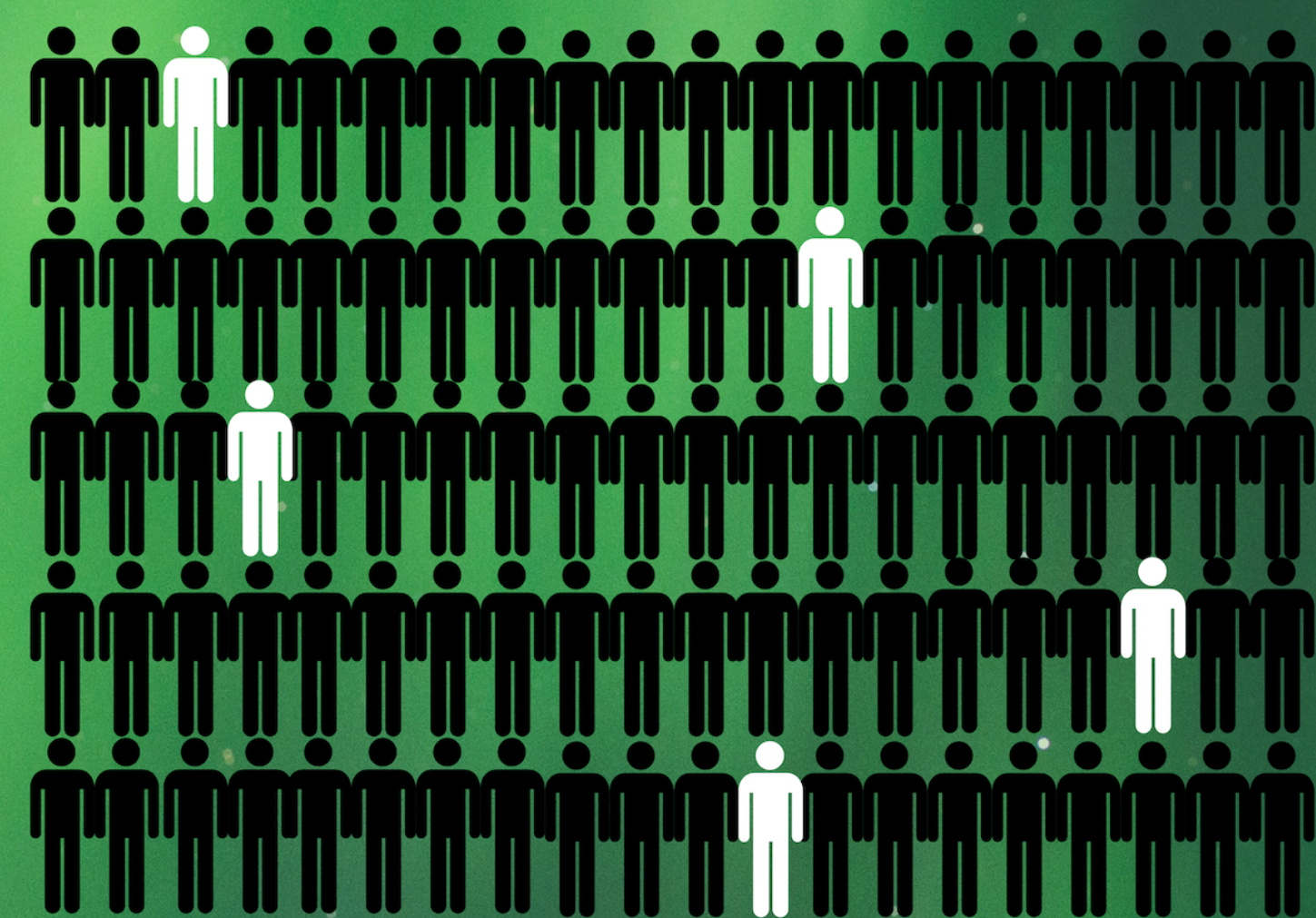


# MAXED OUT:

## Indigenous Over-Incarceration in Saskatchewan

ShayAnne Surtees

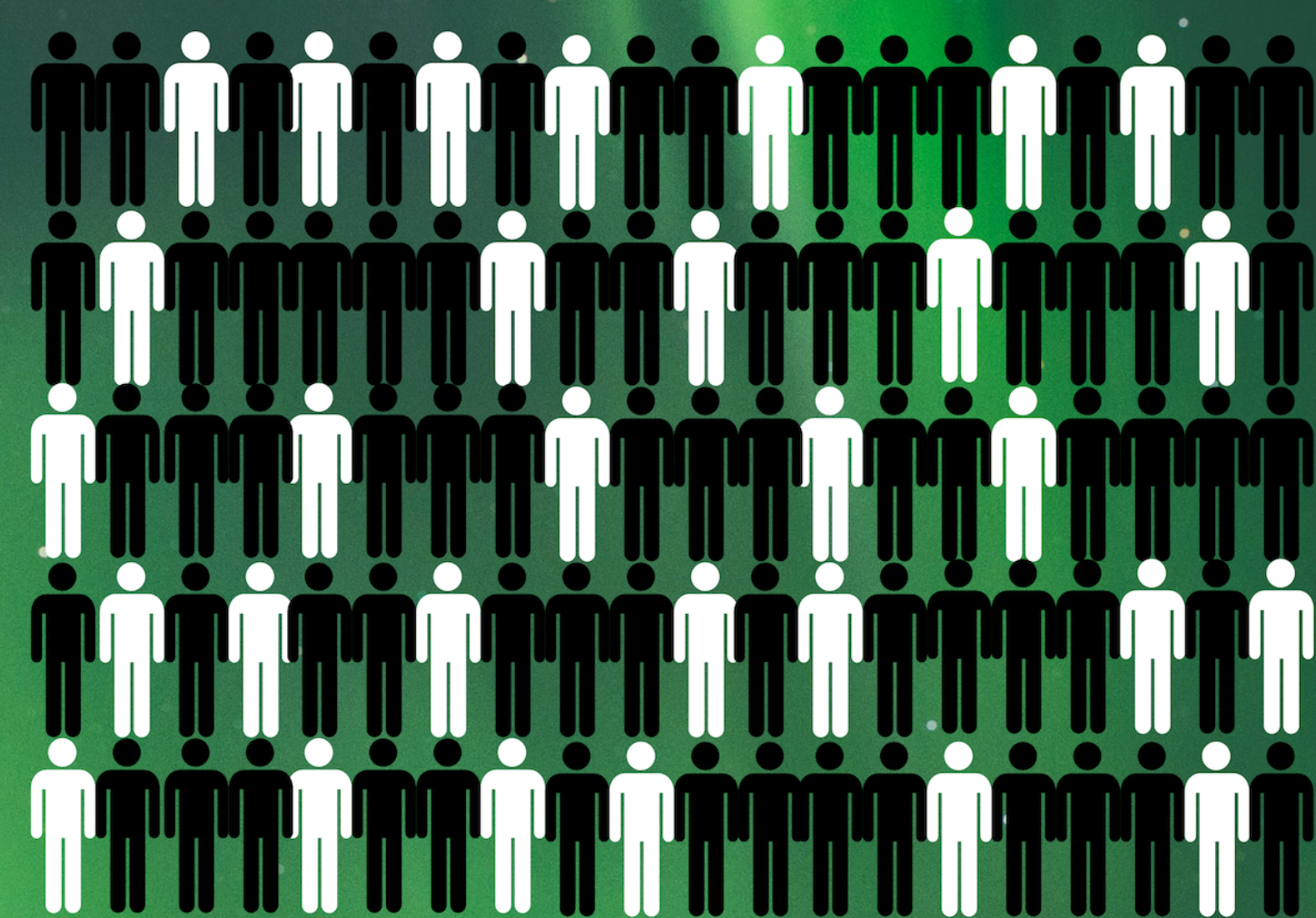


**5** of every **100**  
Canadians are Aboriginal

### Inmate security level:

a rating (minimum, medium or maximum) based on the assessment of the inmate's institutional adjustment, escape risk and risk to public safety.

- Commissioner's Directives: Security Classification and Penitentiary Placement, Annex A

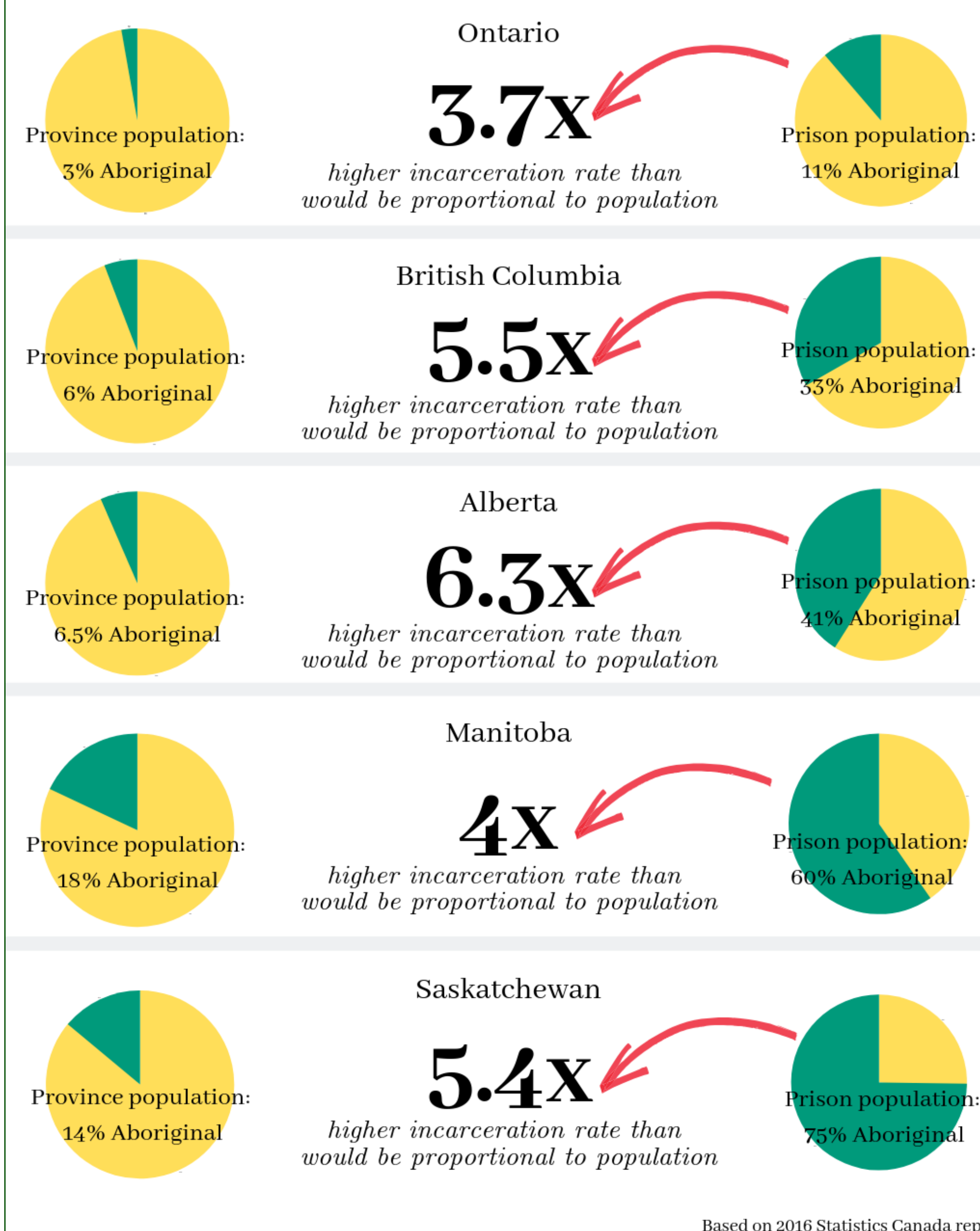


**30** of every **100**  
Prisoners in Canada  
are Aboriginal

### Research Questions

1. Are Aboriginal people in Saskatchewan more or less over-represented in maximum security populations than the national average?
2. Why are Aboriginal people still over-represented in prison in general, and maximum security populations?

#### How do we compare to other provinces?



#### Are Gladue factors used for security classification?

"CSC has implemented a policy requiring that Aboriginal social history is reflected in correctional case management decision-making and offered all parole officers two days of related training in 2013-14."

"There was no evidence that, as some have worried, Aboriginal social history factors were misplaced as risk factors."

"Clearly, CSC's parole officers are complying with policy with respect to the inclusion of Aboriginal social history factors in assessments for decision relating to security classification and discretionary release."

- 2015, Correctional Service of Canada

"Also, if a Gladue report was done as part of your sentencing proceedings, the information from it can also be used in the [risk] assessment and [security] classification process."

- 2014, Elizabeth Fry Society

"Aboriginal offenders serve disproportionately more of their sentence behind bars before first release. Aboriginal offenders are under-represented in community supervision populations and over-represented in maximum security institutions."

- 2012, Office of the Correctional Investigator

"In other words, though Aboriginal offenders may be over-represented at higher levels of security, results from this study do not suggest that they are inappropriately classified."

- 2011, Correctional Service of Canada

### Potential for Abuse

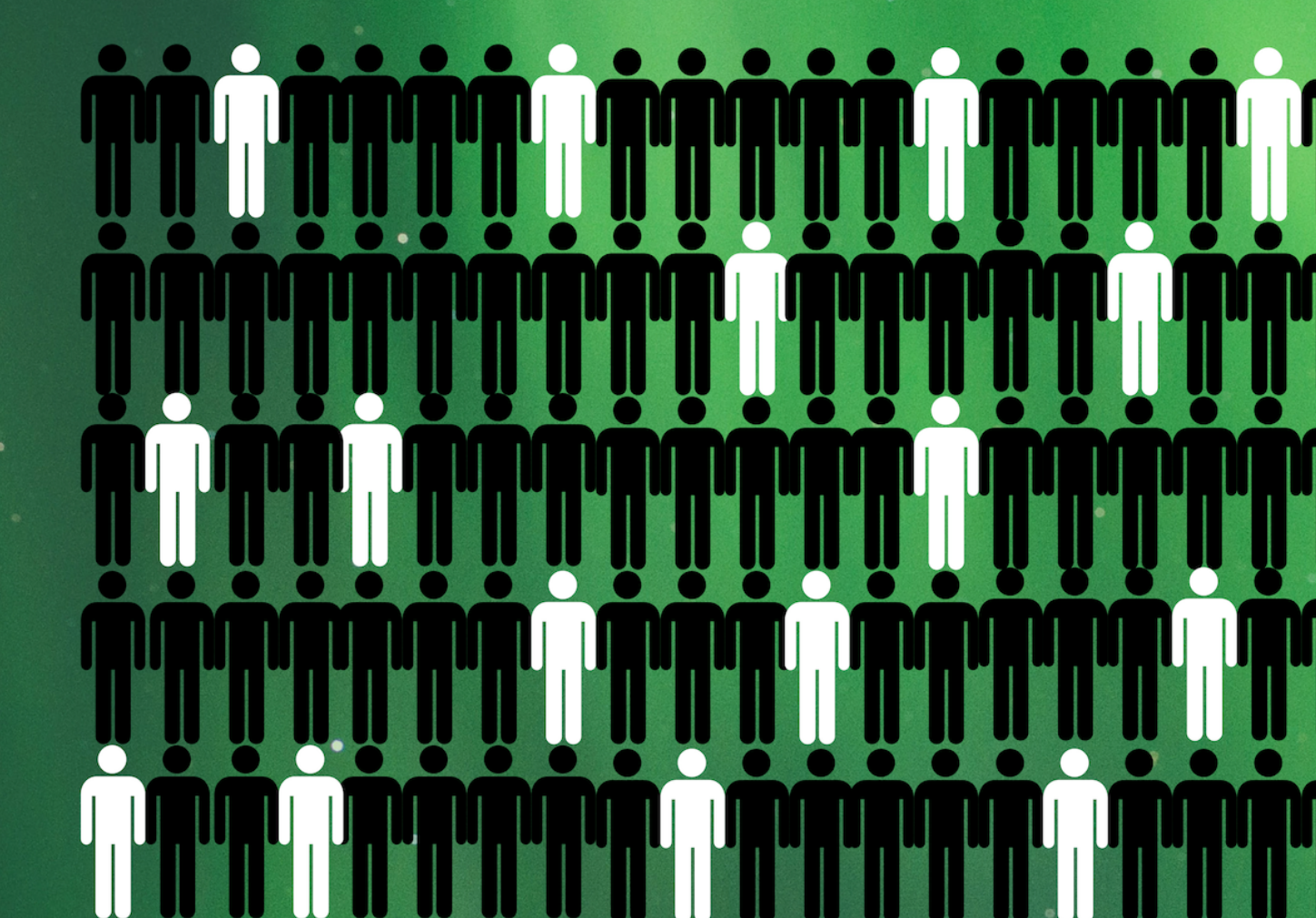
- We trust our sentencing judges to apply *Gladue* in a manner that mitigates the systemic racism Aboriginal people face
- Once a *Gladue* report or *Gladue* factors are discussed at sentencing, it becomes public information, available to CSC
- Even if CSC does not habitually refer to *Gladue* reports when determining security classification, they are able to
- A typical CSC Correctional Officer receives 12 weeks of training according to CBC, and had an opportunity to do 2 days of Aboriginal social history related training in 2013-14

### Shocking Lack of Transparency

- CSC has never published the criteria for which a prisoner receives a security classification
- While the Office of the Correctional Investigator has acknowledged Indigenous over-representation in maximum security, the statistics behind this assertion have not been published
- CSC accepts requests for data, but all requests must pass a release approval making it difficult to obtain data

### Conclusion

No statistics are publically available for how many maximum security prisoners are Aboriginal. However, the Office of the Correctional Investigator and the Correctional Service of Canada have both acknowledged in published reports that Aboriginal people are over-represented in maximum security, and under-represented in minimum security and community supervision populations. Further research should focus on Saskatchewan-specific practices in Corrections that could be contributing to this ongoing over-representation, considering our disproportionality rates are amongst the highest in the country (after Alberta and British Columbia).



**16** of every **100**  
Saskatchewan Residents  
are Aboriginal

### Custody Rating Scale:

measure of institutional adjustment and security risk used by the Correctional Service of Canada

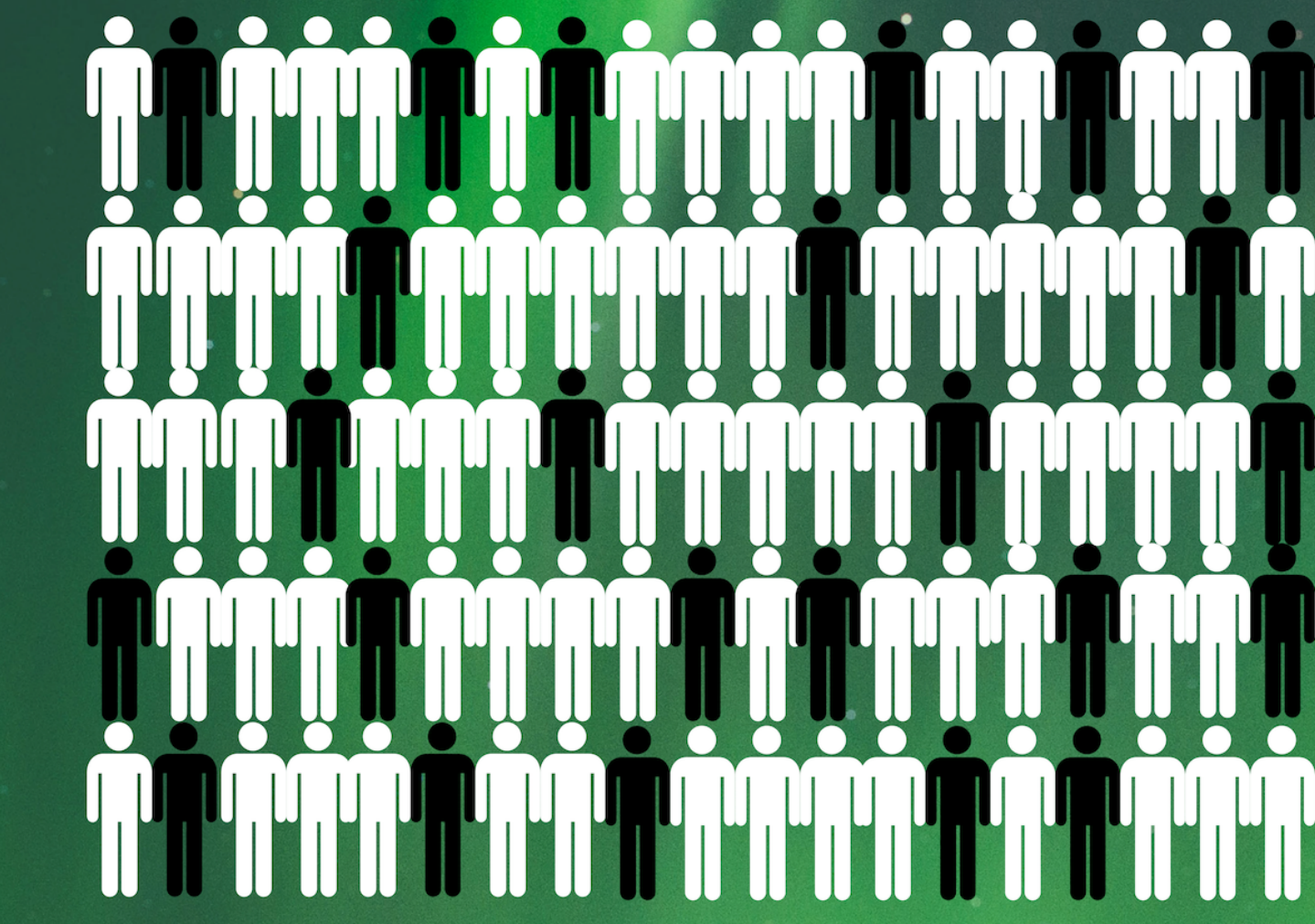


Aboriginal prisoners are more likely than their non-Aboriginal counterparts to receive a higher CRS (security) classification\*

Prisoners with a higher CRS classification are less likely to be granted parole, and more likely to be involved in institutional misconduct - which could lead to an increased sentence\*

- 2011, Correctional Service of Canada

\* Study conducted only on male prisoners



**75** of every **100**  
Prisoners in Saskatchewan  
are Aboriginal