

Getting Tough on Tough on Crime

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The closest I've ever been to calling into the CBC talkback line was the day after two men were shot in their car at Granville and 70th Ave. The morning show was reacting to the shooting by doing a focus on "guns, gangs & crime". They were interviewing people on the street, various cops and politicians to examine what would make our communities safer.

What really irritated me was this unquestioned underlying assumption that doing something about this problem means we need to put more cops on the streets to catch people and send those people to jail for longer. We were led to believe, as we often are, that "justice" equals a reaction from our criminal justice system meaning charges, sentences and jail time. More justice therefore necessitates more jail time.

Gangs and violence in our communities are serious and complex issues. In contrast to what the mainstream media and politicians would have us believe, sending people to jail for longer does not solve these issues or make our communities safer.

I'm Tough on Crime, Aren't You?

Even though the overall Canadian crime rate in 2006 was at a twenty five year low (Juristat, Statistics Canada), crime, or at least looking tough on crime, is at the top of the political agenda these days.

Politicians (from all parties) are manipulating the fear that is generated from sensational events like the Vancouver shooting for their own vote-getting tactics (no thanks to the CBC).

Now on that CBC morning show, when they interviewed Stockwell Day (the Minister of Public Safety) it seemed almost as if they scripted a way to give Day a platform for talking about the Tories' tough on crime agenda.

Our Minister of Public Safety claims that the federal government is creating a more effective justice system to deal with this out of control crime by introducing lots of new bills and initiatives. These include creating more mandatory minimum sentences for various gun and drug laws, introducing a "three strikes and you're a dangerous offender unless you can prove otherwise" rule, sending more young people to jail, limiting the use of conditional sentencing and parole, and a whole slew of other "tough on crime" initiatives. [many of these passed in the Omnibus Bill C-2 on March 1, 2008]

Problem Is, It Doesn't Work

Research clearly shows that mandatory minimums don't deter crime. People don't stop before they use a gun and think, oh, if I do this, I am going to get three years automatically in jail. Even the government's own research shows this.

A study prepared for the Justice Department in 2005, said that several jurisdictions, including South Africa, Australia, England, and the state of Michigan, have retreated from minimum sentences in recent years because of evidence that they do not deter crime.

Another analysis prepared in January 2006 by those who run the prison system itself (Correctional Service of Canada) documents how minimum sentences don't have a deterrent effect and drain away funds available for social programs that prevent crime.

Once the crime has been committed, judges are forced to impose the legislated sentence and are not able to address the particularities and complexities of each case.

Incarceration is Ineffective

It has been proven that longer sentences are not effective in reducing crime. Various studies from the Dept. of Justice, Canadian Sentencing Commission and many others have shown that longer stints in prison may actually increase the likelihood of re-offending.

According to a Dept. of Justice report people are more likely to respond positively to conditional sentences rather than to periods of incarceration, even in the case of violent crime.

As Kim Pate, Executive Director of the Canadian Association of Elizabeth Fry Societies (a women in prison advocacy organization) puts it; “Politicians are telling people that the way to prevent crime is to put people in prisons for longer times in more brutalized conditions. If that were true, America would be the safest place in the world.”

The United States incarcerates people at a rate six to seven times more than that of Canada and their crime rate is five times higher.

The Impact: Targeting Marginalized Communities

Despite their quick fix claims to have a solution, these tough on crime changes will only further aggravate the root causes of crime, with the greatest impact being on those communities who are already over-policed and criminalized.

For example, one study concluded that the three-strikes law would have a “disproportionately higher impact” on Aboriginal people. Aboriginal people, who make up about 3% of the population, already account for more than 20% of the men and 30% of the women in prison.

Privatization - The Master Plan?

Longer sentences and more people being sent to jail will lead to a significant increase in the prisoner population. The John Howard Society estimates that the law limiting conditional sentencing (passed in May 2007) alone will lead to a 20% increase in the provincial prisoner population. More prisoners mean more overcrowding and more prisons.

So far the government has set aside \$250 million dollars for the construction of new prisons. Many estimate that millions more will be spent on new prisons in the coming years if all these policies are put in place. More money will also be needed for the court system. All of this money will have to be diverted from communities and important crime-prevention pillars such as social services, education, and health care.

Many prisoner advocates and criminologists predict that the Tories are creating a crisis in the prison system, through this population boom, as a way to usher in prison privatization.

While the Tories continue to deny any plans to privatize prisons, they appointed Rob Sampson (the man who was responsible for bringing the first private prison to Ontario) to head up the panel that is reviewed the workings of the federal prison system.

What to do Instead

As Anthony Doob, criminologist at U of T says, the problem is that it is far easier to explain to the public that you're going to come up with a series of tougher laws, than to describe a long-term, workable strategy for actually reducing crime.

But grassroots, community and legal organizations are full of creative and effective ideas as to how to build healthy communities that have been proven to reduce crime. Much of it involves community support including housing, programs for youth, anti-racism initiatives, increase in welfare rates, resources for decolonization, community mediation, education, employment training and the list goes on. Put some of the over \$10 billion dollars spent on prisons, police and courts each year in Canada and with a little patience, our communities would start to become safer, healthier and more inclusive places to live.

*More info, including sources, campaigns & specifics on the tough on crime agenda: www.prisonjustice.ca
You want the government spin: www.tacklingcrime.ca*