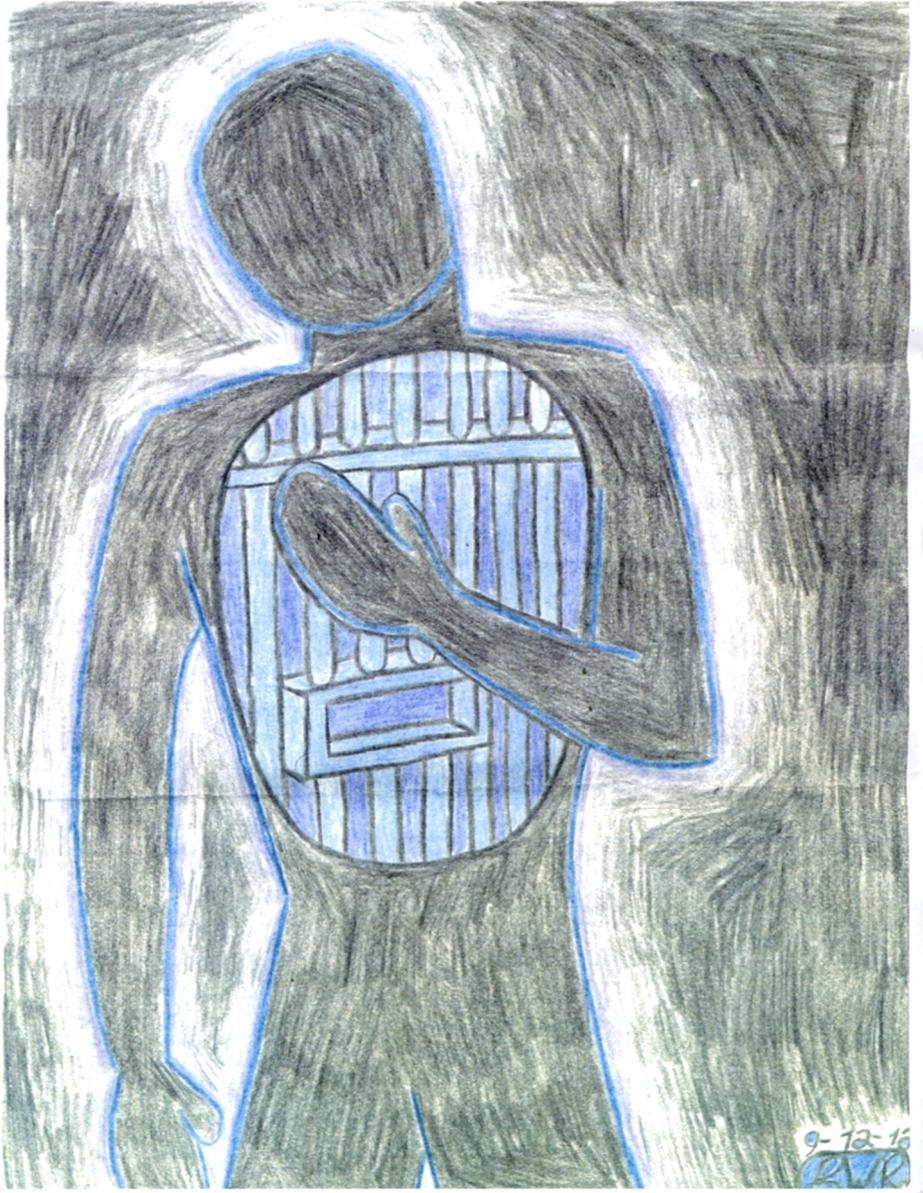


CLASS ACTION! NEWS



ISSUE #16, WINTER 2019/20

< *Editor's Note* >

It is Winter & Issue #16 of 'Class Action News'. This magazine is by & for the Prisoner Class in Canada.



In every Issue we provide a safe space for creative expression and literacy development. These zines feature art, poetry, stories, news, observations, concerns, and anything of interest to share.

Health & Harm Reduction info will always be provided - Yes, Be Safe!

Quality & Quantity:

Items printed are those that are common for diverse readers, so no religious items please.

Artwork: Black pen (tat-style) works the best. Cover Artist will receive a \$25 donation.

Writings: only short poems, news, stories, ... Items selected are those that fit nicely & allow space for others (½ page = 325 words max). For author protection, letters & story credits will all be 'Anonymous'.

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"Actually, I am quite content with our prison system. Maybe the prisoner has gone crazy, but all he needs now, is a little education!"

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∞ 'Dish With One Spoon' Treaty ∞

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- The right of life, liberty and security of person (Section 7).
- The right not to be arbitrarily detained (Section 9).
- The right not to be subjected to cruel and unusual punishment (Section 12).
- The right to be equal before and under the law (Section 15).

< News >

No need for new rules to ensure timely youth trials, Supreme Court rules

The Supreme Court of Canada says 18-month time limits for adult trials also apply to the youth justice system, but three dissenters said the ruling leaves accused young people worse off than before.

The dissenters - Justice Rosalie Abella, Justice Russell Brown and Justice Sheilah Martin - would have set the ceiling at 15 months, saying that young people are harmed more than adults by delay.

The majority said, however, that young people may seek a trial in less time than 18 months, for special reasons - "for example, if an accused can show that he or she is struggling in school due to anxiety over the outstanding charges" - and might still have their charges dismissed if the prosecution does not take reasonable steps to expedite the matter.

The ruling came in the case of KJM, a 15-year-old boy from Fort McMurray, Alta., accused of using a boxcutter to stab and seriously injure a 16-year-old boy at a house party. It was the first opportunity for the Supreme Court to consider whether the time limits it set in a 2016 case known as Jordan applies to young people. KJM's criminal proceedings lasted 19 months, from the time he was charged until he was convicted.

Graham Johnson, a lawyer for KJM, had urged the court to set a 12-month limit. He said the majority had shown a "fairly shocking lack of understanding" of Youth Court.

"They've essentially said the onus is on the youth, some of the most vulnerable participants in the criminal-justice system, to demonstrate their own vulnerabilities on a case-by-case basis," he said in an interview with *The Globe and Mail*. "It's odd, because it's enshrined in [the Youth Criminal Justice Act] that youth have a different perception of time and suffer heightened prejudice from delay."

He said that accused youth tend to be from disadvantaged backgrounds and often have little family support, making it difficult to abide by conditions of release, such as a curfew, which can lead to more trouble with the law.

The court voted 6-3 to extend the adult time limit to youth, and 5-4 to uphold KJM's conviction (partly because the majority blamed

KJM and his lawyer for some of the delay). The Alberta Court of Appeal upheld KJM's conviction, but of the three appeal judges, one said the adult limits apply, one said they don't, and one would have shortened them to 15 months.

The three dissenters on the Supreme Court wrote a stinging rebuke to the majority, saying that before the Jordan ruling, courts deemed young people to be entitled to trials in much less than 18 months.

"Applying the adult Jordan ceilings to young persons erodes this standard," Justice Abella and Justice Brown wrote, supported by Justice Martin. "And it - bizarrely - leaves young persons worse off than they were, since the adult Jordan ceilings potentially allow for more pretrial delay for young persons than the system previously tolerated." (Emphasized words in the original.) This, said the dissenters, turns the Jordan principles into "a hollow promise" for young people.

The Jordan ruling in the summer of 2016 criticized the criminal-justice system for a "culture of complacency" among all parties, and set time limits of 18 months for proceedings in Provincial Court and 30 months in superior court. It sent shock waves through the system. Within months, two murder charges were thrown out for unreasonable delay. The provinces asked for an emergency meeting with the federal justice minister. In the end, the federal government passed a host of new measures to speed up the system.

Justice Michael Moldaver was a co-author of the Jordan ruling. A decade earlier, while a member of the Ontario Court of Appeal, he had given a speech in which he said he was "mad as hell" about a legal culture that tolerated needless complexity and delay. But in KJM, he said the Jordan ruling had succeeded in creating a faster-moving justice system, and the benefits would be felt in Youth Court. (Justice Brown, a Jordan co-author, split with him on KJM.)

"First and foremost," Justice Moldaver wrote for the majority, "it has not been shown that there is a problem regarding delay in the youth criminal justice system."

Sean Fine
Globe and Mail
Nov 15, 2019

Issues persist over solitary confinement for Canadian inmates with mental illness

Ashley Smith's death in prison 12 years ago was supposed to lead to reforms for mentally ill inmates as well as changes to solitary confinement, but The Fifth Estate discovered another troubling case unfolding in a Canadian prison.

"Being in segregation is, it's tough," said Joey Toutsaint, an inmate in federal prison with serious mental illness who, by his own count, has spent nearly six years in isolation. "There's nothing to do and the only thing that comes to my mind when I'm in here is self-harming, self-harming, self-harming."

The 32-year-old from Black Lake, Sask., has spent most of his life incarcerated for violent offences and has been convicted of 41 offences while in custody. He was given "dangerous offender" status in 2015 and is currently serving an indefinite sentence.

In 2018, Toutsaint filed a human rights complaint against Corrections Canada for denial of mental health treatment. Corrections Canada said it cannot comment on Toutsaint's case and pointed to the new law for inmates who cannot be held in general population.

Prisoner isolation, declared unconstitutional nearly two years ago, remains legal after Canada's top court granted Ottawa's request in June to allow the current law to stay in force for the time being - a law that Smith's mother and sister say is highly flawed.

Smith died in 2007 by self-strangulation at Grand Valley Institution in Kitchener, Ont., while guards videotaped her death and did not intervene. She was 19 and had spent more than 1,000 days in segregation and was moved from institution to institution.

The inquest into Smith's death produced 104 recommendations, including a call to end "indefinite solitary confinement."

A number of human rights organizations say the law - which comes into force on Nov. 30, 2019 - offers only a cosmetic rebranding of solitary confinement with no hard time limits on isolation or separation of inmates. The government points out, though, that the new law does end disciplinary segregation.

In June, a spokesperson for Ralph Goodale, the former public safety minister, disputed

suggestions that the then-bill preserves solitary confinement under a different name.

"C-83 allows for the separation of inmates when that's necessary for safety reasons, while providing programs, interventions, mental health care and meaningful human contact on a daily basis - all subject to binding external review," Scott Bardsley said.

With files from Saman Malik
& The Canadian Press
CBC News - Oct 28, 2019

Supreme Court stresses jail should be 'the exception' for people awaiting trial

B.C. man challenged a decision to keep him in custody pending trial

The Supreme Court of Canada says making an accused person wait in jail before trial should be the exception, not the rule, in a decision that affirms a key legal safeguard intended to ensure speedy justice.

In a 9-0 ruling today, the high court says people accused of crimes are automatically entitled to periodic reviews of their detention under provisions set out in the Criminal Code.

In clarifying how the provisions should work, the court says Parliament intended to ensure that people awaiting trial have their cases reviewed by a judge at set points in time to consider whether keeping them in jail is justified.

It means jailers must apply to a judge for a hearing on behalf of the accused at the 30-day mark in cases involving lesser offences, and at the 90-day mark in cases involving indictable offences.

The case landed at the high court as a result of an appeal by Corey Lee James Myers, who was arrested on several firearms charges in British Columbia three years ago.

Though Myers eventually pleaded guilty to reduced charges, he also challenged a decision to keep him in custody pending trial.

The Canadian Press
Mar 28, 2019

The walls are the publishers of the poor.
- Eduardo Galeano

Barring Canadian inmates access to clean needles unconstitutional: Activists

Barring drug-using federal prisoners from access to clean syringes puts them at risk for serious diseases and violates their rights, an Ontario court is set to hear.

For two days starting Monday, prison and other activists are expected to make the case that Ottawa's rules and policies around needles in prisons are unconstitutional.

"The absolute prohibition on sterile injection equipment is arbitrary, overbroad and grossly disproportionate," the applicants say in their filings in Superior Court.

"Prisoners are particularly vulnerable to infringement of their (constitutional) rights because the government has total control over every aspect of their daily lives, including their access to health care."

The case was initially launched in 2012 by Steven Simons, who was imprisoned from 1998 to 2010. Court documents show Simons became infected with the hepatitis C virus and was potentially exposed to HIV, the virus that can lead to AIDS, while behind bars. He says another prisoner used his injection materials, and that they had no access to sterile equipment.

The problem, the applicants say, is that prison authorities regard syringes as contraband, making inmates found with them subject to punishment. The tough approach comes despite mounting evidence that in-prison access to sterile needles helps prevent the spread of serious illnesses.

"The sharing of drug-injection equipment poses a high risk for transmitting blood-borne infections," the applicants state.

"The prevalence of HIV and (hepatitis C) among Canadian prisoners, including those in federal penitentiaries, is significantly higher than among the population as a whole."

Activists note that more than 90 per cent of prisoners are eventually released. Like Simons, some will have become infected with serious illnesses from sharing needles and syringes behind bars.

"Correctional authorities' refusal to ensure access to sterile injection equipment inside prisons not only jeopardizes the health and lives of prisoners, it also contributes to a public health problem beyond prisons."

Statistics suggest Indigenous and female inmates are most at risk, making Ottawa's approach discriminatory, the applicants say.

In recognition of the problem, the federal government recently began a pilot needle-exchange program in which inmates are given access to sterile equipment. However, The pilot has only been implemented in half a dozen of Canada's 43 federal prisons, according to court filings.

One intervener in the case, the B.C. Civil Liberties Association, says the response is not enough given that widespread drug use is an acknowledged fact of prison life in Canada.

"As the vast majority of prisoners have no access to safe injection equipment, those who use drugs have no choice but to inject them in unsafe ways," the association says in its factum. Correctional Service of Canada has long tried to keep drugs out of prisons, but recognizes that contraband inevitably finds its way to inmates.

Prison guards oppose making needles available to inmates, citing the risk of accidental or intentional injury. However, their union says in-prison safe injection sites, in which inmates get access to needles for use in a supervised setting with nursing staff, are preferable to needle-exchange programs that offer injection kits for in-cell use.

The court is expected to hear that other countries offer needle and syringe programs with positive health benefits. It's also expected to hear from the Canadian HIV/AIDS Legal Network about the drug situation in prisons.

Colin Perkel

The Canadian Press

Nov. 3, 2019

Prisons are hate factories, Pastor, and society wants more and more of them.

- John Grisham

Prison always has been a good place for writers, killing, as it does, the twin demons of mobility and diversion.

- Dan Simmons

Prison has taught me that there is a part of you that no one can ever take from you, and that is your heart.

- Babar Ahmad

'Smarter and stronger'? New law is really a cruel gutting of access to justice for the impoverished

It appears that Ontario's Attorney General, Doug Downey, is a quick learner. The old saying isn't true, an old dog can learn new tricks.

After a rocky summer where Downey took political heat for slashing legal aid funding and publicly musing about messing with Ontario's judicial appointment process so he could more easily pick judges who reflect his values, Downey has finally learned to stop being so transparent. It's a play right out of the Doug Ford handbook - don't listen to the half-truths he says, instead take a close look at what he actually does.

You see, Downey was all smiles this week when he introduced his signature justice legislation, the Smarter and Stronger Justice Act, billing it as a fix for Ontario's complex and out-dated justice system. He said it would improve legal aid services and enhance access to justice.

Downey also announced that following this year's \$133 million legal aid cuts, the government has decided not to pursue further funding reductions.

It all sounded like a breath of fresh air. But the devil is in the details.

It's true that Ontario's court system is in desperate need of modernization. In a damning report, Ontario Auditor General Bonnie Lysyk described a justice system that is out-dated and inefficient.

She found that Ontario's jails have never been more crowded with people waiting for trials, yet our courtrooms are only used an average of 2.8 hours per day. Delays plague the system, and despite spending more money on Crown Attorneys, cases are taking about 10 per cent longer to complete than they did four years ago. And unlike other jurisdictions, our court system is stuck in the 1970s. In 2018-19, almost 2.5 million documents were filed in Ontario's courts - more than 96 per cent of them on paper.

The utter failure of the double Ds - Doug Ford and Doug Downey - on the justice front has resulted in court delays, wasted money, and decreased access to justice.

So, back to Downey's new legislation.

Contrary to Downey's claims, it is devoid of any meaningful measures to move Ontario's justice system into the 21st Century. Under Downey's

rule, the fax machine is still king of the courtroom.

But even more duplicitously, despite walking back \$30 million in planned cuts to Legal Aid Ontario (LAO), Downey's legislation is a Trojan horse for his ultimate goal - a cruel gutting of access to justice for the impoverished.

You see, the Smarter and Stronger Justice Act fundamentally changes the purpose of the legal aid system.

Downey's new law literally replaces LAO's current goal, providing high-quality legal aid services to low-income individuals, with a new goal of ensuring value for money.

The new legislation also allows the government to more easily stack LAO's board of directors with hand-picked appointments. And if we have learned one thing about the Ford government, it's that it loves unqualified patronage appointments.

Most insidiously, buried deep in Downey's legislation is the downloading of millions of dollars of costs, currently borne by the government, directly onto LAO's shoulders.

There are a number of circumstances right now that allow a court to order the government to pay legal costs to victims, to youths, to amicus curiae, or to those denied legal aid but in need of a lawyer to ensure fair trial. And these appointments are happening more frequently as LAO tightens its belt and denies assistance to more and more people.

The Ministry of the Attorney General used to pay these costs when it was ordered to do so by a court. But not after Downey's new bill.

Much like Trump wanting Mexico to pay for his ill-conceived border wall, Downey's legislation says that, "Despite any order of a court requiring that the cost of providing services ... be borne by the Attorney General of Ontario or the Crown in right of Ontario, the cost of providing the services shall be borne by [LAO]."

The impact of this constitutionally dubious immunity clause will be the downloading of millions of dollars in additional costs, probably more than the cost of the abandoned legal aid funding cuts, onto the backs of the very organization tasked with assisting Ontario's poor and marginalized populations.

And as Legal Aid Ontario pays more of these shifted costs, it will have less money to help impoverished accused ... which will lead to more court-ordered costs and even less money

to help the poor. It's a destructive feedback loop that will crush Ontario's legal aid system.

Downey says his new bill will modernize the courts, but it won't.

He says his new bill will increase access to justice, but it won't.

He says his new bill will strengthen legal aid, but it won't.

In fact, Downey has actually done the opposite.

He did it quietly and covertly. And he proved that Doug Ford's dog can learn new tricks.

Michael Spratt
CBC News - Opinion
Dec 13, 2019

< *Poems* >

Deal Done

Another sleepless night
For this mother's fright
As she continues to worry
Thinking of her son's fight

He is constantly in a battle
With the demon on his back
Always whispering in his ear
To score another hit
So we can begin to feel

But that wasn't the case
On this particular night
Because after that hit
There was no more light

This is the risk when taking that chance
You don't dance with the devil
Without making a deal
So next time you're thinking of feeling all swell
You're taking that chance of landing in hell

- Patrick Dowdell

Prison is, simply put, the bottom rung of the welfare ladder.

- Stephen Reid

Prison is the only form of public housing that the government has truly invested in over the past 5 decades.

- Marc Lamont Hill

My Life

My Life I no longer love
I'd rather be set free above
Get it over with while the time is right
Late some rainy night
Turn black as the sky
And as cold as the sea
Say goodbye to Ashley
Miss me but don't be sad
I'm not sad, I'm happy & glad
I'm free, where I want to be
No more caged-up Ashley

Wishing I were free
Free like a bird

- Ashley Smith
(at 18 yrs old - Oct 1, 2006 NB Youth Centre)

Untitled

Today
a poem came for you
unbidden uninvited
it crept through
a misty fold of memories
until I saw
luminous cat eyes
watching me - in the darkness
stray fingers stroked mine
first with awkward indifference
then tender curiosity
the moon came to me that night
and pierced an arrow
through my heart

- Larry Ewashen

Shackles 'n' Cuffs!

Holy Fuck! I just love this life!
Hurry up! Hurry up! Hurry!
Wait! ... For what???
Belly-chain her too ...
Shackles 'n' Cuffs

- Chantel Patterson

Ottawa says it's ending solitary confinement. A former prisoner and advocate says that's not quite true

The Canadian government says a bill coming into force on Saturday will end solitary confinement in federal prisons across the country.

In theory, Bill C-83 will outlaw both administrative and disciplinary segregation. But prisoners' rights advocates say administrative segregation is just being rebranded.

"I am a firm believer that they're just renaming it," said Alia Pierini, a former prisoner who is now a regional advocate for Canadian Association of Elizabeth Fry Societies in British Columbia.

For years, rights advocates and health experts have warned Canada about the psychological impact of solitary confinement.

Under the new law, prisoners can be put into what will now be called Structural Intervention Units (SIU) "to address their specific risks," according to a statement provided to Day 6 by Correctional Services Canada communications adviser Esther Mailhot.

"These SIUs will be used when inmates cannot be managed safely in a mainstream inmate population. The goal is to return these inmates back into a mainstream inmate population as soon as possible," wrote Mailhot.

The department says, in those units, prisoners will receive interventions that equip them with "pro-social tools they need to reintegrate into a mainstream inmate population and not return to the SIU."

The bill will also allow prisoners held in the SIU four hours of "meaningful human contact" every day, and "will include consideration of the inmate's health needs," according to Mailhot. That includes a mental health evaluation before being placed in SIU, and a follow-up every 14 days, in addition to daily health care visits by a "registered health professional."

Same units, different name

But Pierini says the SIU units are identical to the ones now being used for solitary confinement. Pierini, who says she spent the majority of her five-year prison term in segregation, says it's impossible to turn those same units into rehabilitative spaces.

"They're using the exact same segregation unit that ... people have taken their lives in,"

she said. "There's nothing different about them."

Pierini was convicted of drug trafficking, extortion and aggravated assault in 2005, when she was 20 years old.

She was placed in segregation because of behavioural problems, and for "questioning the system," she says.

She recalls the small, "dingy" unit, where she says the majority of her contact with staff was through a meal slot.

"Talking to boots"

"Some of these meal slots are on the floor, so you're laying on the floor talking to boots," she told Day 6 host Brent Bambury. "It's not meaningful - you don't have meaningful contact at all."

Mailhot told Day 6 the correctional service defines meaningful contact as an interaction through programs and services, and cultural, religious and spiritual practices.

Meaningful human contact could also be interactions with volunteers and family, said Mailhot.

Senator Kim Pate, a long-time advocate for prisoners' rights, lauds the end of segregation as a disciplinary measure,

But she notes that it has typically been difficult for prisons to use segregation as a way to punish inmates because of additional due process requirements.

Prisons have instead put inmates into solitary confinement under administrative segregation "when, really, your interest was one of discipline," Pate said. Administrative segregation is used when the safety of staff and inmates is at risk, as opposed to punishment of an inmate. Administrative segregation is often used for the safety of staff and inmates, as opposed to punishment of an inmate.

Pate agrees with Pierini that under the new law, it appears as though "the plan is still to use segregation, or Structured Intervention Units, in much the way administrative segregation has been used in the past."

Doubts on enforcement

Pierini says the promise of four hours of "meaningful human contact" under the new law is simply not enough, a sentiment Pate shares. Spending 20 hours per day in segregation is still damaging to people's mental health, Pierini added.

Joey Twins, who is also a former inmate, said four hours outside a segregated unit go by very fast.

"You get to have a shower, you get yard and then that's it," she said. "I think they should just abolish segregation."

Pierini says she doubts the four hours of "meaningful human contact" will be enforced.

"They're still at the warden's discretion, so I don't even feel these four hours are going to be utilized," she said.

While she was in solitary confinement, Pierini says her warden granted her four hours per day outside of her unit due to her deteriorating mental health, but it was rarely enforced.

"There's no third-party oversight on corrections and I just really don't trust ... that they're gonna be following these directions," she said.

However, in a statement received Saturday from the Office of the Minister of Public Safety and Emergency Preparedness, Scott Bardsley tells Day 6 that under the new law, an independent external review can be triggered when certain conditions aren't met, including when an inmate does not receive adequate time outside the cell or adequate human contact for five straight days, or if an inmate's time in a SIU lasts longer than 90 days.

Advocates have spent many years trying to convince the federal government that solitary confinement is dangerous, Pierini said.

Now, it looks as though they'll have to spend as much time proving the new system is just as damaging, she added.

'A dark time'

While in segregation, Pierini said her mental health declined quickly.

"Segregation was a really dark time for me. I've never been so, you know, lost in my life. I never wanted to take my life before until I sat in segregation for that long," she said.

The effects didn't go away when she was released. Pierini says she still suffers from extreme anxiety.

"It's a struggle mentally, still. And doctors still tell me to this day it's from being isolated for so long and it has mentally damaged me," she said.

"Nobody should feel so hopeless that they're wanted by nobody."

The new bill, according to the government, is supported by \$448 million to hire hundreds of new staff and update institutional infrastructure.

Of those funds, \$150 million will be devoted to mental health care.

CBC Radio - Day 6
Nov 30, 2019

< *Poems* >

Untitled

A beautiful disaster
Wanting to be healed
Deep below the surface
An ugliness revealed
Running from the pain
And never looking back
A long and lonely road
That led to using crack
In a world with no direction
Lost & without hope
Seemingly her only friend
A glass pipe filled with dope
But it too would betray her
And leave her wanting more
Alone on streets of darkness
Looking for a score
The lengths that she would go to
To see that friend again
Would be her final downfall
But she didn't know it then
Suddenly across the sky
Lights flashing red & blue
Nowhere left to run or hide
And nothing she could do
Cops with loaded weapons
Forced her to the ground
Inside her mind was screaming
But she didn't make a sound
They've locked her up in prison
And thrown-away the key
But this beautiful disaster
Was never really free

- Tracie Cheesman

A paranoid is someone who knows a little of what's going on.

- William S. Burroughs

Educate yourself for the coming conflicts.

- Mary Harris Jones (Mother Jones)

From parks to prisons, decolonization is the responsibility of people of colour, too

Last month, I bought a blanket at Elk Island National Park made by the Sisters of Tradition Women's Collective.

Elk Island is the only fully enclosed national park in Canada. It was founded in 1906 to protect one of the last remaining elk herds in the province and is now a preserve for bison - animals intimately tied to colonization, whose population was decimated during the 19th century as a result of the fur trade.

The Women's Collective is comprised of incarcerated Indigenous women from the Edmonton Institution for Women, which holds more than 160 women, around 70 per cent of whom are Indigenous.

Elders come to the prison and teach the women traditional crafts, most of which are sold at Elk Island, though the women are able to keep some of their work to sell for future income. For many incarcerated Indigenous women, this is their first time learning these skills and connecting with Elders from their community.

The partnership between the park and the prison is a perfect distillation of the exclusion, exploitation, and erasure that form the basis of Canadian colonialism.

Canadian national parks are an important source of national mythmaking as well as tourist revenue. Images of mountains, lakes, and wildlife such as beaver and caribou form the iconography of *Canadiana*.

National parks are also, in Indigenous writer Robert Jago's words, "colonial crime scenes."

Canadian colonialism legitimizes itself by making Indigeneity hyper-visible - think decontextualized totem poles, treaty acknowledgments in colonial institutions, and dream-catchers and moccasins sold at airport shops - and making actual Indigenous people invisible: missing, murdered, incarcerated, in precarious tent cities, and on reserves with undrinkable water.

Indigeneity is on full display at the Elk Island gift shop, and their website explains, "To give a Star Blanket is to show utmost respect, honour and admiration."

But this blanket wasn't given to me. I bought it at a store at a national park as a full participant in colonial erasure and capitalist exploitation. While my ancestors were colonized by the same

British Empire, I live here as a settler on stolen land.

Even if we come from colonized places, the structural conditions of non-Indigenous and non-Black people of colour means that we benefit from and perpetuate settler colonialism in Canada.

In fact, many non-Indigenous, non-Black people of colour buy into colonial capitalism and allow themselves to be weaponized for anti-Indigeneity and anti-Blackness as "model minorities."

In "Are Prisons Obsolete?" Angela Davis writes, "The prison ... functions ideologically as an abstract site into which undesirables are deposited, relieving us of the responsibility of thinking about the real issues afflicting those communities from which prisoners are drawn in such disproportionate numbers."

Too often, settlers of colour in North America see the colonial relationship as between Indigenous people and white settlers, and in doing so, we absolve ourselves of complicity. But solidarity as colonized people means taking on the responsibility to decolonize here and now, along with acknowledging the different structural positions we inhabit in relation to different colonialisms.

My politics include a commitment to prison abolition and transformative justice, as well as a belief that reforms are almost always used to perpetuate unjust systems. At the same time, a critique of the prison as an institution should also attend to the real people inside and what can make their lives more liveable, which may include learning crafts with Elders.

While we advocate for an end to incarceration, we must support those who are subject to it, whether they are inside or out. This means standing with Indigenous peoples against colonial capitalism.

On the horizon is the end of the mass incarceration and the restoration of stolen land. In the meantime, we must read, listen, and learn how history becomes present. We can write letters to incarcerated people. We can donate money to organizations that support people in conflict with the justice system, such as The Elizabeth Fry Society and Stan Daniels Healing Centre, and anti-colonial grassroots groups such as the Beaver Hills Warriors.

These are tasks for all non-Indigenous people on this land, not just European settlers.

I have the blanket as a reminder of the ongoing work of exposing the colonial and carceral logics beneath the postcard-perfect icons of the Canadian imaginary.

Shama Rangwala
Star, Alberta
Nov 15, 2019

'We need to speak up': UofA's Shama Rangwala on how settlers of colour can be allies to Indigenous people

Shama Rangwala was born in Edmonton to Indian parents, but left at age 12 to live in Saudi Arabia, the United States and the U.K. before returning to Canada at age 19.

The entire time she lived abroad, she considered herself a proud Canadian, but it wasn't until she moved back to Canada that she began to question what that meant.

Rangwala, this week's Star Alberta guest editor, is now a faculty lecturer at the University of Alberta, where her research focuses on looking at power structures and how they adapt throughout history - including colonialism, capitalism and patriarchy.

She feels strongly about her role as a settler of colour, especially the responsibility that comes with it. She not only feels compelled to raise awareness about issues faced by Indigenous people, but also to point out how people of colour benefit from colonialism in Canada.

In her column, she refers to all people of colour as settlers, except Black people, "because Black people who came here as part of the trans-Atlantic slave trade, that is a different kind of relationship. They weren't settling here, they were kidnapped and forced to work," she said.

Star Edmonton spoke to Rangwala about what made her realize her role in this conversation and how settlers who are people of colour can be better allies to Indigenous people.

- Normally when you think of settlers, people think of usually white Europeans who moved to Canada. But you say POC should also be aware of their role as settlers here. Could you explain that a bit?

I think that a lot of us come from places that were colonized or... it was not safe for us to be there, so we come to Canada. Canada becomes this safe haven.

But we really need to think about what it means to be safe here. Like, what it did cost the Indigenous people of this land? And I think it's really important to acknowledge those differences so we can show solidarity as colonized people.

- When did you start thinking about this issue?

I have always loved going to national parks. And when I was a kid, I never thought about "What is a national park?" They would just give me so much pleasure. As an adult, I asked myself, what did that pleasure cost? So that's what really got me thinking about it.

Canada is, of course, so beautiful, but the history of national parks is so violent, it is a history of displacement and violence. I think that we need to think about that question, what did it cost? That's what got me thinking about it.

- How did you feel once you learned about the history and violence associated with parks and about your role as a settler of colour?

It makes me feel very grateful and it also makes me feel responsible.

There are bad feelings that can come out of this, like guilt. I am benefitting from this thing that's so violent, but I don't think those are helpful emotions, like I think guilt is a kind of impasse. Instead of thinking about that, I think that we should think of responsibility.

There are many ways they benefit. Just by being safe here from the colonialism that we left is a privilege.

I would also say there are ways that immigrants and people of colour who are not Black and Indigenous who get held up as model minorities - as the perfect Canadian - that's one of the ways you benefit.

If you can succeed as an individual because people see you as a good brown person who has assimilated into being Canadian - this is back to that idea of assimilation being a form of colonial violence - then you are benefitting from that construction.

- How can settlers of colour counter this?

I think we need to speak out. They need to resist being held up as being the good brown person, or the good Asian person. You are not a good Canadian if you are calling out colonialism, you are making trouble by talking about colonialism, that is not a good Canadian.

That's why Don Cherry is a good example. When he said "you people," he meant people of colour, everybody knows that's what he meant. And the reaction from people of colour was, "No, I am a good Canadian, I play hockey, I take my kids canoeing, and my family fought in imperial armies." If your response is to say all of those things, that wasn't the right response. So when we say "What is the task of settlers of colour?" In that moment, not to play into this idea of a good Canadian, just to say that there is no such thing as this ideal norm of who a Canadian is.

- What has been the reaction from other people of colour when you address this issue with them? That they are also settlers here.

If we take about generationally, so my parents' generation - not them specifically, but first-generation immigrants - they really just don't know. This is not about blaming them, it's about the fact that we need to talk about this and we need to educate them.

To them it's really those surface images of Canada that become what Canada means. All of those beautiful surface images are hiding a lot. So what I'm saying is to excavate all that and make it visible.

The other reaction is defensiveness.

Like, "No, but where I came from, I had nothing, I came here and I worked so hard. Why can't other people work so hard?" What they are missing in saying that is their relationship to settler colonialism here is not the same as Indigenous people who are experiencing the structural violence of colonialism here and now.

Kashmala Fida
Star Edmonton
Nov 15, 2019

Being in prison for seven years was like being in an army that never drilled, never deployed, and only fought itself.

- Raegan Butcher

Prison is a second by second assault on the soul, a day to day degradation of the self, an oppressive steel and brick umbrella that transforms seconds into hours and hours into days.

- Mumia Abu-Jamal

< *Poems* >

My Cell

Day after day
Hour after hour
I sit in my cell
Beyond my power
My emotions running
I feel like collapsing
The fear within
Not knowing what tomorrow will bring
The sentence that lies before me
Brings many tears, sorrow,
Tremendous mourning
Of the time that lies ahead
Within four walls of the cell that I sit in

- Melissa

Patience

As I sit here and wait
I must contemplate
My next mistake
Will it be right from wrong
Or am I just gonna be another stupid con
This life that I live
Has done nothing but give
To the wrong people, places & things
And now I'm faced once again
I have to leave the human race
Into a place where there is no second place
No rules to live by but brute strength
Only the strong and smart survive
In a game of life and death
Where the weak are our prey
Next time you're out in society
Remember one thing
Patience is a virtue
And any man's best friend!

- Ron Finnigan

Action is the antidote to despair.

- Joan Baez

Nobody is going to pour truth into your brain. It's something you have to find out for yourself.

- Noam Chomsky

Facts about HIV and HCV

With some exceptions, HIV and HCV infection is generally more prevalent among women than men in prison, particularly among those who have a history of injection drug use.

In a study of provincial prisons in Quebec, the HIV and HCV rate among incarcerated women was, respectively, 8.8 and 29.2 percent, compared to 2.4 and 16.6 percent among male prisoners.

In a study of female prisoners in British Columbia (B.C.), self-reported rates of HIV and HCV were 8 percent and 52 percent, respectively.

In a 2007 nationwide survey by CSC, the HIV and HCV rate among federally incarcerated women was 5.5 and 30.3 percent, compared to 4.5 and 30.8 percent among federally incarcerated men. Aboriginal women reported the highest rates of HIV and HCV, at 11.7 and 49.1 percent, respectively.

While the majority of women in prison are voluntarily tested for both HIV and HCV, the provision of pre- and post-test counselling has been reported to be poor, and in some cases, non-existent.

Women in prison are more likely than women in the general population to have faced violence and abuse; therefore, counselling accompanying HIV diagnosis is particularly important. Women in prison have concerns about the privacy and confidentiality of their HIV status.

Women have reported being forced to draw unwanted attention. Women (37.0%) reported being HCV-positive. Aboriginal women were identified as a particularly high-risk group because they reported the highest rates of HIV (11.7%) and HCV infections (49.1%).

These data highlight the need to ensure that culturally appropriate, effective interventions that decrease risk-behaviours and increase utilization of harm-reduction measures are offered to meet the needs of Aboriginal women.

Important Hep C Update!

New treatments with excellent success rates are now available!

These are in pill form and have little or no side effects. The downside is the cost of course: \$1000+ per pill.

Vosevi is a combination of sofosbuvir, velpatasvir and voxilaprevir. These three drugs are combined into one tablet. It is taken once a day with food for 12 weeks.

Federal Prisoners: *Great news, now you can start your treatment while inside!*

Provincial/Territorial Prisoners: *Only BC & ON provide treatment. Elsewhere, you will have to wait till you get out.*

- When released, get right on welfare or disability.
- Federal health care programs like NIHB & IFH may cover costs.
- Go to a Clinic and get your blood test done so you can get into a Treatment Program at no cost to you.

There are 2,700 with chronic hep C in Federal prisons.

There are 4,380 with chronic hep C in Prov/Terr prisons.

All Federal prisoners with hep C are now eligible for treatment.

BC & ON Prov prisoners with hep C are now eligible for treatment.

HEP C = 18-30% in prison
HIV = 1-5% in prison

Do Not Share or Re-Use:
needles, ink, ink holders, rigs, ...
... well, anything in contact
with blood !!!

BLEACH DOES NOT KILL HEP C

Penpal Program for Gay, Queer, Trans Prisoners

The Prisoner Correspondence Project runs a penpal program for gay, lesbian, bisexual, transsexual, transgender, and queer prisoners in Canada, pairing them up with gay and queer and trans people outside of prison for friendship and support. We also coordinate a resource library of information and resources related to health, sexuality, and prisons - get in touch with us for a list of resources we have, or for details.

If you want to be paired up with a penpal, please send a short description of yourself & interests to:

Prisoner Correspondence Project
c/o QPIRG Concordia
1455 de Maisonneuve W.
Montreal, QC, H3G 1M8

Please indicate French or in English. Veuillez svp nous indiquer anglais ou en français.



Nov 20 is Transgender Day of Remembrance

November 20 marks Transgender Day of Remembrance (TDoR), an international event commemorating people killed due to anti-trans violence. In the last year, 369 trans or non-binary people have been killed globally.

And it's a Canadian problem too: 74 per cent of trans youth in Canada have been harassed at school, and 37 per cent have experienced physical violence.

☞ **Respect** ☞

Incarcerated in Canada? Need Information?

Write On! is an all-volunteer group whose goal is to support prisoners in Canada by researching the information you need, such as:

General legal info, prison rules & policies, resources, programs, services, etc.

Write to us at:

Write ON!
234-110 Cumberland St,
Toronto, ON, M5R 3V5

Prison Visiting Rideshare Project

The Prison Rideshare is an ongoing project of Bar None to connect people with rides to visit their friends and loved ones who are in prison in Manitoba.

If you or someone you know is interested in getting a ride to visit one of southern Manitoba's prisons, if you are interested in volunteering, or for more info contact: barnone.wpg@gmail.com

Rides can also be arranged by phone or text message: 204-599-8869
(It's ideal to request a ride at least 5-7 days in advance).

PRISONERS JUSTICE DAY

☞ In Remembrance ☞

- August 10 -

There are more than 200 Unnatural Prisoner Deaths in Canada.

- Each and Every Year -

We maintain a PJD 'In Remembrance' page on our website for Prisoners who have died in Federal and Provincial Prisons, Remands, Lock-ups and Parole in Canada.

If you wish to have someone remembered there, send us a note or email and we will honour your request.

PJD@PrisonFreePress.org

A Child of an Incarcerated Parent

The Reality

- Every year over 150,000 adults are remanded into custody which results in approximately 180,000 innocent children who suffer from the traumatic effect of parental incarceration in Canada
- Over 5000 children are impacted by parental imprisonment in the GTA
- The number of children affected by parental incarceration only increases with the passing of the Crime Bill C-10

The Need

- Despite the growing prevalence of these innocent victims the resources available are minimal
- The cost and lack of accessibility to correctional facilities restrict child-parent visits. Consequently, some children can never visit their incarcerated parents

The Impact

- Children of incarcerated parents grieve the loss of their parent
- These children are four times more likely to be in conflict with the law
- Social stigma of incarceration causes some families to avoid discussing the absence of a parent

Research suggests that parental incarceration has a detrimental impact on children. These innocent children suffer the traumatic experience of being separated from their parent. Following parental imprisonment, children are faced with a myriad of challenges including:

- feelings of shame, grief, guilt, abandonment, anger
- lowered self-esteem
- economic instability
- social stigma and isolation
- disconnection from parent
- insecurity in familial and peer relationships
- school absenteeism, poor school performance
- difficulty in coping with future stress/ trauma
- compromised trust in others including law enforcement



F.E.A.T. - Family Visitation

F.E.A.T. for Children of Incarcerated Parents was founded in 2011 to support the needs of the over 15,000 children in the Greater Toronto Area that have a parent in the criminal justice system.

F.E.A.T.'s Family Visitation Program provides weekend transportation from Toronto to correctional facilities in Southern Ontario for children and families to visit imprisoned loved ones.

During our trips, F.E.A.T provides free snacks and refreshments, offers a variety of games and activities, and plays movies.

Our bus is a place where youth and families have a chance to talk about their experiences of having a loved one inside and receive support from mentors and other riders.

Our Family Visitation Program is free for anyone 18 years old and younger. If you are interested in participating in our program, please call or email F.E.A.T. to register today.

For more information or to book a seat on the bus please contact Jessica or Derek Reid by email at:

info@featforchildren.org
or by phone at: 416-505-5333



PRISON RADIO

- Guelph - CFRU 93.3 FM
Prison Radio - Thurs 10-11 am
Call-in 519-837-2378
- Halifax - CKDU 88.1 FM
Black Power Hour - Fri 1:30-3 pm
Youth Now! - Mon 5-6:30 pm
- Kingston - CFRC 101.9 FM
CPR: Prison Radio - Wed 7-8 pm
- Montreal - CKUT 90.3 FM
PRS - 2nd Thurs 5-6 pm & 4th Fri 11-noon
- Vancouver - CFRO 100.5 FM
Stark Raven - 1st Mon 7-8 pm

CPR: This program features content produced by CFRC volunteers and by other campus and community radio broadcasters, including CKUT Montreal's Prison Radio & Vancouver Co-op Radio's Stark Raven programs.

The last Wednesday of each month, CPR features 'Calls From Home', sharing letters, emails, voice messages and music requests by and for prisoners and their loved ones.

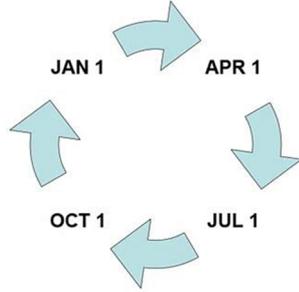
Prisoners and their loved ones are invited to contribute music requests, messages and suggestions for the program.

*Write: CPR c/o CFRC, Lwr Carruthers Hall,
Queen's University,
Kingston, ON, K7L 3N6*

*Email: CFRCprisonradio@riseup.net
Call: 613-329-2693 to record a message or
music request to be broadcast on-air.*

🌀 **Prisoners Justice Day is Aug 10** 🌀

- CLASS ACTION! NEWS -



- MAILOUT DATES -

🌀 **Issue #16 - Winter 2019/20** 🌀

Class Action News
PO Box 39, Stn P
Toronto, ON, M5S 2S6

download, print, contact:
www.ClassActionNews.org

*Next Issue: #17 - Spring 2020
Deadline: Mar 1, 2020
Mail-out: Apr 1, 2020*

If you don't like the news ...

... make some of your own !!!

Whatcha got in there that's gotta get out?

... Hmm ... ?

Art, Poems, Stories, News, Whatever !

