

Lesson 12: The Corrections System

The Corrections System: Lesson Overview

SNAPSHOT

Grade Level	8-12; exercise caution when showing the video to your students as it may not be suitable for your class.
Duration	1-3 periods

Introduction

When a person is charged with an offence s/he may have to spend time in custody before the disposition of the matter. After a person is convicted of an offence s/he may be sentenced to time in prison. The Corrections System deals with both of these cases and is run by either the provincial or federal government. Students will learn some basic facts about the corrections system and will also watch *Broken House*, a video about life in a youth prison.

Objectives

Upon completion of this lesson, students will:

- Become knowledgeable about the corrections system
- Understand the difficulties in balancing the interests of society and the accused when the sentence is imprisonment
- Understand what life could be like for a youth who is serving time in prison
- Understand the impact of making good decisions

Focus Questions

1. Can accused people spend time in prison prior to their trial?
2. What factors does a judge consider when deciding that the offender should spend time in prison?
3. What types of prisons are there?
4. What is parole?

5. What is mandatory supervision?
6. What issues does a young offender have to deal with in prison?

Teaching Summary

Topics 1, 2, 3, 4, 5 & 6: Imprisonment in the Criminal Justice System, Youth and Adult Custody Before Trial, Youth and Adult Custody After Trial, Federal and Provincial Prisons, Conditional Release Programs & Pardon

For these topics, students will complete Activity 1: Introduction to the Corrections System, which involves reading *Handout 1: Overview of the Corrections System* and then answering the questions on *Handout 2: What do I know about the Corrections System?*

Topic 7: Broken House - Life in a Kid's Prison

For this topic, students will complete Activity 2: Broken House - Life in a Kid's Prison. They will view a video called *Broken House* which takes place in a youth detention centre. The film was written, directed and filmed by a group of seven youth who were imprisoned for committing violent crimes. *Broken House* is about the choices youth make and how the circumstances of their lives affect those choices and what the resulting consequences can be. The film explores many themes and a study guide contains questions on the film's effect generally or more specifically on a number of themes such as responsibility, loss of freedom, jealousy and anger, victimization in jail, making decisions, and violence and its unintended consequences.

CONTENT

Topic 1: Imprisonment in the Criminal Justice System

In the early 1700's, Robert Nichols of Annapolis, Nova Scotia was convicted of theft and sentenced "to be whipped whilst tied to the end of a cart...receiving each hundred paces five stripes upon your back with a cat of nine tails." In those days, governments did not provide prisons or other corrections programs. Society did not expect the state to rehabilitate offenders. Punishment was all that mattered. Today, judges consider the protection of society and the rehabilitation of the offender as well as retribution and deterrence when sentencing.

A person accused of a crime may be imprisoned before the disposition of the case and could also be sentenced to imprisonment if found guilty. Generally speaking, incarceration or imprisonment is considered to be the last resort for the judge to use under the sentencing principles set out in the Criminal Code of Canada (CCC). For information on these principles look at Section 2 - Lesson 7: Youth Criminal Justice Act: Sentencing and Records.

Topic 2: Youth and Adult Custody Before Trial

Prior to a trial a youth or adult accused may be released or held in custody.

Upon arrest, the accused may be given an Appearance Notice if the offence is not very serious. If the accused is taken into custody s/he may be released on signing a Promise to Appear.

If the offence is very serious then the police may decide to hold the accused in custody. The accused must appear in court within 24 hours of the arrest. At this time, the judge or the justice of the peace will decide whether to release the accused back into the community or to have the accused remain in custody until the trial. This decision is based on three factors:

- That the accused will attend the next court date
- That society is protected
- That the accused is protected if s/he is in a suicidal state

If the judge decides not to release the accused than the accused will be remanded into custody. If the accused is a youth, s/he will be sent to a youth detention centre awaiting the disposition of his/her case. An adult accused would be remanded to a pre-trial

centre awaiting the disposition of his/her case. Time served prior to conviction receives two for one credit and is subtracted from the length of the sentence.

If the accused is released then financial conditions in the form of money or property may have to be posted (provided) as a condition of release. This is called bail with conditions attached and the purpose is to ensure the appearance of the accused in court. A warrant may be issued for the arrest of the accused if the accused fails to appear. The bail conditions would be enforced and the surety, or money posted, would be forfeited.

Topic 3: Youth and Adult Custody After Trial

A judge can sentence an offender to a term of imprisonment. In deciding the length of the sentence, the judge considers any minimum or maximum term provided for in the Criminal Code of Canada, the offender's previous convictions, and the other factors that may be noted in a pre-sentence report prepared for the court.

Less serious offences, called summary conviction offences, have a maximum term of six months. More serious convictions called indictable offences, may have a maximum term of life imprisonment.

Youth will be imprisoned in Youth Detention Centres. Adults will be imprisoned either in federal or provincial correctional facilities depending on the type of offence and the length of sentence.

Topic 4: Federal and Provincial Prisons

The management and operation of corrections facilities is a shared responsibility between the federal and provincial governments. For sentences of less than two years, the offender will be held in provincial correctional facilities. For sentences of two years or more, the offender will be held in federal penitentiaries.

Federal Penitentiaries

Anyone sentenced to two years or more serves time in a maximum, medium, or minimum-security federal penitentiary. Generally, prisoners are assigned in the following ways:

- Maximum Security Prisons for prisoners who may try to escape and are considered dangerous to the community.
- Medium Security Prison for prisoners who may try to escape but are not considered dangerous.

- Minimum Security Prisons for prisoners who are unlikely to try and escape and are not considered dangerous.

BC Correctional Facilities

For prison sentences of less than two years, the BC Corrections Branch decides where the offender will serve the term. Prisoners considered dangerous or likely to try and escape are kept in one of five security centers. About 50% of all prisoners in BC serve time in these jails.

Nearly half are sent to Open Centers, which are usually remote forest camps or farms. Prisoners there work in forest management, animal and crop care, and salmon enhancement programs.

The remaining inmates are carefully chosen to serve their time in Community Centers. These are houses close to or in the prisoner's home community, where prisoners live together under the supervision of corrections staff. The prisoners can leave the house to go to work or school.

Topic 5: Conditional Release Programs

British Columbia Programs

Parole

A prisoner can apply for a temporary absence from prison, a day parole, or full parole.

The director of the jail may grant a prisoner a temporary absence, escorted or unescorted, for an acceptable reason such as attending a family funeral or having an operation.

Some inmates may be granted day parole before they are considered for full parole. They are allowed to work or study in the community during the day and return to prison each night. Day parole is rarely used in the provincial system.

Most inmates apply for full parole. Granted by the BC Parole Board, it is the prisoner's best hope for early release. Inmates are eligible for parole after serving one-third of their sentence, but relatively few are released that soon.

Full parole allows an inmate to serve the remainder of a sentence at his or her home in the community. The inmate is subject to the conditions requiring good behaviour and regular reporting to a probation officer. Special conditions, such as participating in a treatment or education program or finding and keeping a job, may also be imposed.

Parolees who violate the conditions of their parole may return to prison to serve out their sentences.

BC is one of three provinces with its own Provincial parole Board. The other provinces rely on the National Parole Board to consider both provincial and federal prisoners for conditional release

Federal Programs

Parole

The federal conditional release programs are similar to the provincial programs. A prisoner in a penitentiary can apply for temporary absence, day parole, or full parole. The Federal Parole Board grants parole. The time may be defined by the sentencing judge, for example, in a case of homicide: otherwise, consideration for parole is given after one-third of the sentence is served.

Mandatory Supervision

After earning time off for good behavior and serving at least 2/3 of their sentence almost all federal prisoners are eligible for release. This is called mandatory supervision and it allows time for them to begin reintegration into society while being supervised by federal parole officers. Certain dangerous offenders are not eligible. Unlike parole it is not a discretionary decision of the board.

Topic 6: Pardon

An offender may apply for a pardon under the federal Criminal Records Act one to five years after his or her sentence is completed. The RCMP investigates the person's current conduct and reports to the federal Minister of Justice, who makes a decision. When a pardon is granted, the person's criminal record is sealed.

Topic 7: About Broken House

Broken House: Life in a Kid's Prison

Broken House is a film that takes place in a youth custody centre. The film was written, directed and filmed by Unit X, a group of seven young people who were in British Columbia's Burnaby Youth Secure Custody Centre for violent crimes when they made the film. They were guided by Larry Lynn, a Vancouver cinematographer and educator.

Although fictional, the film reflects the realities of the filmmakers' lives and their experiences in jail. The members of Unit X, who cannot be identified under the *Youth*

Criminal Justice Act, demonstrated the tenacity to stick with a program that allowed their imagination to run free. In order to create a script true to their realities, the young people

reflected deeply about their own particular crimes and how they affected other people. They have moulded their imaginings into a coherent story that resonates strongly with audiences. There is usually an audible gasp at the climax of the film.

Broken House is about the choices young people make, the circumstances of their lives that influence their choices, and the resulting consequences. It is hoped that the film will stimulate a dialogue in youth institutions and schools across the country about the devastating, unpredictable and uncontrollable effects of youth violence

A Note on Youth Correctional Facilities in Canada

While watching Broken House, viewers may wonder why staff didn't intervene as tension escalated between the main characters. In this respect, the film does not reflect reality and the film's plot required inaction on the part of the staff in certain scenes. The film does not suggest that correctional services staff members are inattentive or ineffective. The film's ending also does not reflect reality. To date in British Columbia, no young person has ever been killed while in custody at a youth correctional facility.

Caution for the Teacher

Teachers should view Broken House on their own before showing it to their classes. Broken House deals with a serious subject in a realistic way and may prompt a strong emotional response from some students. It is recommended that teachers help students discuss their responses to the film immediately after watching it. The British Columbia Film Classification Office has rated Broken House 14A because it portrays violence and contains coarse, sexual language. Children under the age of 14 should watch it only in the presence of an adult.

Themes and Scenes

We have recommended that teachers choose one or more themes to focus on in their class discussion. A scene from *Broken House* accompanies each of the identified themes. The identified themes are the ones that are viewed as the most prominent in the accompanying scenes. Of course, there are some scenes involving multiple themes.

The table below provides a summary of the clip numbers, the associated themes, the clip length, and the suggested time for discussion of each one. The times for discussion are suggestions only; please do not feel confined by them.

Clip	Theme	Scene	Clip Length	Time for Discussion
1	Responsibility	Damon assaults the other kid on the basketball court	1 min	20 minutes
2	Loss of Freedom	Damon in his cell on his first night	40 sec	5 minutes

		in jail		
3	Jealousy and Anger	Damon and Eddy's first meeting on the basketball court	1.30 min	10 minutes
4	Boys and Girls in Jail Together?	Kids meeting in the gym	30 sec	5 minutes
5	Gangs, Family and Government Care	The brothers meet in the classroom	2.15 min	15 minutes
6	Victimization in Jail	Eddy attacks Damon in the gym	1.30 min	20 minutes
7	Manipulative Relationships	Lacey gives Damon the shiv	1.30 min	15 minutes
8	Making Decisions	Damon decides to keep the shiv in his shoe	15 sec	10 minutes
9	Violence and Unintended Consequences	Final Scene	1.30 min	30 minutes

ACTIVITIES

Activity 1: Introduction to the Corrections System

Ask your students to do some research on the internet about adult jails and youth detention centres in the province and give them *Handout 1: Overview of the Corrections System* to read. Then ask them to answer the questions on *Handout 2: What do I know about the Corrections System?*

Activity 2: Broken House-Life in a Kid's Prison

Read the Study Guide for *Broken House* and then watch the video in your classroom. Be sure to watch the video yourself first so you can be prepared for intense reactions of your students and so you can decide what themes you want to focus on and where you can replay those sections of the video.

Watch the video with your class and discuss their reactions in general to the story and more specifically discuss the themes you have chosen to focus on.

You may also want to do some of the additional activities in the guide with your class. These are listed below in the enrichment section.

RESOURCES

Activity 1: Introduction to the Corrections System

Handout 1: Overview of the Corrections System

Handout 2: What do I know about the Corrections System?

Correctional Services of Canada www.cac-scc.gc.ca

Corrections BC www.pssg-gov.bc.ca/corrections

Activity 2: Broken House - Life in a Kid's Prison

Broken House Video

Broken House Study Guide

Correctional Services of Canada www.cac-scc.gc.ca

Corrections BC www.pssg-gov.bc.ca/corrections

ASSESSMENT

Activity 1: Introduction to the Corrections System

The reading and worksheet on *Handout 2: What do I know about the Corrections System?* can be handed out for homework and the responses on the worksheet can be graded.

Activity 2: Broken House-Life in a Kid's Prison

Students can be given participation marks for their response during the discussions on *Broken House*.

ENRICHMENT

The Corrections System

1. What are some reasons for and against parole? Write a short paragraph explaining why you either support or oppose parole.
2. Visit a courthouse to watch some criminal trials. What are the reasons the judge gave for imposing a sentence? Do you think the sentence fits the offence? Look at the court trial list. What kinds of offences are most common? The least common?
3. Monitor the newspaper for two weeks. Clip out articles that cover sentencing by the court. List the offences and the sentences imposed. Are any of the sentences surprising to you? Do you strongly disagree or agree with any of them? Why?
4. Find out the rate of imprisonment (number of prisoners per capita) for Canada, England, Scandinavia, and the US. Is Canada's rate higher or lower than the others are? Suggest some reasons why the rates might be different.

Broken House: Life in a Kid's Prison

1. Sentencing

Imagine you are the judge who has to sentence Damon for killing Joker. What sentence would you impose? Consider the following factors:

- What objectives of sentencing are most important in this case? Why? For example, is it important to do any of the following:
 - Discourage Damon and other young people from committing similar crimes in the future ("deterrence")?
 - Express disapproval of Damon's conduct to other young people in the jail and to society generally ("denunciation")?
 - Rehabilitate Damon and help him to integrate back into society?
 - Protect the public?
 - Heal the harm done to the community and the victim?
- Would you send him to jail for killing Joker? If so, for how long? How will your decision help achieve the objectives you thought were most important?

- Would you require Damon to do anything else in addition to, or instead of, going to jail in order to fulfil the objectives you thought were most important? What would you require him to do?

2. Restorative Justice

Research the meaning of the term “restorative justice.” Discuss some ways in which restorative justice is used in the justice system (e.g. community justice conferences). Imagine if a restorative justice approach had been used on Damon for assaulting the kid on the basketball court. Do you think the sentence would have been different? How? Do you think it would have had a different effect on Damon, his victim, and his community than the jail sentence?

3. Choosing Not to Use Violence

Think of the situation Damon found himself in on the basketball court when the other kid was insulting him. Make a list of ten things he could have done that wouldn't have involved violence.