to \$1,200 due to the receipt of collect calls, including calls from prisoners transferred from OCDC to other provincial jails with whom long-distance communications is more costly (*e.g.*, \$25 per twenty minutes). As a result, we have been limited to one landline. One positive aspect of having to set up our own phone line is that it allowed us to pick a number that was easy to remember and thus easy to pass on by word of mouth: 613-567-JAIL (5245). Having an office at the university also gave us a space where up to three volunteers could be present at the same time to brainstorm with a single caller, which has enriched our collaborative problem-solving.

## **IV. GOING LIVE**

After months of planning, by December 2018 we had the foundation in place to begin taking calls on the JAIL hotline. In this section, we detail some of the early lessons learned as we

sought to get the word out about the initiative, document and resolve issues faced by people held at OCDC, and generate movement to address systemic issues to the degree that one can in a jail setting. We believe that these lessons are relevant to those looking to engage in similar prisoner solidarity work.

## A. MAKING USE OF “TURNING POINTS” TO GET THE WORD OUT AND MAKING ADJUSTMENTS

Before launching the JAIL hotline, we anticipated that calls would slowly trickle-in, gradually increasing over time if we continued to deliver results for callers. To get there, however, we had to find ways to generate awareness about the initiative amongst prisoners at OCDC and their loved ones.

In December 2018, we were planning a demonstration to denounce deaths in custody to coincide with the resumption of the well-publicized coroner’s inquest into the death of Cleve “Cas” Geddes.<sup>95</sup> The demonstration was going to take place at the Canadian Tribute to Human Rights near the Ottawa courthouse where the coroner’s inquest was taking place<sup>96</sup> and would feature Cas’s sister Sigrid and the Geddes family’s lawyer Paul Champ as speakers. We believed that the heightened attention on OCDC marked a potential “turning point,”<sup>97</sup> or moment in time where we could engage in work that could result in meaningful reductions in the harms and use of imprisonment while working toward abolition. With this in mind, we published an op-ed in the *Ottawa Citizen* newspaper the day before the demonstration. We used the op-ed to highlight the need for non-carceral alternatives to jailing people living with mental health conditions, and to announce the launch of the hotline.<sup>98</sup> Due to the op-ed and related coverage of the demonstration, news of the initiative’s launch received coverage online,<sup>99</sup> and more importantly, in print,<sup>100</sup> on radio,<sup>101</sup> and on television,<sup>102</sup> through media outlets that prisoners inside OCDC have access to.

To our surprise, as soon as we opened the line, we immediately began receiving around a dozen calls per day from people held captive at the Innes Road jail. The immediate, steady use of the line was the result of the media coverage and the active organizing work of initial callers with whom we built rapport and respectful relationships. Initial callers soon spread the word to others about what we were trying to achieve. Since the beginning, callers referring fellow prisoners to the hotline have been an important source of new calls. Having said this, for months

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<sup>95</sup> While awaiting placement in a psychiatric institution to help treat his schizophrenia, Cas was placed in solitary confinement at OCDC where he died by suicide. See Speight, “It kills,” *supra* note 91.

<sup>96</sup> See “Protest held over OCDC death of Cas Geddes”, *CBC News* (11 December 2018), online (video): <[www.cbc.ca/news/canada/ottawa/protest-held-over-ocdc-death-of-cas-geddes-1.4941857](http://www.cbc.ca/news/canada/ottawa/protest-held-over-ocdc-death-of-cas-geddes-1.4941857)> [perma.cc/C68N-XSVD].

<sup>97</sup> Mathiesen, “Abolitionist Stance,” *supra* note 86 at 62.

<sup>98</sup> See Speight, “It kills,” *supra* note 91.

<sup>99</sup> “Inmates get new hotline to report conditions at Ottawa Jail”, *CBC News* (11 December 2018), online: <[www.cbc.ca/news/canada/ottawa/ottawa-jail-inmate-condition-phone-1.4940394](http://www.cbc.ca/news/canada/ottawa/ottawa-jail-inmate-condition-phone-1.4940394)> [perma.cc/6EN8-HNZD].

<sup>100</sup> Bruce Deachman, “Hotline to open for detention centre inmates and their families”, *Ottawa Citizen* (10 December 2018), online: <[ottawacitizen.com/news/local-news/hotline-to-open-for-detention-centre-inmates-and-their-families](http://ottawacitizen.com/news/local-news/hotline-to-open-for-detention-centre-inmates-and-their-families)> [perma.cc/EM2T-TV3Y].

<sup>101</sup> Alan Neal, “Jail hotline” *CBC News* (10 December 2018) [on file with authors].

<sup>102</sup> Adrian Harewood, “Ottawa Jail hotline,” *CBC Ottawa News at 6* (10 December 2018) [on file with authors].

we did not receive calls from women imprisoned at OCDC. Women are confined separately within the jail, and normally represent less than 10 per cent of the people confined there. To inform incarcerated women and increase take-up more generally, we created business cards with the hotline's contact information. We distributed them in the OCDC parking lot during visiting hours at the jail, and at community gathering places accessed by criminalized women and their loved ones. In hindsight, we should have done this before the launch of the hotline.

Another lesson learned early on was the need to better manage relations with OCDC staff members. We remained cordial when staff occasionally called us, deflecting their questions about what we were “up to” and derogatory remarks about “manipulative and violent ‘offenders’” who were calling us. However, the exchanges between CPEP volunteers and jail staff online—particularly through Twitter—were toxic, with motives and actions on all sides questioned. In early online exchanges, we assigned much of the blame for what was taking place at the Innes Road jail to front-line staff who work in an inherently toxic environment, that is often made worse by laws and policies that they have little to no role in developing. Eventually, with frequent Twitter tirades leading nowhere productive, CPEP members, including JAIL hotline staff and volunteers, blocked all staff from OCDC and other provincial institutions that had been harassing us over Twitter. We “picked sides”<sup>103</sup> and positioned ourselves as actors attempting to impact change outside the confines of the official channels usually available to prisoners. As such, we were not endeavouring or expecting to make friends with OCDC staff and administrators. After taking the time to have many discussions about the hierarchy of responsibility for what takes place within the institutions, by the time we published our first quarterly report we revised the accountability piece of our mandate to hold “the provincial government, the Ministry of Community Safety and Correctional Services (now the Ministry of the Solicitor General), as well as OCDC management and staff, accountable for the treatment of incarcerated individuals.”<sup>104</sup> Had we initially taken a position similar to the Quakers—who recognized the “prison system is both a cause and a result of violence and social injustice...is inherently immoral and is as destructive to the cagers as the caged”<sup>105</sup>—we might have saved ourselves from spending energy on unnecessary negative exchanges with OCDC staff, some of whom may be open to much of what we are seeking to accomplish.

## **B. DOCUMENTING THE BRUTALITIES OF JAILING AND MAKING A DIFFERENCE TOGETHER**

Within the first month of the hotline's existence, we noticed patterns in the issues that were being consistently reported by individuals from all areas of the men's side of the jail.<sup>106</sup> We documented the patterns in our call intake forms, recorded the most successful approaches to address them in our call resolution forms, and developed a “Commonly Raised Issues and Potential Solutions” sheet. The document includes a growing list of common problems including, but not limited to, prolonged placements in segregation, restrictions on yard time, lack of

<sup>103</sup> Becker, *supra* note 90.

<sup>104</sup> Speight, “Quarterly Report #1,” *supra* note 61.

<sup>105</sup> Religious Society of Friends, “Canadian Yearly Meeting of the Religious Society: Minute on Prison Abolition” (1981), online (pdf): <[quakerservice.ca/wp-content/uploads/2011/05/CYM-Minute-on-Prison-Abolition.pdf](http://quakerservice.ca/wp-content/uploads/2011/05/CYM-Minute-on-Prison-Abolition.pdf)> [perma.cc/882G-6ATT].

<sup>106</sup> Speight, “Monthly Report #1,” *supra* note 61.

cleaning supplies, issues with staff, lack of medical privacy, and lack of connection to resources in the community. Given how often issues concerning access to medical and mental health care were cited by callers, we decided that the theme required its own problem-solving sheet. It is important to note that these problem-solving sheets provide suggestions to share with callers, not instructions. These forms provide a list of available options that have been effective for addressing issues faced by previous callers. A caller may choose from the options after being informed of the potential benefits or drawbacks of each. We adopted this approach because the caller is best positioned to determine how to try to address their needs.

Our work with prisoners has short-, medium- and long-term components. We are trying to address the immediate needs of callers, while also addressing the sources of the problems within societal structures, and the laws, policies, and practices shaping the use of imprisonment. For example, say that a person arrives at OCDC and contacts us. They report that they cannot reach their loved ones in the community because their loved ones do not have a landline. The caller thus requests that their loved ones know the caller is in jail. In this case, we fulfill their wishes. At the same time, we take what we have learned from the individual problem reported and apply this knowledge to medium-term systemic work aimed at providing free calling for Ontario's prisoners to both landlines and cellphones.<sup>107</sup> This is part of a longer-term strategy to attack the disconnection engendered by imprisonment.<sup>108</sup>

Some of our callers are new to organizing. Others are already adept in self-advocacy and collective organizing, using formal complaint channels and developing longer-range systemic approaches to social change, such as a campaign demanding citizenship status for all,<sup>109</sup> by the time they come into contact with us. In such cases, we endeavour to support their work. It has been rewarding to observe callers refine their individual and collective intervention strategies over the course of our interactions with them. Given the range of experiences possessed by callers, and the diversity of the issues they report to us, our call resolution work takes various forms. These include, but are not limited to, serving as a conduit of information between prisoners and their loved ones, lawyers, and community service providers, contacting OCDC and MSG officials by phone, email or by mail, sending alerts to public health and other oversight and redress bodies (e.g., Human Rights Tribunal of Ontario (HRTO)), and assisting with the submission of formal complaints.<sup>110</sup>

At the direction of prisoners we work with, we have also attempted to transform their private troubles into public issues<sup>111</sup> to impact change, by writing op-eds,<sup>112</sup> publishing demands

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<sup>107</sup> Benslimane et al, *supra* note 62.

<sup>108</sup> Megan Comfort, *Doing Time Together: Love and Family in the Shadow of the Prison* (Chicago: University of Chicago Press, 2008).

<sup>109</sup> See e.g. "Justice for Deepan," online: *Justice for Deepan* <<http://www.justicefordeepan.org>> [perma.cc/M8WF-PFWC].

<sup>110</sup> For more details, see Speight, "Monthly Report #1," *supra* note 61; Speight, "Quarterly Report #2," *supra* note 61.

<sup>111</sup> C Wright Mills, *The Sociological Imagination* (New York: Oxford University Press, 1959).

<sup>112</sup> See e.g. Sean Leblanc et al, "LeBlanc and Co.: Ontario must reduce overdose risks behind and beyond bars", *Ottawa Citizen* (8 April 2019), online: <[ottawacitizen.com/opinion/columnists/leblanc-and-co-ontario-must-reduce-overdose-risks-behind-and-beyond-bars](http://ottawacitizen.com/opinion/columnists/leblanc-and-co-ontario-must-reduce-overdose-risks-behind-and-beyond-bars)> [perma.cc/NFL9-WSZG].

developed by working groups of prisoners within OCDC,<sup>113</sup> and engaging in media interventions,<sup>114</sup> organizing panels,<sup>115</sup> and demonstrations.<sup>116</sup>

We have had some success ending the terrible treatment of some individual prisoners (e.g., getting people who have had broken bones for weeks transferred to the hospital for care, getting prisoners suffering from withdrawal access to drug substitution treatment, and supporting prisoners in drafting and submitting HRTO Applications). However, as was the case for those involved in prisoner solidarity work before us,<sup>117</sup> creating systemic change has been difficult. In attempting to address issues of serious harm or neglect, it is important to reiterate how dire and extensive the needs are behind jail walls. Much of the prison justice and abolition work we do involves meeting prisoners' everyday needs that individuals on the outside often take for granted will be met. For example, we put pressure on the institution to provide prescription medication, and support bail and release planning to get prisoners out of jail alive as promptly as possible. We also ensure that individuals behind bars are connected to community resources such as housing so that they are positioned to avoid future criminalization and incarceration. These are everyday "little wins" amidst the slow, grinding struggles typical in human rights work with prisoners.<sup>118</sup>

### C. THE NEED TO DEVELOP A FUNDRAISING STRATEGY

In the lead up to the launch of the JAIL hotline, we did not have a sense of the expenses associated with operating it, as we did not know how many calls we would receive. In hindsight, we should have devoted a lot of time and resources prior to the initiative's launch to fundraising, as our first few monthly phone bills were each over \$1,000 to cover the costs of hundreds of collect calls. We also had expenses associated with printing and mailing materials to prisoners with information they sought. These costs quickly depleted the funds we had generated through our pre-winter holidays "Build Communities, Not Jails" t-shirt and button sales drive. As a result, we had to dedicate significant time to fundraising, through t-shirt and button sales at community events, and organizing an open mic fundraiser, to raise the funds necessary for us to operate during the first six months of our existence. In our third quarter of operations, the stable flow of calls necessitated the creation of a University of Ottawa donation fund to cover expenses,

<sup>113</sup> See e.g. Criminalization and Punishment Education Project, "Recommendations to address longstanding issues at OCDC" (14 January 2019), online (blog): *Tracking the Politics of Criminalization and Punishment in Canada* <tcp-canada.blogspot.com/2019/01/recommendations-to-address-longstanding.html> [perma.cc/W5MN-T35P].

<sup>114</sup> See e.g. Dahlia Kurtz, "Why incarcerated lives matter" Radio: *The Goods* (Ottawa, 24 March 2019) [on file with authors].

<sup>115</sup> See e.g. Criminalization and Punishment Education Project, "Caging isn't caring: Responding to the overdose crisis behind and beyond bars – A community conversation" (15 April 2019), online (blog): *Tracking the Politics of Criminalization and Punishment in Canada* <tcp-canada.blogspot.com/2019/04/caging-isnt-caring-responding-to.html> [perma.cc/3V72-VB3J].

<sup>116</sup> See e.g. Joanne Laucius, "Bell, let's talk about making it easier for inmates to call from jail, say protestors," *Ottawa Citizen* (31 January 2019), online: <ottawacitizen.com/news/local-news/bell-lets-talk-about-making-it-easier-for-inmates-to-call-from-jail-say-protesters> [perma.cc/CXU4-KWZ3].

<sup>117</sup> See e.g. Claire Culhane, *No Longer Barred from Prison: Social Injustice in Canada* (Montreal: Black Rose Books, 1991).

<sup>118</sup> Gaucher, "Organizing Inside," *supra* note 22.

many of which we paid out-of-pocket while we submitted a funding application for a Responsive Grant from the Law Foundation of Ontario. Fortunately, we received bridge funding from the Department of Criminology at the University of Ottawa, and the Responsive Grant from the Law Foundation of Ontario, which provided us with secure, stable funding to sustain the JAIL hotline's operations for its second year of operations. Building bridges across jail walls to address human rights issues with prisoners, and facilitate their re-entry into their communities, has been expensive. Any group of people wishing to engage in similar work needs to have a fundraising strategy in place, and should raise funds before launching their initiative. This way, when they are in the thick of organizing, they can fully focus on their work with prisoners, rather than having to dedicate a lot of time and resources to finding funds to keep a successful initiative running.

## V. SUSTAINING GAINS, REIMAGINING POSSIBILITIES AND GROWING THE MOVEMENT

In Phase I of the JAIL hotline, we devised an approach to penetrate and make visible that which is taking place behind jail walls—which has been a longstanding challenge in and of itself for advocates and scholars.<sup>119</sup> Our current work in Phase II, which is funded by the Law Foundation of Ontario, involves collaboration with professors and students from the University of Ottawa and Carleton University. This includes collaboration with a *CML 2179 / CML2184 Prison Law Practicum* course in the Common Law Section of the University of Ottawa's Faculty of Law co-taught by Professor Vanessa MacDonnell and practising lawyer Savannah Gentile, a *SCS 4150: Directed Research in the Social Sciences* course taught by Professor Justin Piché at the University of Ottawa, and a *SOCI 4860: Community Engaged Sociology* course taught by Professor Aaron Doyle and Instructor Deborah Connors at Carleton University. We hope to establish a model based on the lessons learned from the fall 2019 and winter 2020 semesters in which students and professors from future iterations of these courses, along with members of the newly created Legal Information Team (LIT) comprised of University of Ottawa law students and professors and local lawyers, can support the work of the JAIL hotline. These individuals can support the hotline's work by: 1) documenting conditions of confinement through collecting information and, if appropriate, affidavits and other evidence; 2) developing and providing legal information; 3) building bridges to legal services; and 4) developing and implementing legal strategies. Where soft-resolution efforts such as those described in the previous section fail, including contacting the jail's administration, this interdisciplinary and multi-sectoral work promises to build our organizing capacity and tools to maximize systemic change to the degree that is possible within OCDC.

While we currently focus our efforts on the poor treatment of prisoners and deplorable re-entry outcomes at OCDC,<sup>120</sup> it is only one of thirty provincially-administered sites of confinement in Ontario. Thus, even when we have made gains at our local provincial jail during Phase II (e.g., forcing the jail's administration to distribute medications to Muslim prisoners

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<sup>119</sup> Turnbull et al, *supra* note 10.

<sup>120</sup> See e.g. Ombudsman Ontario, *2018-2019 Annual Report*, (Toronto: Office of the Ombudsman of Ontario, 2019), online (pdf): *Ontario Ombudsman* <<https://www.ombudsman.on.ca/Media/ombudsman/ombudsman/resources/Annual%20Reports/2018-19AR-EN-accessible.pdf>> [perma.cc/W9NW-XUHY].

outside of fasting hours during the holy month of Ramadan),<sup>121</sup> unless the initiative extends its reach to other communities and institutions across Ontario, our ability to create and sustain real, lasting change will be limited. With this in mind, our interdisciplinary and multi-sector JAIL hotline team is looking to seed the ground to establish similar initiatives elsewhere to generate greater movement.

Growing the abolitionist and prison justice movement this way could give rise to new possibilities for those engaged in the longstanding struggle to diminish the damage of imprisonment, alongside work that is being done to end human caging. If we recognize that imprisonment is the most costly, ineffective, and inhumane way of responding to social harms,<sup>122</sup> we have nothing to lose but our collective chains in engaging in experimentation aimed at achieving freedom for all.

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<sup>121</sup> See Criminalization and Punishment Education Project, “Update Regarding Ramadan Accommodations for Muslim Prisoners at OCDC” (25 May 2020), online (blog): *Tracking the Politics of Criminalization and Punishment in Canada* <<http://tcp-canada.blogspot.com/2020/05/update-regarding-ramadan-accommodations.html>> [perma.cc/H4KL-6ZLE].

<sup>122</sup> Ruth Morris, *Stories of Transformative Justice* (Toronto: Canadian Scholars' Press, 2000).