

Promises Broken or Promises Kept? An Analysis of the Vision and Current Operation of the  
Toronto South Detention Centre

by

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## **Abstract**

This study explores the justifications and realities of carceral expansion. It compares the vision for the Toronto South Detention Centre to its implementation once it opened in 2014. For this research, a thematic qualitative analysis was undertaken through collected news media and secondary sources. I conclude that the justifications used to legitimate the Toronto South Detention Centre run contrary to what has taken place at the facility as illustrated through several challenges and shortfalls. As such, this research adopts a prison abolitionist lens to contend for the adoption of alternatives to incarceration, as opposed to constructing larger carceral institutions due to the reality of jail expansion at the Toronto South Detention Centre. The project also adopts a public criminology lens to examine how the results of the study can be shared with a wider public audience outside of academia, in an attempt to influence public policy.

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## **Glossary of Terms**

**CAB** - Community Advisory Board

**CPEP**- Criminalization Punishment and Education Project

**CSC**- Correctional Service of Canada

**FOI** - Freedom of Information

**ITS** - Integrated Team Solutions

**LEED** - Leadership in Energy and Environmental Design

**MCSCS** - Ministry of Community Safety and Correctional Services

**RFP**- Request for Proposal

**RFQ** - Request for Qualification

**TSDC**- Toronto South Detention Centre

## **Chapter 1– Introduction**

Since prisons began as a form of punishment hundreds of years ago, they have been a frequent target of cycles of criticism and reform efforts (McMahon, 1992). In consequence of the criticisms of crowding and horrid conditions at the Don Toronto Jail, on May 8, 2008, the Government of Ontario’s Ministry of Community Safety and Correctional Services (MCSCS) announced the construction of the Toronto South Detention Centre (TSDC). The MCSCS envisioned that the new larger carceral facility would have a specialized unit for those with mental health issues, in addition to 1,650 beds to house those on remand awaiting trial, those convicted of an offence with a sentence of less than two years, and those on immigration detention (Toronto Life, 2010).

### Purpose of This Thesis

Through this research, I will attempt to play the role of what Loader and Sparks (2010) term the democratic under-labourer. This entails conducting research that generates controversy, opens up and extends debate, and challenges perceived public opinion and political postures (Loader & Sparks, 2010; Piché, 2015b). Taking this stance into account, I proceed to distill the purpose of this thesis.

The purpose of this thesis is two-fold. First, this thesis seeks to explore the implications of carceral expansion for prisoners and jail staff, as well as the communities and families of both. In doing so, this thesis aims to encourage readers to question their own assumptions about the carceral system in Ontario. Second, this thesis aims to contribute to the literature on carceral expansion (e.g. Blankenship & Yanarella, 2004; Hooks et al, 2004; Jewkes & Moran, 2015; McElligott, 2017; Piché, 2014; Piché et al, 2017; Schept, 2015), by adding to the ongoing debate on the justifications and contentions for the expansion of carceral facilities, the gulf between the

vision for carceral expansion compared to reality, and whether public funds should instead be diverted to alternative evidence-based practices. For instance, as opposed to constructing larger carceral facilities, public tax dollars could be diverted and invested into community health and support services, including the creation of more affordable housing, education initiatives, and drug treatment initiatives. Specifically, these initiatives could be provided to the populations who most frequently occupy carceral facilities in Canada, such as those living with mental health and drug use issues, those living in poverty, in addition to racialized and marginalized populations (Ruggiero, 2012).

This research has been conducted with a set of values in mind. Values for quality in research are ever-changing and are situated in both contemporary contexts and academic debates (Tracy, 2010). In doing so, this thesis adopts several of Tracy's (2010) 'big-tent' criteria for excellent qualitative research, whereby criteria are defined as guidelines, best practices, and core values of the craft of conducting research. The first of Tracy's (2010) criteria is to possess a worthy topic. This thesis will accomplish this criterion because it is timely and relevant to undertake such research given that several years have elapsed since the TSDC was announced, constructed, and opened. As such, an analysis is warranted to determine whether the facility is achieving the standards and improvements boasted by the Government of Ontario when the facility was announced. In addition, undertaking this project is relevant given that a similar process is being undertaken again in Ontario, whereby the MCSCS has announced similar plans to build a new and bigger jail in Ottawa to replace the Ottawa-Carleton Detention Centre (see Seymour, 2017). Hence, this research is a timely and worthy study given that results may shake readers from their 'common-sense' assumptions related to carceral institutions in Ontario,

including their respective costs and the working and living conditions, in addition to the existence of evidence-based alternatives to incarceration.

Tracy's (2010) second criteria for quality in qualitative research is a significant contribution, in that the research contributes to knowledge, improves practices, and generates ongoing research and debate. Conclusions from this thesis will add to existing literature on carceral expansion (e.g. Blankenship & Yanarella, 2004; Hooks et al, 2004; Jewkes & Moran, 2015; McElligott, 2017; Piché, 2014; Piché et al, 2017; Schept, 2015), by revisiting why the former Toronto Don Jail was closed and will trace the subsequent transformation of the TSDC through its announcement, construction, opening, and current operation. Specifically, this thesis analyzes the situation prior to the construction of the TSDC, including the Ontario government's vision and justifications for the facility as chronicled by various sources. The thesis then compares these visions and justifications to the current operation of the TSDC through to the end of 2018. As will be further elaborated upon in the conceptual framing chapter, this research seeks to move beyond carceral expansion literature that solely examines justifications for carceral expansion. It seeks to complement previous research that is quantitative (e.g. Modoc-Jones, 2009; Hooks et al, 2004), through qualitatively exploring first person narratives and experiences of jail staff, prisoners, professional figures and bureaucrats. This study is one of the first studies to start to explore the consequences of the introduction of what is known as the direct supervision model in the Canadian context. It is also the first study specifically focussed on the TSDC.

In short, the conclusions distilled from this study intends to contribute to the debate on the effectiveness of carceral expansion or whether alternatives to incarceration may best serve public interest and resources. As such, my hope is that the result of the study would be what

Tracy (2010) refers to as resonance, whereby an audience such as the public is affected, in that they feel, think, interpret, or may want to change. As Tracy (2010, p. 845) puts it, “[...] it (resonance) is not boring. It surprises, delights, and tickles something within us”.

### Theoretical and Practical Importance

This research aims to contribute to both academic literature and to the realm of public criminology. As such, this research will be conducted at the intersection of policy work and public scholarship which Uggen and Inderbitzen (2010, p. 725) contend is the, “‘best’ criminology to bring new voices to policy discussion while addressing common myths and misconceptions about crime”. The need for this form of public criminology research stems from a limited public understanding of and engagement with academic criminological knowledge, and a general decline in its influence on policy-making due to the abundance of ‘crime talk’ in society (Chancer & McLaughlin, 2007; Currie, 2007). A lack of public understanding regarding ‘crime’ has also further been compounded by imperatives in the criminology discipline to frequently publish solely in academic journals, conduct research that focuses on narrow and novel research findings, and penalizes work designed to broaden and deepen existing knowledge (Currie, 2007). Hence, criminology can be seen as becoming increasingly socially and politically irrelevant (Matthews, 2009). Put simply by Uggen and Inderbitzin (2010, p. 726), “Nowhere is the gap between perception and evidence greater than in the study of crime and punishment”.

In taking this approach to public criminology, this research will attempt to impact public policy and the public mind, including preconceived constructs of carceral institutions and their living and working conditions by making the results of the study have a practical impact in the real world (Piché, 2015b). This public criminology approach can therefore overcome a lack of public understanding regarding ‘corrections and crime’ through writing to a wider public

audience and by engaging with audiences and institutions outside of academia through the presentation of findings and issues (Currie, 2007; Ruggiero, 2012). Doing so entails tasks such as evaluating and reframing the ‘criminal’ and reconsidering rulemaking (Uggen & Inderbitzin, 2010).

As a specific example, Uggen and Inderbitzin (2010) contend that public criminology entails listening to the needs of non-profit organizations, whilst advancing academic knowledge through previously unexamined research questions and novel perspectives. In doing so, public criminologists bear the responsibility of educating themselves and their publics on new research and its potential implications (Uggen & Inderbitzin, 2010). Simply put, this entails establishing relevance and recognition outside of academia where penalty is debated, such as in the bureaucratic policy realm (Barak, 2007).

Taking this into account, upon the completion of my thesis, I will make the results of my study publicly available through the Criminalization Punishment and Education Project (CPEP), which is a group of academics and students which advocates for positive changes to the ‘criminal justice’ system in Canada. In doing so, I will distill my research into clear and straightforward conclusions that can be consumed by the public. Specifically, I intend to create a summary fact sheet of the studies most significant findings, which will be drafted in lay-person language, and I will allow CPEP to post it on their website. I also intend to publish the results of this research project in an open-source journal, hence making the results of this study publicly accessible. In doing so, I hope to make the results of my research relevant to ‘criminal justice’ policy in Ontario and Canada more broadly.

Hence, in summary, this research aims to make a significant contribution to the literature by extending and generating knowledge in order to empower (Tracy, 2010). By empower, I

intend to, “bring clarity to confusion, make visible what is hidden or ignored, and generate a sense of insight and deepened understanding” (Tracy, 2010, p. 846). Specifically, in regard to carceral expansion, this research examines the rhetorical visions provided by bureaucrats to justify the construction of new carceral facilities compared to the reality of this process using the current operation of the TSDC as a case study.

### Research Questions

Having outlined the purpose and significance of my research, the following questions delineate the scope of this thesis:

- What were the benefits of replacing the Don Jail with the TSDC envisioned by the MCSCS and the provincial government when the facility was announced and opened?
- What has happened in practice at the TSDC since it has opened according to various sources?
- What is the gap between the promise and reality of the TSDC according to various sources?

### Chapter Outline

The purpose of this section is to provide a roadmap that will outline the subsequent thesis chapters and briefly summarize their contents.

*Chapter Two* provides a review of relevant sociology of punishment literature. I briefly trace the evolution of punishment in the Canadian ‘criminal justice’ system, including how punishment was administered prior to carceral institutions through to the first penitentiary in Canada, Kingston Penitentiary, to illustrate punishment as both an instrument of control and reform. From there, I briefly delve into the contemporary carceral landscape in Ontario to lay groundwork for the analysis that follows. Following this, I outline several logics for carceral stimulus and carceral expansion that are presented in existing academic literature.

In *Chapter Three*, I provide an overview of conceptual terms that can be utilized as a tool kit to understand the logics of carceral expansion and the underlying principles of incarceration.

Specifically, this chapter explores several conceptual terms related to carceral stimulus and carceral expansion, including the prison industrial complex, neoliberalism, control and rabble, and total institution. From there, I outline the theoretical framework of prison abolitionism, including the defining characteristics of the movement. I also briefly outline the theoretical work of Michel Foucault, including how his notions of power, discipline, and the panopticon relate to carceral institutions. Lastly, this chapter identifies gaps in the sociology of punishment literature related to carceral expansion and identifies how this research attempts to fill those gaps.

In *Chapter Four*, I outline the methodology that was utilized for this study. First, I briefly distinguish between qualitative and quantitative methodologies. From there, I describe the methodology of the case study and outline my purposive sampling approach that was used to gather news media articles and other secondary sources as a dataset. After this, I describe my data analysis process, which was comprised of coding using qualitative thematic analysis. Finally, I provide a brief reflexivity section and reflect on the limitations of my study.

*Chapter Five* provides a descriptive and analytical case study of the TSDC. In doing so, I trace the history of the facility from its announcement in 2008, through to its construction, opening, and current operation until the end of 2018. In doing so, I reveal the findings of the study and draw comparisons to existing literature where relevant. I outline and explore the three major thematic networks that emerged from the dataset, including justification, challenge, and shortfall. I also provide quotations that illustrate the theme and sub-themes being elaborated upon and discuss its significance with relevant examples from my dataset.

*Chapter Six* explores the implications of the study and outlines possible recommendations. In doing so, I discuss the gap between the vision for the TSDC compared to the reality at the facility as illustrated through its significant challenges and shortfalls. From

there, I outline the need for, purpose, and importance of alternatives to incarceration through a prison abolitionist and public criminology lens.

*Chapter Seven* concludes the research with a brief reiteration of key findings from the study. It also uses conceptual terms from existing literature to explain how the TSDC and any new subsequent jail will ultimately fail. The thesis concludes by outlining future research directions and approaches.

## **Chapter 2- Literature Review**

### Introduction

As Montuori (2005) puts it, the purpose of a literature review is to frame a dialogue with one's current academic community, in addition to one's 'ancestors' of the community. Hence, a literature review serves as a surveying of land, in which this chapter will acknowledge key players, perspectives, and theoretical movements (Montuori, 2005). It is important to note, however, that a literature review cannot be exhaustive and merely serves as an entrance point to relevant literature or, as Montuori (2005) states, it is a map of the terrain and not the terrain itself.

In brief, this literature review consists of three parts. The first part provides a historical perspective of carceral expansion, including its emergence in Ontario and Canada more broadly. The second part outlines the modern carceral landscape in Ontario to provide context for the analysis to come in later chapters. The third part provides an overview of the literature on carceral stimulus and carceral expansion through synthesizing existing literature. I now begin this literature review with a brief history of the emergence of the carceral institution.

### The History of Carceral Expansion

Prior to the emergence of the jail, all ancient cities used some form of detaining persons to impose punishment, including pits, dungeons, suspended cages, and being chained to sturdy trees while they awaited trial (Irwin, 1985). Although not widely used, the jail became a new institution introduced in early eleventh century medieval England by local sheriffs to hold persons awaiting a trial in the royal court (Irwin, 1985). At this time, penal institutions were not widely used because punishment was carried out immediately following a determination of one's guilt (Carrigan, 1991). Generally, the death penalty was inflicted on those who committed

serious ‘crimes’ (see Hulsman, 1986) such as murder, while those who committed less serious ‘crimes’ such as theft were subjected to a wide variety of sanctions, including transportation by banishment, branding, fines, whipping, and confinement in the stocks or pillory (Griffiths & Verdun-Jones, 1989; Carrigan, 1991). In fact, by 1166, Henry II urged all sheriffs to erect gaols in their counties (Irwin, 1985). Hence, as a form of deterrent and means to humiliate the perpetrator, punishment was often a public display and often occurred at the scene of a ‘crime’. This followed the retributive notion of, “an eye for an eye and a tooth for a tooth” (Carrigan, 1991, p. 293).

Punishment also increased in severity if one reoffended. For instance, thieves were branded with the letter ‘T’ via hot iron on their first offence and hung on the second (Griffiths & Verdun-Jones, 1989; Carrigan, 1991). Nonetheless, prior to the late 1700s, the best way to combat ‘crime’ and deviant behaviour was seen as maintaining a strong community built around the family and church. Moreover, prior to the widespread existence of carceral institutions, nonviolent offences including liquor violations such as public intoxication, constituted the majority of law-breaking (Griffiths & Verdun-Jones, 1989). Hence, there was no purpose to incarcerate and to rehabilitate those who committed wrongful acts given that it was thought that the individual merely needed a stronger community bond (Griffiths & Verdun-Jones, 1989).

Nonetheless, as Mathiesen (1990) contends, the growth of penal institutions can be categorized by two stages, with the first stage occurring during the 1600s, whereby penal institutions emerged as means of social control (Mathiesen, 1990). In doing so, those who were incarcerated were not just those who committed wrongful acts, but often the homeless and the unemployed (Mathiesen, 1990). As such, incarceration was seen as a solution to social problems of ‘crime’, unemployment, and homelessness (Mathiesen, 1990). Key features of this first stage

consisted of forced profitable labour, which coincided with the mercantilist economic philosophy of the time (Mathiesen, 1990). Specifically, this philosophy stated that the amount of wealth worldwide was steady and that a country's prosperity coincided with accumulating as much of that wealth as possible by exporting more than it imported (Mathiesen, 1990). Therefore, this period saw that a potentially dangerous population of those who committed 'criminal' acts and the unemployed fall under state control and serve as 'raw material' for parts of the emerging industrial complex to contribute to the production of exported goods (Christie, 1993).

Furthermore, starting in this time period, municipal gaols and lockups held individuals awaiting trial or those convicted and awaiting punishment (Griffiths & Verdun-Jones, 1989). These local facilities were frequently described as both crowded and poorly funded with poor ventilation and heating (Curtis et al, 1985; Carrigan, 1991). These woeful conditions also included a lack of classification to separate juvenile from adult prisoners, corrupt and brutal administrators, and a lack of employment in the work houses. Conditions were particularly poor since the quality of food, clothing, and sleep amenities were based on a prisoner's ability to pay. If one was not able to pay, they were kept until they could do so (Carrigan, 1991).

The second stage of the growth in penal institutions occurred during the late 1700s and the early 1800s, whereby this institutional solution supplanted physical punishment as a dominant sanction for law-breaking (Mathiesen, 1990). Hence, the number of law-breaking acts that warranted the death penalty was reduced to only 12 by 1833 in Upper and Lower Canada, which included murder, arson, sexual assault, treason, and robbery (Carrigan, 1991). Moreover, by 1841, only murder, sexual assault, and treason carried the death penalty in Upper Canada (Carrigan, 1991). Physical punishment was also supplanted in Canada due to the vast amounts of emigration to the United States, which alleviated the need for forced labour (Christie, 1993).

Hence, it was thought that this increase in the population would alleviate any labour shortage in spite of potential labourers being incarcerated.

This increased urbanization and industrialization also shifted perceptions in response to ‘criminalized’ behaviour. Public attitudes began to shift towards seeing ‘crime’ as a social problem, in which existing sanctions were deemed inadequate to address it (Curtis et al, 1985; Carrigan, 1991). Specifically, it was thought that a rise in the population and increased social mobility perpetuated a breakdown in mechanisms of social control that were based on community. As such, ‘crime’ became seen as a consequence of family disorganization and community corruption (Carrigan, 1991). Hence, there was a need to create an environment whereby a lawbreaker could be separated from the influence of a corrupt community and be reformed. Once incapacitated, it was thought that one could be provided with the training and discipline that they had not received from the family, church, and community, and therefore be reformed (Griffiths & Verdun-Jones, 1989).

Thus, the population was brought under control through subjecting it to industry and its owners (Christie, 1993). As a result, two types of carceral systems emerged in both Canada and the United States during the early 1800s. The first was the Pennsylvania or the ‘separate silent’ system, whereby prisoners were isolated from each other at all times in small cells and were prohibited from speaking or even gesturing to one another. This system emerged as the most popular in both Canada and the United States (Griffiths & Verdun-Jones, 1989). The other carceral system that emerged was the Auburn or congregate system, which allowed prisoners to work and eat together during the day, although they were separated from each other at night (Carrigan, 1991; Hennessy, 1999).

During this same period, three levels of gaols began to emerge in Ontario, including the local lockup, the county jail, and the federal penitentiary better known as the ‘big house’ (Brown, 2006). The county jail was required for each county and was often attached to the local courthouse. However, these facilities often lacked sufficient funding for comprehensive security, which led to frequent escapes. Some county gaols that were established across Ontario included locations in Barrie, Brampton, Guelph, Kitchener, Lindsay, and Ottawa. On the other hand, municipalities such as towns and cities were required to create their own constabularies and lock-ups, which were usually established in the basement of a town’s city hall (Brown, 2006). Generally, these local lock-ups were better funded compared to county gaols, with some locations across Ontario including Newburgh and Yorkville (Brown, 2006). Lastly, penitentiaries were built for housing those serving out sentences lasting longer than one year. The first penitentiary built in Canada was Kingston Penitentiary, which in the view of bureaucrats and designers of the facility, provided an environment to educate and reform those who committed wrongful acts (Griffiths & Verdun-Jones, 1989).

Kingston Penitentiary, originally known as the Portsmouth Penitentiary, partially opened in 1835 in response to crowding at gaols and operated based on the Auburn model (Curtis et al, 1985). Upon entry, one was subjected to full control. One was stripped, shaved, washed, and had their hair cropped. One’s street clothes were taken and destroyed if they were in poor condition or given to another prisoner who was soon to be released. Instead, one was given a set of clothing and subjected to follow a strict schedule. This consisted of a wakeup call at 5:15 am, where one would empty their toilet buckets from the night and proceed to their workplace inside the facility to perform labour intensive activities such as stone cutting. This would be followed by a short break/breakfast, returning to work, lunch, returning to work again, followed by an end

to the workday at 5 pm. Following the end of the work day, one would get their toilet bucket and return to their single cell where they received dinner alone and remained in isolation until the next morning (Carrigan, 1991; Curtis et al, 1985). The philosophy behind these actions were to make the carceral facility self-sustaining through profits from the forced labour and to instill work ethic and discipline in those confined as a means of reforming them (Curtis et al, 1985).

More recently, social control has developed into what can be termed a neoliberal state. This entails embedding marketing logics into all economic and non-economic aspects of the state, whereby the penal state has expanded beyond the ‘criminal justice’ system (Wacquant, 2010). Neoliberalism entails free-market laissez-faire economics, economic deregulation, and welfare state devolution which sees minimal state intervention in economic and social affairs, and a commitment to free trade and capital (Wacquant, 2010). In doing so, certain types of behaviour are criminalized that target the poor, the unemployed, and the ill-educated (Blankenship & Yanarella, 2004). Moreover, the prison as a form of social control has demonstrated to be a convenient method for governments to remove this ‘surplus population’. This is because the government then evades the need to confront and address social and economic conditions that tend to relate to criminal behaviour such as poverty, poor education, and residing in a marginalized community (Blankenship & Yanarella, 2004). For instance, as opposed to providing social benefits to those living in poverty who may use the funds illegitimately for drugs or alcohol, the potentially ‘dangerous class’ of those living in poverty are placed under control and managed in carceral facilities (Christie, 1993). Hence, carceral expansion can be seen as increasing space to warehouse these groups of marginalized and vulnerable individuals.

This means of expanding social control has been explored in a number of academic works. For example, Beckett and Murakawa (2012) use the term “shadow carceral state” to describe the expansion of the ‘criminal justice’ system, whereby it has now become blended in with civil and administrative authority. Beckett and Murakawa (2012) refer to the shadow carceral state through the practice of detaining those awaiting immigration hearings in carceral facilities although they have not committed a sanctionable offence. Similarly, Cohen (1985) uses the term net-widening to describe the process whereby individuals more often come into contact with the ‘criminal justice’ system as the result of new penal and criminal justice practices which were originally aimed to reduce contact with ‘corrections’. For example, community-based programs such as probation have been implemented to reduce a reliance on utilizing carceral facilities and the retributive aspect of the ‘criminal justice’ system (McMahon, 1992). However, despite these measures, a steady increase in both the admission rate and incarceration rate have occurred, in addition to an increased number of individuals having contact with the justice system through a community-based stream, thus illustrating a net-widening effect (McMahon, 1992). I now move forward to outline the current carceral landscape in Ontario and Canada in particular.

### The Modern ‘Correctional’ Landscape in Ontario and Canada

For contextual purposes, it is worthwhile to distinguish a provincial jail run under the Ontario government’s MCSCS, as opposed to penitentiaries which are run by the Federal government under the Correctional Service of Canada (CSC). Since Confederation, provincial jails have been concerned with accused individuals over the age of 18 who are placed on remand awaiting trial and/or those sentenced to a period of incarceration for a period of up to two years less a day upon being found guilty in a Canadian court (MCSCS, 2018). The provincial ministry

also manages guilty individuals who have probation terms of up to three years, and for those who breach their probation terms. They also manage individuals who receive a conditional sentence for a period of up to two years less a day and are responsible for those awaiting an immigration hearing or deportation where the Canadian Border Services Agency has contracted them to do so (MCSCS, 2018). Hence, those in provincial jails consist of both those found guilty in a Canadian court, in addition to those who are presumed legally innocent. On the other hand, federal institutions, known as penitentiaries, are concerned with individuals over the age of 18 who have received incarceration sentences for periods of two years or longer upon a finding of guilt in a Canadian court (CSC, 2013).

From 2006 to late 2015, the Government of Canada led by the Conservative Party adopted a ‘tough on crime’ agenda, through the increased use of prison sentences and fewer opportunities for parole as an initiative to improve public safety (Webster & Doob, 2015). This adaptation entailed an incapacitation approach, whereby sanctioned individuals are removed from society and social circulation, thereby increasing public safety (Mathiesen, 1990). Nonetheless, despite the adoption of carceral expansion mechanisms and a ‘tough on crime agenda’ (see Webster & Doob, 2015), it should be noted that Canada’s incarceration rate has generally remained the same for more than half a century with little fluctuation (Webster & Doob, 2015). However, it is worth briefly mentioning that despite this steady incarceration rate, the mass incarceration of Indigenous peoples in ‘corrections’ across Canada has dramatically increased. As of 2014, Indigenous peoples represented 23 percent of the federal prison population and 26 percent of prisoners in provincial jails despite only representing about three percent of the Canadian adult population (Piché et al, 2017).

Bracken and colleagues (2009) and Sapers and colleagues (2017a) identified that this well-documented mass incarceration of Indigenous people in the Canadian ‘criminal justice’ system is one of many aspects related to the discrimination and colonial practices that this minority group faces due to factors such as the residential school system. As Martel and colleagues (2011) note, this mass incarceration also stems from unequal social and economic conditions as a result of the attempt to assimilate Indigenous peoples into Canadian society. Furthermore, Sapers and colleagues (2017a) identified that despite attempts to address these systematic issues in Canada’s justice system including Ontario, that much work is left to be done. Sapers and colleagues (2017a) provide the example that, despite precedent in *R v Gladue*, it remains to be seen how considering the circumstances of Indigenous peoples are considered upon sentencing.

To continue, despite the incarceration rate remaining stable in Canada, remand rates across provincially run carceral facilities have dramatically increased. Remand refers to pre-trial detention whereby an accused individual is held in a provincial jail awaiting trial in which they are presumed innocent until such a point where they are proven guilty beyond a reasonable doubt (Myers, 2017). In Canada, individuals may be held on remand for several stated reasons, including that there is a belief that the accused individual will not return to court, that there is a strong likelihood that the accused will commit another offence, and to ensure public safety and/or to maintain confidence in the justice system (Myers, 2017). In doing so, the burden to demonstrate these contentions are placed on the Crown on a balance of probability standard (Myers, 2017). However, in some instances, a reverse onus is placed on the accused to demonstrate that they do not contravene the above criteria. Some examples of these instances

include if one is already on bail and facing new charges, if one is charged with a breach of their bail conditions, and if one is charged with an offence involving the sale of drugs (Myers, 2017).

Among the provinces across Canada, carceral institutions in Ontario are mainly filled with those on remand as opposed to those who have been found guilty and sentenced: Statistics Canada (2018) reported that the remand and temporary population made up 51,713 individuals or 69 percent of the 74,664 individuals held in Ontario provincial jails (Malakieh, 2018). Statistics such as this demonstrate that since 2005-2006, more individuals are held in provincial jails awaiting trial than have actually been found guilty (Doyle & McKendy, 2019). Hence, provincial jails are more often referred to as remand centres or detention centres due to the majority of their populations consisting of those on remand (Doyle & McKendy, 2019). This is quite different from federal prisons, which exclusively house those who have been found guilty and sentenced to a period of incarceration for a time period of two years or longer (Doyle & McKendy, 2019). I now move into a discussion which synthesizes existing justifications for carceral stimulus and expansion.

### Justifications for Carceral Expansion

Proponents of incarceration have made a number of arguments for the necessity of carceral institutions across both the United States and Canada (Piché, 2015b; Mathiesen, 1990). Mathiesen (1990) has proposed five implicit purposes of incarceration that justifies it as contributing to existing order. First, there is the expurgatory function in which the prison is seen as one of many institutions in an institutional arrangement which houses and controls the unproductive population of the unemployed, the homeless, and ‘criminals’. Second, is the power-draining function, whereby those incarcerated are unproductive and non-contributors to society. This is because the prison operates without dependence on contributions from prisoners. Third, is

the diverting function, whereby attention is diverted to those from the powerless lower classes who commit socially dangerous acts as opposed to the powerful in society who commit similar acts. Fourth, is the symbolic function in which incarceration is symbolically comprised of marginalized and stigmatized members of society such as Black individuals. Fifth, is what Mathiesen terms the action function, whereby incarceration is the most observable action in society which can be seen through structures such as the prison (Mathiesen, 1990, pp. 137-138).

There also exists several notable bureaucratic justifications for carceral expansion. For example, a justification used by bureaucrats to necessitate the construction of new penal institutions, is that the increased representation of several populations such as Indigenous peoples, women, those with mental health and drug use issues, and gang members compels necessary infrastructure modification (Piché, 2014). However, as Piché (2014) claims, more space to warehouse prisoners are in fact needed due to a lack of political will to address the sources of increased remand demand. Underlying delays in the administration of the penal process, the increasing complexity of legal cases, and the hesitancy to release an accused individual on bail also all perpetuate the need for larger carceral institutions (Piché, 2014).

Another common theme in the literature regarding justifications for carceral expansion revolves around increasing institutional safety. Increasing the size of carceral facilities is thought to alleviate poor conditions such as crowding, thus making facilities safer (Piché, 2014). It is also claimed that new carceral facilities are needed given new demands as a result of changing prisoner profiles and the existence of outdated carceral infrastructure (Piché, 2014; Mathiesen, 1990). As Piché (2014) notes, some of these new demands include how modern prisoner populations supposedly pose more diverse risk to the safety of other prisoners and staff when compared to previous homogenous carceral populations. Hence, new penal infrastructure is

justified to facilitate the necessary spatial requirements needed to deliver programming to this ‘new’ population of prisoners.

Additionally, another justification for carceral expansion is to create space to promote more rehabilitative and healing opportunities, including educational attainment for those incarcerated (Piché et al, 2017; Schept, 2015; Braz, 2006). Furthermore, all of these purported benefits to carceral expansion are often showcased via public tours to promote positive perceptions of newly built carceral facilities and to mitigate negative ones (Piché et al, 2017). As such, these newer penal infrastructures are promoted by bureaucrats as both presenting enhanced security to prisoners and staff and decreasing the risk of escape, hence increasing public safety (Piché et al, 2017).

On a similar note, Braz (2006) and Modoc-Jones (2009) both claim that the construction of new carceral institutions has been justified so that those confined to carceral facilities can serve out their sentences closer to their loved ones, thus maintaining family ties with their spouses and children. Having close proximity to one’s family is thought to contribute to more visits at carceral institutions. This has been found to result in a positive impact on both prisoner’s health and rehabilitation, including lower levels of aggression (Modoc-Jones, 2009). Braz (2006) moves beyond this train of thought and argues that not disconnecting prisoners from their families via imprisonment is preferable.

To continue, another common theme in the literature regarding carceral expansion revolves around the purported economic benefits associated with carceral expansion, construction, and operation (Modoc-Jones, 2009; Piché et al, 2017). This justification has its roots in the United States during the 1980s and 1990s, where it was commonly used to justify new carceral facilities and neutralize criticisms (McElligott, 2017; Piché et al, 2017; Schept,

2015). This proposed economic benefit was especially emphasized as economic ‘miracle making’ for small towns and communities that were economically depressed (Blankenship & Yanarella, 2004). For instance, new prisons are thought to lead to job creation in order to construct the facility, in addition to offer employment opportunities to local residents once the facility opens (Hooks et al, 2004, McElligott, 2017; Piché, 2015b; Christie, 1993; Schichor, 1992). Once the new facility is opened, it is claimed that further economic benefit will be awarded to local citizens and businesses from tenders for maintenance, services, and goods related to the carceral facility (Hooks et al, 2004; McElligott, 2017; Schichor, 1992; Blankenship & Yanarella, 2004).

Nonetheless, existing research has shown that these purported long-term economic benefits associated with prison construction and facility employment often fail to materialize (Piché, 2015b; McElligott, 2017; Hooks et al, 2004; Modoc-Jones, 2009; Glasmeier & Farrigan, 2007). In fact, as Piché and colleagues (2017) note, few documents exist to substantiate these claims of economic benefit in the Canadian context. To begin, carceral facility construction produces little local benefit if larger construction firms win the tender and bring in their own workforce (McElligott, 2017). Carceral institutions also often do not procure goods and services locally due to the specialization needed to fulfill the service and because local labour tends to be of lower rank and skill (Hooks et al, 2004). Large contracts are also often tendered in bulk for several jurisdictions, which filters out local vendors to win the tender (McElligott, 2017). As well, despite facilities promoting job creation to local residents, individuals are willing to commute long distances from outside of the community, given that jobs at carceral institutions are secure well-paying positions (Hooks et al, 2004; Blankenship & Yanarella, 2004). Lastly, property values have often been found to decline in value when a new carceral facility is

constructed due to the negative association of having a carceral facility in one's community (Schichor, 1992; Modoc-Jones, 2009). Hence, it can be concluded that carceral institutions often have little-to-no economic benefit for towns where new facilities are built.

Another common justification for carceral expansion is that the modern construction of carceral facilities adopts green and sustainable practices that are beneficial for the environment compared to previous institutions (Piché et al, 2017). Specifically, carceral facilities are resource-intensive since they operate around the clock, are densely occupied, and therefore consume more energy than typical residential or commercial buildings (Moran & Jewkes, 2014). With the rising cost of energy, increased cost of water usage, and an increase in the price of food, government departments and bureaucrats justify the construction of new and sometimes larger carceral institutions that are more cost-effective and efficient (Moran & Jewkes, 2014; Jewkes & Moran, 2015).

In doing so, justifications for being 'green' are provided for new carceral facilities that will lower energy consumption and costs. For instance, some common 'greening in corrections' includes that new facilities will be more energy efficient, manage water in a more environmentally friendly manner, offer sunlight to prisoners, and lower the amount of pollution and waste that the facility produces through sustainable practices (Moran & Jewkes, 2014; Piché et al, 2017). Facilities can also be deemed as comprising of green elements if they provide prisoners with technical and career skills that can translate into 'green' career fields in positions such as beekeeping and composting upon their release (Moran & Jewkes, 2014).

As another specific example, new carceral institutions in Ontario are justified in that they are designed using a Leadership in Energy and Environmental Design (LEED) (Piché et al, 2017). This entails that a LEED-certified carceral facility possesses well-insulated walls and

roofs, highly efficient mechanical systems, and has mechanisms to lower water usage (Moran & Jewkes, 2014; Jewkes & Moran, 2015). Hence, having buildings that are LEED-certified creates operational cost savings for entities such as the provincial government, which operates carceral facilities in Ontario for those on remand or for those serving incarceration sentences of less than two years (Piché et al, 2017).

A fourth justification related to carceral expansion is the evolution of the penal system, whereby changing styles of prisoner management compel the need for a newly designed carceral facility. Most carceral facilities in Canada that were constructed prior to the twenty-first century either use a remote surveillance or an indirect supervision approach to manage prisoners. These models are respectively characterized whereby staff periodically patrol the prisoners and often remain in a secure control station where most interaction with prisoners occurs (Saunders III, 1995; Nelson, 1988). However, starting in 2008, the MCSCS took a different approach to prisoner management. As the 2008 *Auditor General of Ontario Report* notes, “Ontario’s new, expanded or retrofitted [carceral] institutions use a direct supervision model”, which have seen lower operational costs in carceral facilities, the need for fewer guards, and increased safety rates (pp. 85-86). This principle of direct supervision emerged in the United States during the 1960s to 1980s through the United States Bureau of Prisons, which constructed federally operated direct supervision facilities in Chicago, San Diego, and New York (Zupan & Menke, 1991). The intention of this new model of supervision was that negative behaviour such as altercations could be prevented proactively by guards possessing full control of the prisoners at all times (Wener, 2006; Gettinger, 1984; Zupan & Menke, 1991).

Specifically, this model claims that the most effective supervision of prisoners is only achieved whereby guards interact within arms’ reach of prisoners and have full control over all

aspects of prisoners and areas where they may be present (Saunders III, 1995). As such, individuals are placed into groups of 16 to 46 and are housed in living areas known as modules or pods (Zupan & Menke, 1991). In doing so, staff are assigned to work with those confined to carceral facilities 24 hours a day without the separation of security barriers (Saunders III, 1995; Zupan & Menke, 1991). Another unique feature of the direct supervision model is that the furnishings and fixtures in the living units are of regular commercial grade (Saunders III, 1995). Metal doors and bars, common features of more traditional carceral facilities, may also be absent in a direct supervision carceral facility to promote the feeling of a non-institutional and humane environment (Zupan & Menke, 1991).

Another feature of the direct supervision model is that these facilities are deemed to be safer for both those confined to the facility and for staff who work at the facility. Saunders III (1995), Nelson (1988), National Institute of Corrections (1991), and Wener (2006) all similarly claim that personal safety is better afforded to those at direct supervision facilities as opposed to other penitentiaries which have gained a reputation for danger, violence, and fear.

The adoption of the direct supervision model at carceral institutions also supposedly improved staff morale. Direct supervision facilities have seen an improvement in staff attitudes and a decrease in staff tension. Direct supervision institutions have also seen a reduced use of sick leave, improved treatment of prisoners by staff, and fewer conflicts between staff and prisoners (Saunders III, 1995; Nelson, 1988; National Institute of Corrections, 1991; Wener, 2006). However, despite the positive claims about the direct supervision model, there remains extensive debate in the literature regarding whether such claims have merit and sufficient effect sizes or are merely fictional with minimal effect sizes (see Zupan & Stohr-Gillmore, 1988; Nelson, 1988; Saunders III, 1995; Wener, 2006).

In summary, this review of existing literature on carceral expansion leads to several questions regarding carceral expansion, including how the vision for a carceral facility may be similar or differ in reality upon its completion. In doing so, I seek to examine whether there is a similarity between the justifications used to construct the TSDC and those that are prevalent in existing qualitative literature. I also seek to be one of the first to examine the carceral expansion phenomenon related to the TSDC and how it may be similar or different when compared to others examined in existing carceral expansion and punishment literature, and why this may be. Hence, using the TSDC as a case study, this research seeks to examine: 1) What were the benefits of replacing the Don Jail with the TSDC envisioned by the MCSCS and the provincial government when the facility was announced and opened? 2) What has happened in practice at the TSDC since it has opened according to various sources? and 3) What is the gap between the promise and reality of the TSDC according to various sources?

## **Chapter 3- Weaving it All Together: Conceptual Framing and Theoretical Orientation**

### Introduction

Upon an immersion into the academic literature on the history of carceral expansion, the present carceral landscape in Ontario, and justifications for carceral expansion, several related conceptual words or phrases emerge. Hence, I proceed to distill these concepts and phrases which form the conceptual framework for this thesis. I then transition into the theoretical orientation of prison abolitionism, whilst situating it within the literature on the sociology of punishment and carceral expansion. I also briefly outline Michel Foucault's work related to carceral institutions, including the notions of discipline, power, and the panopticon. Finally, I outline gaps in the literature on carceral expansion and how this research attempts to fill those gaps.

### Neoliberalism and The Management of the Lower Classes

When examining the phenomenon of carceral expansion in the Ontario context, it is notable to examine the groups of individuals that are confined to provincial carceral institutions. As Doyle and McKendy (2019) contend, numerous reports by entities such as the John Howard Society (2015) and the Canadian Civil Liberties Association (2014) suggest that Ontario jails are used to warehouse socially and economically vulnerable individuals that comprise a 'dangerous' class. These include minority groups such as Indigenous and Black individuals, those living in poverty, the homeless, and those living with mental health and drug use issues (Piché et al, 2017; Doyle & McKendy, 2019). These groups of lower class and 'disposable' individuals have become warehoused in carceral institutions, and the institutions seem to function to punish those in social and economic vulnerability as opposed to addressing these problems with assistance and/or treatment (Doyle & McKendy, 2019; Irwin, 1985). Therefore, I proceed to explore the

discussion in existing carceral expansion and punishment literature regarding the role of jails as a way of managing the underclass.

A theme that emerges from carceral expansion literature is neoliberalism and the subsequent managing of lower classes, whereby neoliberal politics have perpetuated penal over social regulation (Loader, 2010). Wacquant (2010, p. 213) characterizes the fundamental characteristics of neoliberalism as being comprised of: “economic deregulation; welfare state devolution, retraction, and recomposition; an expansive, intrusive and proactive penal apparatus; and a culture trope of individual responsibility”. As Wacquant (2010) puts it, the state is shifting the task of regulating the poor from the ‘left hand’ represented by social assistance to the ‘right hand’ represented by justice and ‘corrections’. Hence, modern carceral facilitates in the Canadian context (see Piché 2014) and in Indiana (see Schept, 2015; 2012) can be seen as institutions that mistakenly perceive punishment for rehabilitation and solving social and drug use problems that an overwhelming number of those confined to carceral facilities possess. This expansion of the penal state beyond the prison can be seen as a form of social control, whereby the state seeks to control the impoverished social classes through criminalization as opposed to social assistance (Wacquant, 2009). In doing so, expanding penal institutions are seen by Wacquant (2009) as a symbolic gesture which is meant to punish the poor. Specifically, this means of social control is seen as a means of removing poverty, poor education, and class injustice without confronting the actual social and economic conditions themselves (Blankenship & Yanarella, 2004; Wacquant 2009). This is because the state is merely warehousing these groups of individuals in carceral facilities as opposed to enacting social policy and programming to reduce poverty and class injustices that are the result of a capitalist society. Hence, the state diverts could-be social

programming funds to those who construct, manage, and operate the carceral system through what is known as the prison industrial complex.

Since the 1990s, the term prison industrial complex has been used to refer to the growth in size and scope of carceral facilities due to the forces of neoliberalism (Schept, 2012). The term prison industrial complex refers to the prison as an industry that produces profit or as Christie (1993) calls it ‘The Money Push’. For instance, the prison industrial complex produces profit for private corporations who construct prisons and maintain them both physically and sometimes operationally and provides employment opportunities for staff to supervise those who are confined to them (Christie, 1993; Davis, 2003). As such, these political and legal structures reinforce capitalist domination, as well as racialized oppression in the modern neoliberal state (Carrier & Piché, 2015a; Knopp et al, 1976). Davis (2003) even goes as far as stating that the prison can be seen as a form of modern slavery. This is because carceral institutions utilize blatant, unjust, and racist practices that target those from lower social classes and those belonging to minority groups in pursuit of profit (Morris, 1995; Morris, 1989; Davis, 2003). Davis (2003) contends that minority groups and individuals of lower social classes are ‘transformed’ into sources of profit for the private sector through the privatization of carceral operational services through funds that may otherwise be available for public social programming such as education and housing.

The management of lower social classes in the contemporary neoliberal society is also similarly illustrated through Irwin’s (1985) concept of ‘rabble’. Irwin states that ‘rabble’ refers to the, “disorganized and disorderly, the lowest class of people” (p. 2). Irwin (1985) also uses the term ‘rabble’ in discussing what he deems to be the primary purpose of jail, that being to confine those detached and disreputable persons who are arrested for offensive or deviant behaviour (as

opposed to ‘criminal’ behaviour) as a means of perceived ‘problem’ populations. In doing so, Irwin (1985) contends similarly to Wacquant that the jail is used as an asylum to house those living in poverty, the uneducated, the unemployed, and those who belong to minority groups.

Irwin (1985) identifies that classifying citizens as ‘rabble’ began to emerge during industrialization, where populations in cities rapidly expanded due to migration from rural areas and fears over immigration. As Irwin claims, it is this migration and immigration that delineated a ‘dangerous class’, consisting of beggars, petty thieves, drug users, and prostitutes. Hence, the creation of rabble coincides with the expansion and emergence of the carceral state during industrialization. As a result, a form of total institution was organized to protect the community against perceived dangers by placing the ‘dangerous’ rabble population in jails and penitentiaries (Goffman, 1961).

A total institution may be defined as a place of residence for a large number of like-situated individuals whom are cut off from wider society for a given period of time together and whom are subjected to a strict schedule, which eliminates any aspect of independence (Goffman, 1961). In a total institution, all aspects of life are managed in the same space and under the same authority in the company of many other individuals whom are treated alike and are required to do the same tasks together. In doing so, a total institution tightly controls and imposes a strict schedule on those confined to it using rules based on the official aims of the institution (Goffman, 1961). Goffman’s (1961) research on total institutions, in which jails and prisons are delineated as their own distinctive category, describes the degrading and mortifying rituals such as searching, stripping, and taking of personal belongings that occurs when one enters a carceral institution. Hence, as Irwin (1985) claims, the jail, unlike other total institutions such as the hospital, is not attempting to cure individuals contained within them or engage them in the

running of the institution. Instead, what are needed and wanted in jails are prisoners who will wait obediently, make few or no demands, and follow incarceration procedures such as returning to and from their cells when necessary for a visit or institutional release (Irwin, 1985).

Furthermore, Irwin (1985) describes how the rabble become controlled in jail facilities through commands, use of force, and security measures such as locking systems to ensure the protection of staff and other persons held in the facility (Irwin, 1985). It is this holding process that creates what Irwin terms unintended consequences, whereby one's identity undergoes a transformation through several stages. First, Irwin states that going to jail and being confined creates captive or rabble space. This is because one is removed from societies' conventional beliefs and values, and that one often loses ownership of one's residence, car, and other property such as clothing, work equipment, and cosmetics. As a result, one becomes disintegrated.

Following this, one becomes disoriented, whereby they undergo the shock of arrest and subsequent confinement, which entails following a strict schedule with little individual freedom or choice (Irwin, 1985). Third, a prisoner's commitment to society is eroded through powerlessness, due to the degrading experiences faced where penal environments are described in prisoners' autobiographies, poetry, and writings as hell or hellish (Irwin, 1985; Jewkes, 2014). These hellish images are frequently the result of poorly ventilated and horrid smelling facilities where foul smell, decay, dirt, and fear are all contained within the walls of the facility (Jewkes, 2014). It is at this stage, the final preparation stage, that one is supplied with values and beliefs to become a disreputable person, whereby the jail becomes a meeting house for the rabble to meet with old friends and meet new ones who share common goals and interests (Irwin, 1985). Hence, the jail becomes a means for the state to manage the 'dangerous class' by removing them from

society and confining them. I now move into a discussion of distilling the theoretical orientation of prison abolitionism.

### Prison Abolitionism

Having outlined common conceptual terms that emerge in the carceral expansion and punishment literature discussed in the previous section, I now proceed to explore my predominant theoretical orientation of prison abolitionism. I put forth prison abolitionist theoretical considerations that overarch this research, whilst focussing on how it frames carceral expansion and the carceral institution more generally. These concepts and insights related to the prison abolitionist orientation will be used to guide my analysis of the gap between the vision for the TSDC compared to the reality of the facility once it opened. Aside from guiding my analysis and conclusions, this perspective will also guide my discussion of implications and recommendations to come in subsequent chapters.

In the contemporary neoliberal society, the theoretical orientation of prison abolitionism has emerged in both scholarly and activist communities. Those who adopt the abolitionist perspective seek to move ‘corrections’ to a different paradigm (Schept, 2015). A prison abolitionist perspective sees depriving individuals of all responsibility and placing them in cages as practices that cannot teach responsibility for themselves nor teach individuals to respect others (McMurty, 2000). Abolitionism therefore sees mass incarceration as a failed project in establishing safety, in addition to seeing it as a life disruption for individuals, their families, and communities (Brown & Schept, 2017).

As Knopp and colleagues (1976) state, prison abolitionism views the prison as a doomed institution despite on-going reform efforts. Abolitionists particularly view the prison as a doomed institution since its objectives of rehabilitation, public protection, and deterrence are

mere myths and unattainable objectives that will never be achieved through the use of walls and cages (Knopp et al, 1976). Abolitionists instead claim that the prison serves underlying objectives of control and punishment that reflect the values, interests, and demands of those who hold power. This allows for measures such as rehabilitation to be shaped as punishment in disguise, yet publicly justified as essential measures to ensuring public safety (Knopp et al, 1976).

Instead, prison abolitionism seeks to create treatment, counselling, and conflict resolution that is distinct from punishment and incarceration (Schept, 2015). Hence, the abolitionist movement seeks to dismantle current discourse and build a new discourse of how ‘corrections’ is viewed and legitimized (Brown & Schept, 2017; Carrier & Piché, 2015b). Therefore, the purpose of the resistance is to attempt social change through destabilizing what philosopher Pierre Bourdieu terms habitus, or more specifically the aspect of habitus termed doxa (Schept, 2012). Bourdieu (2002) refers to doxa as an unquestioned adherence to views and traditions that are taken for granted. So, in this case, the abolitionist movement seeks to destabilize the doxa of the tradition of incarcerating those who have committed wrongful acts.

Hence, an abolitionist perspective entails viewing the prison as a structure that cannot be meaningfully reformed and recognizes that the structure is mainly used to house and punish groups such as those living in poverty (Knopp et al, 1976). As such, the movement’s effort to dismantle the prison can be seen as, “providing safer, healthier, flourishing lives, and communities as opposed to relationships of oppressors and oppressed” (Brown & Schept, 2017, pp. 453-454). Abolitionists view this process as partly comprising an attrition strategy based on a moratorium to stop the construction of new carceral institutions. An abolitionist perspective contends that this is to be followed by decarcerating as many individuals as possible through

alternatives to incarceration and followed lastly by excarcerating individuals while focusing on building a caring community (Knopp et al, 1976; Carrier & Piché, 2015b). By this, decarceration refers to releasing individuals from carceral institutions, whereas excarceration refers to avoiding incarceration altogether (Knopp et al, 1976). Nonetheless, as Davis (2003) claims, an abolitionist perspective must entail letting go of a desire for only a single alternative to the carceral system, but instead must consider several viable options whereby an individual's wrong-doing can be addressed in the community.

More specifically, the prison abolitionist movement can be seen as comprising of several logics and ends. First, Knopp and colleagues (1976), Carrier and Piché (2015b), and Saleh-Hanna (2000) all identify that abolitionism entails the logic that punishment neglects the needs of victims, perpetrators, and communities. Carrier and Piché (2015b) identify that penal agents, institutions, and policies take precedence over how a conflict is responded to, leaving those actors involved in the conflict with little input and autonomy. Hence, abolitionism points to reconciliation as an alternative whereby the perpetrator and victim are more involved in the justice process. In consequence, the state as a third party is no longer responsible for the retributive aspect of punishment. As Morris (1995; 2000) and Elliot (2007) similarly contend, reconciliation provides support for victims of wrong-doing, including the provision of answers, support, healing, and acknowledgement of wrongdoing from the perpetrator. Reconciliation also provides significance to those involved through closure, as opposed to societal responses to wrong-doing, which entails court proceedings, blaming the victim, disempowerment, vengeance, and retribution (Morris, 1995; Morris, 2000; Elliot, 2007). A prison abolitionist perspective therefore views reconciliation as the sole means of restoring the wholeness of a community as opposed to walls and metal cages (Knopp et al, 1976).

Secondly, Knopp and colleagues (1976), Carrier and Piché (2015b), Saleh-Hanna (2000), and Clarke (2000) identify that the capitalist system targets those of lower social classes through criminalization and penal intensification. In doing so, ‘corrections’ and the legal code have been enacted as means to keep those of lower socio-economic status in-line and to punish them for even the slightest infraction using a legal code designed to warehouse them (Clarke, 2000). On the other hand, ‘corrections’ and the law are created to benefit and shield those of higher socio-economic classes through wealth-making via the prison industrial complex (Clarke, 2000).

An underlying logic of abolitionism is also to empower those incarcerated through redefining the language related to incarceration. For instance, Knopp and colleagues (1976) suggest realistically redefining the power that defines the prison by altering the language used to describe prisoners. Knopp and colleagues (1976) also state that an abolitionist approach entails becoming allies with those incarcerated to promote empowerment and change. This entails developing networks of support services such as peer support, education, and employment support services to promote one’s re-integration back into society upon their release (Knopp et al, 1976).

A third characteristic of prison abolitionism entails seeing it as a form of public criminology in the form of engagement (Piché, 2012). This entails scholars working with marginalized individuals and the public to demystify the ideologies of punishment in the penal context and the ideologies that perpetuate inequality in the modern capitalist society (Schept, 2012; Carrier & Piché, 2015b). This underlying logic therefore claims that citizens are a focus of change, whose ideologies can be shifted through the presentation of data and arguments in layperson terms (Carrier & Piché, 2015b). As such, the aim is to demonstrate that incarceration is irrational, unsuccessful, and lacks a moral justification, whereas alternatives to incarceration

show superior cost-benefit, are more practical, more humane, and morally justified (Knopp et al, 1976; Carrier & Piché, 2015b). Hence, this third logic aims to promote human rights and the creation of a safe and equal society through demystifying carceral institutions and promoting social change (Saleh-Hanna, 2000; Carrier & Piché, 2015b). This logic of prison abolitionism is summarized by McMurry (2000, p. 167) who states:

We need to understand from the outset that prisons are not there for the reason they are usually said to be there. In truth, they do not morally reform lawbreakers. They do not protect society from violent criminals. They are not retributive institutions. All of these rationalizations of the prison system are myths.

Hence, the prison abolitionism movement can be seen in an anti-criminalization light that arose from discontent with penal policies, practices, and outcomes (Saleh-Hanna, 2000). For example, Pate (2008) contends that society should challenge social cuts and the implementation of laws and policies that criminalize poverty, being part of a marginalized group, and living with mental health and drug use issues. Alternatively, Pate (2008) claims that alternatives to incarceration such as abolitionism and decarceration should be adopted. Specifically, she states that community-based practices should be implemented to keep those in trouble with the law in the community as opposed to warehousing them in carceral institutions (Pate, 2008). Similarly, Braz (2006) contends that there are several alternative methods to enhancing public safety other than incarceration such as providing prisoners with housing upon release and investing in their communities to reduce poverty.

### Michel Foucault

Aside from the theoretical orientation of prison abolitionism, another common theoretical framework that is overtly abundant in punishment literature is the work of French philosopher Michel Foucault, which Wacquant (2010, p. 204) states is the, “most influential analysis of the rise and the role of the prison in capitalist modernity”. In *Discipline and Punish*, Foucault (1975)

examines the transition of punishment in the seventeenth and eighteenth century as one that shifted to discipline in the prison and formed the model for a disciplinary society more broadly. In doing so, Foucault (1975) contends that punishment shifted from a public spectacle of torture and horror that punished the body, to one that punished the soul through incarceration, discipline, and the certainty of punishment. Hence, one's body now became subject to control through mechanisms such as incarceration, which controlled one's freedom through control of their movement and routine in an attempt to reform an individual (Foucault, 1975).

Foucault also theorized the implications of Jeremy Bentham's notion of the panopticon, which refers to a building with a tower in the center where it is possible to see every cell (Foucault, 1975). Foucault claimed that under the panopticon's architectural design, it is unclear whether one is being watched by the gaze of a guard in a nearby tower, inducing a sense of permanent visibility. Similarly, a third aspect that Foucault (1975) speaks to is the aspect of power. In the context of carceral institutions, Foucault contends that 'criminal' is formed through the ruling class, which uses carceral institutions to structure and control behaviour through networks of power. In doing so, power is utilized to construct idealized behaviours which individuals must conform to or risk being removed from society and taken to institutions such as the prison (Foucault, 1975). Foucault's theoretical notions of discipline, power, and the panopticon have emerged as influential notions in punishment literature and will be used to guide the analysis, results, and implications of my study.

Foucault (1975) claims that reforming the prison is also a doomed initiative. As he argues, the prison subsists on promises and prospects of reform rather than actually being reformed. Instead, Foucault claims that reform efforts serve an underlying purpose to further strengthen the effectiveness of social control. This is done through the delegation of power to a

supposed reformer, who instead uses the power to further disseminate punitive carceral logics, thereby making the carceral system increasingly worse off (Foucault, 1975).

### Gaps in the Carceral Expansion Literature

In summary, despite an array of sociology of punishment literature related to carceral expansion, several gaps exist in the literature which this research attempts to bridge. First, there is a lack of research on penal infrastructure development in the Canadian context. There exists a need in the literature to move beyond research that solely examines justifications for new carceral facilities (e.g. Piché, 2014), which the literature review in the previous chapter has shown is plentiful (see Moran & Jewkes, 2014; Modoc-Jones, 2009; Hooks et al, 2004; Blankenship & Yanarella, 2004; Schichor, 1992; Braz, 2006). Instead, novel research is needed to assess whether a gap exists between the rhetoric and realities of carceral expansion and infrastructure development. This research aims to bridge this gap and contribute to knowledge in this area. Furthermore, although research exists in the United States context from when the direct supervision prisoner management system was introduced in the 1960 to 1980s, there exists no Canadian research as to whether the results are transferable or relevant to Canadian ‘criminal justice’ institutions. Instead, Canadian authorities such as CSC (2015) cite American studies from the National Institute of Corrections (see National Institute of Corrections, 1991), as justifications for implementing this new prisoner management system in Canada. As such, since the TSDC is one of the first Canadian carceral facilities to adopt this prisoner management style, research is needed to assess whether these findings from previous American research hold true across the border in Canadian carceral institutions and in contemporary times. This research attempts to bridge this gap by examining the promising rhetoric of implementing the direct supervision model and comparing this to the reality of its implementation at the TSDC.

There also exists a gap in existing literature regarding the policy implications related to the vision and the reality of carceral expansion. Although some research exists in this area (see Modoc-Jones, 2009; Blankenship & Yanarella, 2004; Hooks et al, 2004), this previously conducted research is almost entirely quantitative research. This previously conducted research primarily examined the estimated beneficial effects of carceral expansion related to figures on supposed increased employment numbers and property values. As such, my qualitative research will add to a limited literature on the effects that carceral expansion has on the families of prisoners, prisoners themselves, and staff of the facility as it relates to the rhetoric versus the reality of carceral expansion using the TSDC as a case study. This will be accomplished in my study through examining for emergent themes within quotes from these groups of individuals which are found in secondary sources such as news media articles.

Moreover, as previously elaborated upon, this research adopts a public criminology approach which will distill policy implications related to carceral expansion in understandable lay-person terms. Morris (1995) contends, community education is a vital link to direct action, lobbying, and ultimately social change. However, research that distills policy implications and takes a public criminology approach is limited in criminology (Matthews, 2009). This research therefore aims to address this gap by applying the results of this study to distill possible policy implications. For example, I will analyze how various sources justified the need for carceral expansion in Toronto and compare this to the reporting of events and occurrences at the TSDC once it opened through to the end of 2018. In doing so, I aim to explore policy implications that resulted from this carceral expansion initiative and assess whether alternatives to incarceration such as diversion and bail programming may better serve public interest and warrant community education initiatives. I also aim to make these findings public.

Lastly, there exists a lack of academic literature that examines the TSDC itself. At time of writing, only Piché and colleagues (2017) have conducted published academic research that partially examined the TSDC as part of a larger research initiative. Specifically, their research consisted of analyzing press releases, website information, open houses, and FOI requests to examine how provincial and territorial agencies promote new penal infrastructure initiatives. Although Piché and colleagues (2017) examine some aspects of the vision related to the TSDC, this examination is brief, with only several paragraphs devoted to the MCSCS's vision for the facility from FOI released documents. Hence, this research intends to build on this research by thoroughly examining the vision for the TSDC using publicly available documents and news media reporting. This research will be the first of its kind to examine the reality of the TSDC in-depth, including the benefits and shortfalls of the facility. This study will thus serve to add contemporary knowledge on carceral expansion to Canadian literature, and more specifically to research on incarceration in Ontario. In the next chapter, I proceed to outline the methodological choices and processes that were used to conduct this research.

## **Chapter 4– Methodology**

### Introduction

In the last chapter, I provided an overview of conceptual terms and the prison abolitionist perspective which guides my project. I also outlined gaps in the existing sociology of punishment and carceral expansion literatures and outlined how this research attempts to fill those gaps. In this chapter, I will now outline the qualitative methodological approach that was used to answer the research questions examined in this study. These research questions included:

- 1) What were the benefits of replacing the Don Jail with the TSDC envisioned by the MCSCS and the provincial government when the facility was announced and opened? 2) What has happened in practice at the TSDC since it has opened according to various sources? 3) What is the gap between the promise and reality of the TSDC according to various sources?

This chapter will be comprised of several parts. The first part provides an introduction into qualitative research and features that distinguish it from quantitative research. The second part outlines the methodological choice of utilizing a case study. The third part discusses the sampling strategy that was used during this study. The fourth part describes the approaches of coding and thematic analysis which were used to analyze my collected data. The fifth part serves as an opportunity for me to reflect on my study and discuss its limitations.

### Distinguishing Qualitative from Quantitative Methodology

The term ‘qualitative’ derives from the Latin term *qualitas* and delineates a material and symbolic approach to research which is open-ended and allows for the emergence of rich data that has depth (Frederick, 2018). Typically, when conducting qualitative research, one analyzes the experiences of groups and individuals, analyzes interactions and communications, and/or analyzes documents such as news media texts or film to uncover meaning to examine the ‘what’,

‘why’, ‘how’, and ‘when’ of a phenomenon (Gibbs, 2007). Hence, qualitative research examines ‘soft’ data, which includes words, sentences, and photos (Neuman, 2011). Some common examples of qualitative research methodologies include interviews, fieldwork, and document analysis (Feagin, Orum & Sjoberg, 1991; Patton, 2005).

Qualitative research is typically undertaken through transforming social situations, events, and interactions into written forms of text including notes, transcripts, interpretations, and descriptions (Gibbs, 2007). Qualitative methodology is therefore inductive since explanations of the data are not formed until after the analysis is complete (Gibbs, 2007; Patton, 2005), although one is often sensitized by pre-existing theorizing. In doing so qualitative analysis is also non-linear since the researcher moves back and forth during the analysis stage between data collection and data analysis (Neuman, 2011).

On the other hand, quantitative research derives from the Latin term *quantitas*, which means the differences in amounts and number of instances (Frederick, 2018). Specifically, quantitative research counts and measures extents and distributions, including ‘hard’ data such as numbers (Berg & Howard, 2012; Neuman, 2011). So, a common example of quantitative research is the survey, where one collects data from a large sample of the population and distills the results in numerical form as an experiment to test whether there is a relationship between two variables (Feagin et al, 1991).

To continue, when conducting quantitative research, the researcher starts with a hypothesis and predefined variables (Gibbs, 2007). In doing so, the researcher aims to reduce the data as much as possible so that it can be quantified and counted (Gibbs, 2007). As such, quantitative research is typically deductive and a linear process, in that the researcher attempts to explain the phenomenon from a pre-defined standpoint (Gibbs, 2007; Neuman, 2011). Given that

I conducted textual analysis to uncover meaning with respect to the carceral expansion phenomenon related to the TSDC, I argue that the quantitative methodological approach would not be appropriate for undertaking this research project. This is because this thesis seeks to explore the carceral expansion phenomenon of the TSDC through interpreting relevant secondary sources such as media articles and press releases to uncover both manifest and latent meaning, which is best accomplished through qualitative research. Manifest content in my study includes data with obvious meaning through little-to-no interpretation, whereas latent content refers to data with hidden and underlying meaning uncovered through analysis and interpretation.

### Case Study

This qualitative project utilized a holistic and descriptive case study of the TSDC to explore the vision compared to the reality of carceral expansion at the jail for the benefit of policy makers, scholars, and the general public. I chose to use a case study for my research given that it allows for the production of thick and rich description which Patton (2005, p. 532) states is the, “foundation for qualitative analysis and reporting”.

Specifically, the purpose of a case study is to systematically examine a phenomenon through describing and explaining it (Berg & Howard, 2012; Feagin et al, 1991). Undertaking a case study involves utilizing many sources in great detail in order to create a framework that incorporates different actors and voices involved in the phenomenon (Feagin et al, 1991; Patton, 2005). Hence, the case study unlike other qualitative methodological choices can be unobtrusive and does not always require the use of interviews or participant interactions, but instead can use existing material such as articles, news media, and reports for analytical study (Berg & Howard, 2012). Some other benefits of the case study over other qualitative approaches include a higher

cost-effectiveness, the ability to easily study a phenomenon that has occurred over time, and the prevalence of specific details including dates, facts, and key players which may not otherwise arise through other qualitative methodological approaches such as interviews since data is more readily available in greater quantities (Berg & Howard, 2012; Feagin et al, 1991; Bowen, 2009).

In making this research a case study based on an in-depth investigation of the TSDC, I implemented a strategic selection process to acquire the greatest amount and depth of data on a recent carceral expansion phenomenon in the Canadian context (Flyvbjerg, 2006). I strategically chose an atypical/critical case of the TSDC to analyze given that it had received a great deal of media attention from when it was announced through to the end of 2018 when I ended my data collection (Flyvbjerg, 2006). This allowed for a greater amount and depth of information to emerge, given that a large number of actors, mechanisms, and entities had some part in the carceral expansion phenomenon of the TSDC (Flyvbjerg, 2006). As such, this case study was strategically selected in order to save both time and money in investigating the phenomenon of the gap between the vision and reality of carceral expansion initiatives (Flyvbjerg, 2006).

### Sampling Strategy

In order to examine the case study of the TSDC, this thesis analyzed data contained in publicly available documents. The documents that can be included in a document analysis generally are meeting minutes, reports, agendas, news media, books, brochures, and press releases (Bowen, 2009). In utilizing these forms of data for my study, it should be noted that they are extant texts. This refers to the fact that I had no part in shaping the creation of these documents and that they were produced for different purposes such as mass media, reporting, study findings, and public record (Charmaz, 2006). It should also be noted that news media data

does not always provide the exact truth, but a provisional truth based upon the facts available at the time of reporting (Wooley, 2005).

I undertook an extensive search for news articles and other publicly available documents such as press releases related to the TSDC. In looking for documents and news media articles, a purposive sampling approach was undertaken whereby I attempted to collect as many instances as possible that fit my sampling criteria and excluded those that did not fit my predefined criteria (Patton, 2005). My criteria consisted of data that discussed the announcement, construction, opening, and current operation of the TSDC with a date range from the announcement of the facility on May 9, 2008, until the conclusion of my coding in December 2018. This entailed a non-random sampling approach where I found as many cases as possible until time and energy resources were exhausted (Neuman, 2011). In doing so, a saturation point emerged in which no new information, properties, or diversity emerged from newly collected data (Charmaz, 2006).

In acquiring data, customized and searchable news databases such as Lexis Nexis proved vital to uncovering dozens of news articles related to the TSDC from a variety of news outlets, including the *Toronto Star*, the *National Post*, the *Globe and Mail*, and *CBC News* among others. The MCSCS's website was also thoroughly searched for relevant press releases and information regarding the construction, opening, and operation of the TSDC. Moreover, an extensive internet search was conducted using keywords related to the TSDC to identify relevant reports and other secondary sources. As a result, the data collection phase uncovered multiple sources of key events, which afforded me the ability to triangulate the data whereby multiple sources distilled a more accurate and complete picture of the TSDC phenomenon (Neuman, 2011). A detailed table containing all of the documents that were collected and analyzed for this study can be found in *Appendix A*.

## Data Analysis Strategy

During my analysis, I adopted an inductive approach of creating conceptual frameworks from the data to explain the phenomenon of the vision for carceral expansion versus the reality at the TSDC (Charmaz, 2006). In doing so, I started with no predefined codes and an open mind as to what would emerge from my collected data (Gibbs, 2007). However, as previously elaborated upon, my analysis was guided by the theoretical perspective of prison abolitionism. To briefly summarize from the previous chapter, prison abolitionism refers to a theoretical perspective that sees the prison as a failed and impractical institution that cannot be reformed and as an institution which overwhelmingly confines socially and economically vulnerable individuals. Instead, prison abolitionism challenges the notion of incarceration through advocating for alternatives to punishment and incarceration such as investment in communities, conflict resolution, and reconciliation (McMurty, 2000; Brown & Schept, 2017; Schept, 2015; Knopp et al, 1976; Carrier & Piché, 2015b).

To continue, my analysis comprised of coding, which Charmaz (2006) claims is an essential link between collecting data and developing an emergent theory to explain the data. Specifically, coding refers to tags or labels that ascribe meaning to something (Neuman, 2011). In the coding process, I examined a variety of conceptions, including words that commonly occurred, emergent themes from sets of words on a particular subject, and concepts that formed from words grouped together (Berg & Howard, 2012). Moreover, when coding I adopted Gibbs (2007) suggestion to code for a variety of aspects, including acts, behaviours, and events. In doing so, the aim of coding data was to make meaningful connections between the data fragments as they relate to each other in new interpretations (Coffey & Atkinson, 1996). As Coffey and Atkinson (1996) claim, analysis does not merely consist of classifying the coded

data, but also aims to reconstruct a representation of the social phenomenon. In doing so, I ‘sliced up’ my data and recontextualized it in new forms to examine for patterns, themes, and relationships (Coffey & Atkinson, 1996).

To aid in the coding process, I utilized NVivo, which is a form of computer-assisted qualitative data analysis software. Specifically, this software allowed me to mark segments of data by attaching a code to it and then allowed me to search for a particular code and retrieve all the links tagged with the specific code (Coffey & Atkinson, 1996). Hence, computer software eliminated the need for me to organize the data by hand using scissors and paper (Coffey & Atkinson, 1996). Nonetheless, it is worth elaborating that the use of computer software does not do the analysis for the researcher, but merely serves as a tool that aids in the organizing and structuring of the data (Gibbs, 2007).

### Thematic Analysis

Specifically, the coding process for this study was undertaken using thematic analysis which is a, “qualitative method for identifying, analyzing, and reporting themes within data” (Braun & Clarke, 2006, p. 79). In this sense, a theme refers to something of importance in the dataset such as a patterned response in relation to the research questions (Braun & Clarke, 2006). To continue, themes were primarily identified using an inductive approach, whereby data was specifically collected to answer my set of research questions and its interpretation was influenced by the theoretical orientation of prison abolitionism (Braun & Clarke, 2006). In undertaking thematic analysis, I followed Braun and Clarke’s (2006) non-linear approach to thematic analysis where one moves back and forth between steps throughout the analysis.

The first step in conducting the thematic analysis was to become familiar with the data (Chapman, Hadfield & Chapman, 2015). This involved reading and re-reading my collected data

at least once and writing down initial ideas that arose from meaningful sections of text such as passages, quotations, or single words (Chapman et al, 2015; Attriade-Stirling, 2001).

The second step in the thematic analysis involved identifying possible themes (Chapman et al, 2015). Similar to an open coding process, this entailed breaking the data apart (Neuman, 2011). This was accomplished through organizing the data into codes which were identified through short statements grouped together with similar ideas and meaning (Chapman et al, 2015). Essentially, as Charmaz (2006) contends, codes can be simplified as referring to what the data is all about. In order to best capture relevant codes, I coded line-by-line even if the line did not consist of a complete sentence (Charmaz, 2006). Doing so allowed me to analyze for both manifest and latent content, whereby I examined for both visible and hidden meanings in my dataset.

During this stage of the analysis, I gave full and equal attention to each set of data, since it was not apparent whether a potential theme or pattern would become of importance later on in the coding process (Braun & Clarke, 2006; Berg & Howard, 2012). Hence, I created a theme entitled “miscellaneous” to temporarily place emerging items that did not immediately fit into one of my established theme categories (Braun & Clarke, 2006). Doing so ensured that I kept my inquiry wide open and ensured that I never assumed or drew conclusions at this early stage of the analysis (Berg & Howard, 2012).

To continue, the third step of the thematic analysis involved reviewing and analyzing my established themes so that they had some structure to them (Vaismoradi et al, 2013). This is similar to axial coding whereby the data was brought back together and organized into themes and related sub-themes (Neuman, 2011). In doing so, the themes that I distilled were refined to ensure that there was no repetition, that the themes accurately represented the sets of data, and

that there was enough data to support them (Attride-Stirling, 2001; Braun & Clarke, 2006). Furthermore, where gaps emerged in my data, I moved back and forth between data collection and data analysis until I had sufficient information to complete an analytic assessment (Charmaz, 2006). Where possible, I connected basic themes to larger shared issues which were related to a main global theme (Attride-Stirling, 2001). In doing so, I was mindful that subcategories could overlap each other, be nested within each other, and could also intersect one another (Coffey & Atkinson, 1996).

Finally, the fourth step in the thematic analysis involved describing and exploring the thematic networks (Attride-Stirling, 2001). This entailed describing each network with textual descriptions to justify interpretations of the data (Attride-Stirling, 2001). As Coffey and Atkinson (1996) state, of significant importance during this stage is to ensure that no data is lost when distilling the interpretation and analysis. In doing so, the data and interpretations were brought together and elaborated on to explain what is of interest and why in the form of a theoretical framework/model (Attride-Stirling, 2001; Chapman et al, 2015). Specifically, the aim is to convince the reader of the merit and validity of the analysis, which is done by embedding extracts of data that illustrate the theme that is being elaborated upon in relation to the research questions (Braun & Clarke, 2006). Hence, one tries to apply the data to form a theory that the data tells (Coffey & Atkinson, 1996). This stage of the analytic process will be extensively elaborated upon in subsequent chapters where I distill my findings related to the TSDC.

### Limitations and Reflexivity

Having completed the research process, it is now an ideal opportunity to engage in both reflexivity and transparency in order to reflect on how my role as a researcher has shaped and influenced the design and scope of my study. This adheres to another of Tracy's (2010) criteria

for quality in qualitative research, whereby sincerity is reflected upon. In doing so, I outline the challenges faced in the research process, including thoughts and reflections throughout the design and analysis phases.

Although I am confident that my study has achieved a meaningful result and thoroughly answers my three research questions, I acknowledge that my dataset is primarily based on media reporting. Mass media news reporting has become one of the most prevalent sources of information in modern society and can reach large numbers of people (De Ceunynch et al, 2015). However, it should be noted that using media sources as data for research purposes has its downsides and limitations.

For instance, journalists are often given little time to report on events that they have had little time to research, which is especially prevalent in online news media articles that largely comprised the dataset for this research project (Wooley, 2005). Wooley (2005) and De Ceunynch and colleagues (2015) claim that the quality of news media has been declining for decades in the drive for profit and the entertainment/fascination value of news media at the expense of its accuracy and objectivity. Hence, media coverage does not always necessarily and accurately reflect reality.

It is for this reason that Patterson (1998) contends that news media is poorly suited to contribute to public influence and debate. He claims that given the changing news cycle, journalists are expected to produce daily stories that have taken a defining turn and/or emerged in the previous twenty-four hours that present a novelty aspect. In doing so, Patterson (1998) argues that adopting a method of novelty over precision leads to the distortion of both the events being covered and the larger reality of what they are a part of. For example, in 1993, news media coverage of ‘crime’ in the United States doubled from its previous level, which was driven by

several high-profile murder cases. As a result, ‘crime’ became a significant public issue, harsher sentencing laws were enacted, and the most funds ever in America’s history were appropriated for the construction of new carceral facilities when in fact the crime rate in America was declining (Patterson, 1998).

Research has also shown that news media reporting selection skews public perception and attitudes given that reporting depends on aspects such as who was involved, when or how the event occurred, and where the occurrence took place. For example, De Ceunynch and colleagues (2015) found that traffic crashes that occurred on weekdays were less likely to be reported in the news media compared to if it had happened on the weekend, and also found that crashes that occurred on highways were more likely to receive media attention. The study also found that the age of those involved in crashes also influenced whether it would receive news media attention, whereby young drivers and those of the female gender involved in crashes were more likely to receive news coverage (De Ceunynch et al, 2015). Therefore, various factors such as ‘where’ and ‘when’, and the age and gender of the actors involved can influence how likely a story is to be reported by news media.

Nonetheless, Wooley (2005) claims that journalism offers a provisional truth, which refers to not always the complete truth, but the best truth available based on the facts at the time, including research and first-hand accounts. Therefore, it can be contended that journalism is rarely a finished product, but one that is always adapting. In doing so, an initial report often warrants something worthy of further investigation to uncover more profound meaning. It is for this reason that Wooley (2005) argues that journalism can parallel academic work given that it entails observation, the formation of a hypothesis, experimentation, the publication of findings, and further research.

Wooley's (2005) contentions speak well to how I attempted to minimize this limitation for my research project. Although I had little control over news reporting cycles and what was reported/published, I found that several of the same journalists have followed events at the TSDC for long periods of time. For example, Amy Dempsey of the *Toronto Star* and Patrick White of the *National Post* have both published many news stories related to the TSDC over the course of several years. In doing so, their reporting builds on their previous reporting efforts, which fits with Wooley's (2005) line of thought that journalism can parallel academic work. This is because, like academic researchers, these journalists have undertaken a long-term approach to the reporting and the researching of events and occurrences related to the TSDC. That said, utilizing other methodologies such as information requests and interviews could potentially have led to more in-depth data aside from the provisional truths provided from news reporting.

Although some of my data is drawn from FOI requests by others, as will be discussed, it would have been ideal for me to complete my own requests. This is because as Piché (2012) notes, using merely one channel of carceral expansion data collection such as informal data may leave and/or omit potential areas of exploration. However, due to the time constraints of completing a Master's Thesis and the uncertainty of what information I would receive, I chose not to undertake this methodological approach for my study. Instead, I propose that future non-time sensitive research be undertaken in the area to fully explore the phenomenon of carceral expansion related to the TSDC and the shortfall and challenges faced by the facility.

Specifically, I chose not to utilize FOI requests for my study for several reasons. First, given that information requests hinge on short statements, secondary FOI requests may have been needed should a new area, date range or significant event have emerged as vital to my study (Walby & Larsen, 2011). In doing so, each request would take 30 days to process (if timelines,

which are rarely followed, were respected), and considerably longer to receive the redacted information from the government entity. Second, I chose not to submit FOI requests due to the several hurdles and challenges that would have needed to have been overcome for meaningful and useful data to emerge from information requests. For instance, the costs associated with requesting information often serve as a barrier to researchers (Brownlee & Walby, 2015). As such, the initial \$5 processing fee is not the final cost of retrieving information from the government entity. Additional costs and hourly charges are often incurred for searching fees, photocopying, printing, and the time needed to process and redact the released documents (Brownlee & Walby, 2015). Another related shortfall stems from the systematic delays in government entities releasing the requested information due to resource shortfalls, the high volume of information requests, and the flow of approval needed from various stakeholders prior to document release (Brownlee & Walby, 2015; Larsen & Walby, 2012).

Moreover, given Piché's (2012) ordeals with negotiating access for FOI requests for his dissertation on carceral expansion, I concluded that the time needed to complete the requests coherently and effectively would have been more than I had at my disposal for a Master's Thesis. I also chose not to do so given Piché's (2012) experience where he noted that aside from an online content search, negotiating access would require many informal and formal information requests with relevant government departments, in addition to long processing times and hours spent communicating back and forth with government bureaucrats and request analysts. Again, given the relatively short time given to complete a Master's Thesis, I chose to not utilize this research method given the anticipated amount of time needed to undertake such a methodology. Hence, given the sizeable number of documents that could potentially be released

from an information request related to the TSDC, I recommend that a long-term exclusive study of the facility is warranted.

Another hurdle for future researchers to navigate and overcome is secrecy provisions by government departments and ministries. An array of provisions exists in access to information legislation whereby requested information can only be released once severely redacted or in some instances, the release is completely denied (Brownlee & Walby, 2015). For example, information can be redacted or withheld if it is required to ensure national security or that the harm from releasing the information would cause harm or prejudice if disclosed (Savage & Hyde, 2014). A government department is also exempt from disclosing information that may undermine cabinet's confidence and information regarding the formation of government policy (Savage & Hyde, 2014; Dickson, 2012). It is for this reason that I also did not conduct FOI requests as there was a considerable amount of uncertainty as to whether the information that I could request would even be releasable and/or could be so redacted that it would make the information of little benefit to my study.

Given the experiences of previous researchers who conducted similar research, I also decided against doing interviews again due to time constraints and due to the uncertainty of the willingness for ideal stakeholders to participate in interviews. For instance, for her Master's Thesis on Private-Public Partnerships and Prison Expansion in Ontario, Buitenhuis (2013) attempted to interview staff at the MCSCS and politicians, but was unsuccessful. After applying to the MCSCS Adult Correctional Services Research Committee and a four-month-long wait, her application was rejected because the committee felt that her study had little benefit to the Ministry. Given that my study also broadly examined the similar topic of carceral expansion in Ontario, I felt as though my odds of the Research Committee allowing me to interview MCSCS

staff would be minimal. Buitenhuis (2013) also attempted to interview politicians but was ultimately unsuccessful due to their hectic schedules. Given that politicians were vocal in the media regarding criticism of the TSDC, they would have been another stakeholder worth recruiting for interviews. Hence, given Buitenhuis's (2013) experience, I chose not to undertake interviews for my Master's Thesis.

Having now delineated qualitative from quantitative methodology, having outlined my case study methodology, my sampling criteria, my data analysis strategy, and my reflexivity where I reflect on some of the limitations of this study, I now proceed to distill the findings from my case study in the next chapter.

## **Chapter 5- Case Study and Analysis**

### Introduction

Having outlined the methodology for this study in the previous chapter, I now describe and detail my case study of the TSDC with analytic insights and engagements with existing literature where relevant. In doing so, this chapter is comprised of several sections. The first section delineates the emergence of the TSDC and its announcement in 2008, through to its tendering process, its construction, its completion in 2012, and the delay in opening the facility. From here, I outline the major themes that emerged from my dataset and provide quotations to delineate three key themes, which consist of justification, challenge, and shortfall. Specifically, I outline each of these three thematic networks and each of their sub-thematic nodes. I operationally define justification as the reasons provided by bureaucrats to necessitate the construction of the new and bigger TSDC facility. I operationally define challenge as something that is of difficulty and/or poses difficulties. I operationally define shortfall as failing to meet expectation and need.

### Contextualizing the Emergence, Tendering, and Construction of the TSDC

The ‘Don’ Toronto Jail, one of the previous carceral facilities in Toronto prior to the TSDC, had a prisoner capacity of 562, but experienced severe crowding and on some nights held as many as 650 prisoners (Toronto Life, 2010). The facility was described in detail by *Toronto Life Magazine* (2010):

The prison is a cement box, the floor, walls, and steel bars are all painted a neutral white caked with grime. It’s noisy, each of the units is filled with the sounds of men shouting, banging the bars and arguing; wall-mounted TVs blare different channels. With hundreds of men living in cramped quarters, many of them taken directly off of the streets, the smell is intense. The sound of the toilets is so loud, prisoners follow a self-imposed no-flushing policy throughout the night, and in the morning, the stench of human waste is unbearable. Drugs move freely through the Don, though correctional officers say that the odd whiff of pot is a welcome respite from the stink of urine, vomit, and sweat. The jail is

also overrun with mice, cockroaches, and a generous variety of infectious diseases. The Don's guards have one of the highest sick rates of any correctional officers in the province, not just because of the unhealthy conditions, but also because they hate going to work.

The Don Jail also frequently lacked adequate staff given the number of prisoners it warehoused, which often caused the facility to enter lockdown, in which prisoners were confined to their cells. In situations of lockdown, family visits were cancelled, as was scheduled program delivery from community organizations such as the John Howard Society due to prisoners having to remain in their cells (Toronto Life, 2010). The facility was also known for instances of violence. For example, in November 2009, prisoner Jeff Munros was beaten to death by another prisoner after accidentally eating another prisoner's half-empty bag of chips (CBC News, 2012). *Toronto Life* (2010) noted that Canadian magistrates harshly criticized the Don Jail. In 2003, Justice Schneider called the Don an, "embarrassment to the Canadian criminal justice system", and made the precedent-setting decision to award three days credit for every day spent on remand as opposed to the usual two days credit for every day served on remand. This was in consequence of revelations that the accused in that case, Purnell Smith, was forced to triple bunk in a cell meant for one person and had to sleep on the floor next to the toilet as a result of the crowding at the jail (Appleby, 2010). In a ruling later that year, Justice Schneider again criticized the Don as not meeting the United Nation's minimum standards for the treatment of prisoners (Toronto Life, 2010).

Other stakeholders have also often voiced their displeasure with the Don Jail. Defense lawyers such as Robin McKechnie publicly stated that they would keep bringing applications for enhanced credit, "until the first shovel hits the ground for a new facility", due to the "medieval conditions" at the facility (Pron, 2003). Those confined to the Don also undertook hunger strikes on several occasions, including in May 2003, in an attempt to bring awareness of how crowded

the jail was (Pron, 2003). Staff at the Don even filed grievances with the Province of Ontario, stating that their health and safety is endangered by the crowding there (Pron, 2003). As then Chair of OPSEU's corrections division, Barry Scanlon, stated, "An explosion is coming [...] the province can't keep ignoring this problem" (Pron, 2003). The President of OPSEU, Warren 'Smokey' Thomas, called on the McGuinty government to enact a task force to examine ways to improve crowding in Ontario jails such as the Don, which negatively impacts living conditions for prisoners and working conditions for staff (Marketwire, 2009).

On May 9, 2008, the then McGuinty provincial government announced the construction of a new 1,650-bed maximum security jail in Toronto aimed at modernizing 'corrections' in the province by replacing aging facilities (MCSCS, 2008a). The new jail was announced to have 50 percent more capacity than the current Don and Toronto West Jails in Toronto combined, making the facility the second largest jail in Canada after the Edmonton Remand Centre (Robin, 2017; Milosz, 2014). The new TSDC would replace the Mimico Correctional Centre in Etobicoke (MCSCS, 2008a).

It was also announced that the new TSDC, as part of Ontario's new, expanded, and retrofitted carceral institutions, would use a direct supervision model. This entailed that guards would be stationed outside of cell units in centrally located observation posts, allowing for the facility to run more efficiently whilst requiring one-third fewer guards (Auditor General of Ontario, 2008; MCSCS, 2008a). The MCSCS (2014b) also stated that the use of the direct supervision model at the TSDC would encourage positive interaction between staff and prisoners, would allow jail guards to build direct relationships with prisoners, and to serve as positive role models for those detained at the TSDC. The MCSCS (2014b) further stated that the direct supervision model would allow jail guards to be present and address harmful and

threatening behaviour before it escalated. Nonetheless, as the Auditor General of Ontario (2008) noted, the MCSCS adopted the use of the direct supervision model in future Ontario carceral facilities such as the TSDC without conducting its own studies or research.

In order to assist in the tendering process for the TSDC, the MCSCS partnered with Infrastructure Ontario, which is a Crown corporation that assists in the management of infrastructure renewal projects to ensure that they are built on time and on budget (MCSCS, 2008b). Specifically, the design, construction, financing, and maintenance of the TSDC was tendered in a process whereby interested vendors created joint ventures to compete for the tender. The tender also included the construction of the Toronto Intermittent Centre, a 320-bed facility, which was envisioned to accommodate those primarily serving weekend sentences (MCSCS, 2008b). The first part of the tender process was the Request for Qualification (RFQ) phase, which was released on June 3, 2008. As part of the RFQ, interested parties submitted a proposal to demonstrate that their bidding team possessed the experience, qualified personnel, and financial capability to deliver the TSDC and the Toronto Intermittent Centre (MCSCS, 2008b).

After the RFQ's were evaluated by Infrastructure Ontario in conjunction with the MCSCS, on October 17, 2008, three pre-qualified bid teams were selected to continue in the bidding process and were invited to submit a Request for Proposal for the TSDC project. The first team, Integrated Team Solutions, consisted of a joint venture between EllisDon Corporation, Fengate Capital Management Inc., LPF Infrastructure Fund, RBC Dominion Securities Inc., Zeidler Partnership Architects, and Johnson Controls Inc. The second team, Access Security Toronto, consisted of a joint venture between Babcock & Brown ULC, WZMH Architects, PCL Constructors Canada Inc., and Honeywell. The third bid team, SNC, consisted of a joint

venture between SNC-Lavalin Inc., SNC-Lavalin Investment, Schenkel Schultz Architecture, Bondfield Construction, and SNC-Lavalin ProFac (MCSCS, 2008c).

On October 28, 2009, the winning bid and contract were announced for the TSDC and awarded to Integrated Team Solutions, herein referred to as ITS (Infrastructure Ontario, 2009). Specifically, EllisDon provided construction services, whilst Zeidler Partnership Architects designed the facility, and Johnson Controls LP provided facility maintenance (Infrastructure Ontario, 2009a). To continue, RBC Dominion Securities acted as the financial advisor to ITS, and project financing was raised from a consortium of lenders including: Calyon, Norddeutsche Landesbank, Banco Espírito Santo de Investimento, Bank of Montreal, Canada Life Assurance Company, and Sun Life Assurance Company (Infrastructure Ontario, 2009a).

As payment for the TSDC project, ITS will continue to receive annual payments from the Province of Ontario for a period of 30 years as part of a public-private partnership (Milosz, 2014). The total value of the payments over 30 years will equal approximately \$1.1 billion in consequence of inflation and interest which was the equivalent of \$593.9 million in 2009 (Infrastructure Ontario, 2009a; Milosz, 2014). The payments cover all aspects of the construction, building maintenance, lifecycle repair and renewal, and project financing related to the TSDC and the Toronto Intermittent Centre (Infrastructure Ontario, 2009a). Building maintenance associated with the TSDC and the Toronto Intermittent Centre was determined to consist of the day-to-day management of the facility, including to ensure the maintenance of the elevators, electrical, and mechanical systems (Infrastructure Ontario, 2009b). Life cycle maintenance was determined to consist of the replacement of the TSDC's and the Toronto Intermittent Centre's base building elements such as floor finishes, in addition to ensuring that

electrical and mechanical components are left in an acceptable state upon the completion of the 30-year agreement (Infrastructure Ontario, 2009b).

Specifically, a public-private partnership refers to a situation where some combination of the financing, design, construction, maintenance, and operations of a public asset are tendered to private sector firms, usually for a long-term time period (Buitenhuis, 2013). On the other hand, the traditional financing model, which was prevalent until the 1990s in North America is a situation when public infrastructure is publicly financed through government bonds, whereas the design and construction are tendered out privately.

To justify the use of a public-private partnership model, a Value for Money Assessment was completed by KPMG on behalf of Infrastructure Ontario. KPMG's assessment demonstrated a projected cost saving of 7.8 percent or \$66.8 million by using this alternative financing and procurement approach compared to that of a traditional procurement approach (Infrastructure Ontario, 2009b). The report outlined that a cost-effective factor associated with utilizing this form of procurement is that risks such as design coordination/completion, scheduling, project completion, and delays are shifted onto the joint venture of ITS as opposed to remaining with the Province of Ontario as is done under the traditional procurement approach (Infrastructure Ontario, 2009b).

Buitenhuis (2013) has been critical of the public-private partnership model for public infrastructure projects. Buitenhuis (2013) has concluded that the public-private partnership model in the Canadian carceral expansion context is an element of the contemporary neo-liberal society which embeds global financial markets with the prison industrial complex to produce profit for private sector entities. English and Baxter (2010) found that public-private partnerships related to carceral expansion in Australia often failed due to a lack of trust and transparency

between the government entity and private sector vendors. A United Kingdom study by Flinders (2005) found that public-private partnerships result in higher delivery costs than if the projects had been publicly undertaken. Fischbacher and Beaumont (2003) have concluded that the use of public-private partnerships often results in a lack of stakeholder engagement, which leads to the infrastructure goals of the project not being met. Lastly, the Auditor General of Ontario has also criticized the use of public-private partnerships for not saving money and for delays in finishing projects in their annual reports. For example, the Auditor General's 2014 annual report studied 74 public-private partnerships and estimated that the cost for the province was eight billion dollars more than if the province had procured and financed the projects publicly (Auditor General of Ontario, 2014). The report further noted that these extra costs often resulted from higher private-sector financing costs and unrealistic value-added innovations whereby the costs of projects were inflated to further line the pockets of small businesses and large corporations as opposed to saving money (Auditor General of Ontario, 2014). In sum, there is substantial questioning in the literature on the effectiveness of the public-private partnership financing model.

The construction of the TSDC began immediately after the terms of the agreement had been conferred and was expected to be completed in approximately 36 months, with an anticipated opening date of September 2012 (Infrastructure Ontario, 2009b). Construction was overseen by a joint committee comprised of representatives from the MCSCS, Infrastructure Ontario, and ITS (Infrastructure Ontario, 2009b). Once a third-party certification was acquired that the TSDC was completed as per contractual obligations, the Province of Ontario made a substantial payment of \$200 million to ITS (Infrastructure Ontario, 2009b).

In a first for ‘corrections’ in the Province of Ontario, the TSDC was built almost entirely from prefabricated pieces ordered from Tindall Corporation, which had completed over 200 prefabricated prisons in the United States (Kidd, 2011). Specifically, each cell piece shipped by rail from Atlanta and came complete with windows, doors, lights, wiring, and fully plumbed toilets and sinks (Kidd, 2011). From there, the cells were simply, “stacked together in towers like Lego blocks”, and the building was almost complete as was explained by then Senior ITS Architect, Alan Munn (Kidd, 2011). Prefabricated cells were chosen due to the demanding timeline and so that the prefabricated cells could be quality controlled through factory manufacturing whilst being delivered and completed on time (ITS, 2012). Doing so also allowed for a small team of six men to construct all three eight-story towers needed at the TSDC in just seven months (ITS, 2012).

Although the construction of the TSDC was reported in the media as proceeding without obstacles or variation from the requirements, a publicly available PowerPoint slide deck from ITS presented to the MCSCS and Infrastructure Ontario illustrated several challenges. The first challenge revolved around the uniformity of stacking precast cells in a tower formation compared to the complex programming of infrastructure departments as outlined in the RFP (ITS, 2012). The second challenge revolved around conflicting height and mechanical requirements such as slope, which conflicted based on the requirements for the precast cells as outlined in the RFP (ITS, 2012). The third challenge revolved around an overlap in the coordination required prior to the completion of architectural drawings because the precast cells were difficult to modify on-site. Hence, all mechanical and electrical requirements had to be finalized prior to the manufacture and production of the construction documents (ITS, 2012).

In addressing these challenges, ITS presented several notable features that they said resulted from utilizing the prefabricated cells. The first was the ability to modify the exterior design and appearance of the TSDC, changing elements such as colour, texture, tone, and shadow at little added cost due to the time saved from utilizing a precasted interior and exterior (ITS, 2012). The second was that the precast limitations revolving around height and mechanical requirements led to the design of spacious 2.7-metre-high cell ceilings in order to achieve a consistent elevation, making the use of carts and handicap accessibility achievable at the TSDC (ITS, 2012). Third, utilizing the precast cells permitted the integration of a complex prisoner program and movement structure/system in the TSDC (ITS, 2012). Fourth, the TSDC was purportedly able to be built with elements avoiding traditional detention centre stigma as per the MCSCS's request. This was said to include the use of non-traditional materials in the facility such as wood, colour, and natural light in both the glass frontage and communal spaces, including the video visitation area, worship area, and medical units (ITS, 2012).

The construction of the TSDC was completed on September 28, 2012. However, the facility itself did not officially open until January 29, 2014. In the interim, in August 2013, the MCSCS announced the implementation of a Community Advisory Board (CAB) system across Ontario, with the TSDC being one of the first institutions to adopt the oversight mechanism (MCSCS, 2014b). The MCSCS stated that the purpose of the CABs was to increase transparency and accountability in Ontario's carceral institutions (MCSCS, 2014b). In doing so, volunteers from the local community would provide advice to the superintendents of carceral institutions and write annual report to the Minister of Corrections. The MCSCS stated that, as part of their roles, CAB members would have full access to carceral facilities, prisoners, and staff twenty-four

hours a day, and would participate in monthly meetings with the superintendent and senior staff for the facility in which they were advising (MCSCS, 2013c).

Despite the facility not yet being operational, on October 1, 2013, the TSDC was showcased via media tours. The facility was showcased as a model for carceral institutions in years to come and an institution that had, “plenty inside to make it the envy of every prison in Canada”, as stated by Bruce O’Neil, then Senior Communications Coordinator with the MCSCS (Aalgaard, 2013). The TSDC was showcased to illustrate that the facility provided better work conditions and a healthier, accessible environment for staff and prisoners (MCSCS, 2014a).

In spite of the TSDC not opening until January 29, 2014, the Don Jail was permanently closed on December 31, 2013 (Cain, 2014). This led to individuals confined at the Don being, “stuffed here, there, and everywhere”, as put by then OPSEU spokesperson Don Ford. Specifically, those on remand awaiting trial and prisoners already sentenced were sent to facilities across Ontario that had open bed space, including Hamilton and other Toronto jails (Cain, 2014). Ford stated that this disrupted the carceral system in Ontario because individuals shipped from the Don to other jails led to other facilities becoming overcrowded beyond their capacity, leading to a cascade effect of transfers (Cain, 2014). Meanwhile, the Don Jail was decommissioned and handed over to Bridgeport Health in January 2014 to make way for the construction of a new hospital campus (MCSCS, 2014b).

Eventually, when the TSDC opened on January 29, 2014, the MCSCS released a press release calling the TSDC a, “state-of-the-art investment in community safety”, and included some brief information on the facility such as its size, that it was environmentally LEED silver certified, and examples of some of the offering of prisoner programming such as the mental health assessment unit and Indigenous programming (MCSCS, 2014a).

Having now outlined the emergence, announcement, tendering, construction, and delay in opening the TSDC, I proceed to distill the three main themes that emerged in my dataset: justification, challenge, and shortfall.

### Justification

In this section, I will outline in more detail the justifications for constructing the TSDC provided by Government of Ontario bureaucrats, which emphasized aspects including: safety and security, infrastructure, economic and environmental benefits, and a transformational vision. These are drawn from press releases and statements from the MCSCS, as well as through media tours on October 1, 2013. I begin with the sub-theme of safety and security.

#### *Safety and Security*

One of the thematic justifications that emerged through the collected dataset was that of safety and security. Several prominent Government of Ontario bureaucratic figures elaborated on the supposed increased safety and security mechanisms that the new TSDC facility would possess:

*Rick Bartolucci (Then Ontario Minister of Corrections): This new correctional facility will significantly boost our ability to plan for the safe accommodation of our current and projected inmate population. [...] The project reaffirms the McGuinty government's commitment to fight crime and keep Ontario communities safe. The new Toronto South Detention Centre will provide our community with modern infrastructure, crucial to protecting public safety (as quoted in MCSCS, 2008b).*

*David Caplan (Then Minister of Public Infrastructure Renewal): To enhance public safety, Ontario is investing in modern, energy-efficient facilities that are equipped with the latest in technology and security systems (as quoted in MCSCS, 2008a).*

*MCSCS: Our goal is to ensure that the province has an efficient and effective correctional infrastructure plan that keeps Ontarios' communities safe and to ensure that individuals in our custody are held in safe, secure, and humane conditions (as quoted in Dempsey, 2014a).*

*Madeleine Meilleur (Then Ontario Minister of Corrections): Opening the Toronto South Detention Centre is an important milestone in our ongoing modernization of the*

*correctional system in Ontario. By increasing programming and mental health supports for inmates, and introducing a direct supervision model, we are making the system safer for correctional officers and inmates (as quoted in MCSCS, 2014a).*

The above quotes demonstrate that the TSDC was justified partly through statements that the facility incorporating the latest and most sophisticated safety and security mechanisms. As a Question and Answers Sheet created by the MCSCS (2012) claimed, constructing the TSDC would aid in the achievement of the goal that, “Ontario has an efficient, effective carceral infrastructure to keep communities safe and to ensure that those in custody are held in secure and humane conditions”. These new safety and security mechanisms included the use of closed-circuit televisions, touch screen technology, as well as the use of metal detection and scanning systems such as the Body Orifice Security Scanner Chair to search incoming prisoners for contraband (Centre for Addiction and Mental Health, 2015; Piché et al, 2017; Aalgaard, 2013). The anticipated results of constructing the TSDC were for staff working inside the facility to be safe, for those confined to the facility to be securely held in a humane manner, and for the community in proximity to the jail to feel secure. This contention of increased safety and security used to justify the TSDC is consistent with justifications described in existing literature (see Webster & Doob, 2015; Piché, 2014), where carceral expansion has been justified by supposed increases to both public safety and for the safety of those working in and confined to carceral institutions.

As well, the above quotes mention the adoption of the direct supervision model at the TSDC. The MCSCS claimed that the adoption of this management system would allow for a safer jail due to past studies concluding instances of decreased tension, less violence, and a better working relationship between prisoners and staff under the direct supervision model (Mallen, 2014). The MCSCS referred to American literature such as work by Nelson (1988), National

Institute of Corrections (1991), and Wener (2006), which concluded that the benefits of the direct supervision model included increased safety for staff and prisoners, lower construction costs, lower operating and maintenance costs, and higher staff morale. It should be noted that the MCSCS adopted the direct supervision model for future carceral institutions in Ontario starting in 2008 without conducting its own studies and instead solely relied on United States research from the mid-to-late twentieth century.

### *Infrastructure Changes*

Another kind of justification for constructing the TSDC that emerged from the data related to other structural advantages that the new jail could provide and offer. The MCSCS boasted several positive aspects and features that the TSDC would offer to those confined to the facility once it opened:

*Bruce O'Neill (Then Senior Communications Coordinator at the MCSCS): [This jail] will be the model for institutions like this, I think, for years to come. [...] Clearly there's plenty inside to make the new institution the envy of every prison in Canada (as quoted in National Post, 2013).*

*MCSCS: Modern designs allow for appropriate space to manage more programs, more efficient health care, and other services provided to inmates (MCSCS, 2013).*

*Brent Ross (Then MCSCS Spokesman): The old system of visiting through glass caused distress to inmates and visitors since lockdowns or staff shortages often resulted in cancelled visits. Video visitation needs no staff escorts so even with lockdowns or staff shortages, video visits should remain possible (Adelman, 2014b).*

The new jail was part of the Liberal provincial government's ambitious five-year \$30 billion 'Renew Ontario' initiative to renew areas of Ontario infrastructure (Infrastructure Ontario, 2008b). Then TSDC jail director, Rose Buhagiar, outlined that the TSDC would be, "very heavily program focused from wake up to the end of the day", with more than 50 programming rooms (Adelman, 2014b). The MCSCS also described the adoption of several programming initiatives, including the first of its kind in Ontario Forensic Early Intervention Service for those

confined at the TSDC living with mental health issues (MCSCS, 2013). That service was created from a partnership with the Centre for Addiction and Mental Health with the aim of streamlining support services for prisoners struggling with mental health issues, who as a result, may be unfit to stand trial or have a defence of not criminally responsible (MCSCS, 2013a). The program was aimed at early intervention and access to mental health services at the TSDC, which was publicized as contributing to safer communities (MCSCS, 2014b).

The MCSCS also contended that constructing the larger TSDC facility could accommodate more rehabilitative programming to reduce the risk of recidivism (MCSCS, 2012b). It was claimed that the TSDC would be designed to provide a variety of services that would address behavioural issues and provide skills training that would be useful to those incarcerated once they were released back into the community (MCSCS, 2012b). Although specific programming was not initially mentioned, the MCSCS later stated that a mental health assessment unit and an Indigenous health area would be part of the activities and programming at the TSDC once it opened (MCSCS, 2012a).

As well, the facility was justified to replace what then NDP politician, Peter Tabuns, whose riding included the Don Jail, called, “one grim ugly place”, that had not improved since he began touring the facility a decade earlier (Toronto Star, 2010). In doing so, several distinguishing and unique features of the TSDC were showcased via media tours on October 1, 2013, to illustrate that the facility provided better work conditions and a healthier, accessible environment for staff and prisoners (MCSCS, 2014a).

First, as mentioned in the above quote by then MCSCS spokesperson, Brent Ross, those on the tour were able to see the video visitation area which is located just past the lobby (Shum, 2013). As opposed to in-person visitation, those on the tour were shown that family and friend

visits at the TSDC would take place using a videoconferencing ‘Skype-like’ system through monitors and headsets arranged in rows (Milosz, 2014; Aalgaard, 2013; National Post, 2013). Those confined to the TSDC would remain in their living units throughout their ‘visit’ (Milosz, 2014; Aalgaard, 2013). Hence, only prisoners, staff, lawyers, and professionals would be allowed beyond the video visitation space at the TSDC (Milosz, 2014). Nonetheless, those detained for longer than 60 days could apply to have an opportunity for glass window visits with friends and family (CBC News, 2013). Furthermore, then MCSCS spokesperson, Brent Ross, spoke to several advantages of the video visitation system. Some of these included that distress was caused to prisoners if visits were cancelled due to lockdowns or staff shortages. However, Ross stated that since video visitation requires no staff escort that they should remain possible even if a lockdown or staff shortages occurs during a scheduled visit (Adelman, 2014b).

Second, those given the media tour were also shown the religious and accessibility accommodations at the TSDC. For instance, grounds to construct a sweat lodge were shown and justified to those on the tour given the large anticipated number of Indigenous prisoners being transferred to the facility and their mass incarceration in the justice system (Aalgaard, 2013; National Post, 2013). A multi-faith worship centre was also shown to those on the tour, which was to be furnished with religious items such as copies of the Koran and head coverings prior to the TSDC opening (National Post, 2013; Milosz, 2014). On the other hand, the accessibility of the facility was illustrated to those on the tour through the TSDCs’ accessible washrooms, showers, cells, and public areas such as visitation space (MCSCS, 2014a). Staff posts were also shown that were ergonomically designed, as were assistance devices at the TSDC, which included visual fire alarms, telephone typewriters, and automatic door assists (MCSCS, 2014a).

Third, those on the tour were shown areas of the facility that utilized natural light, such as

the dayroom spaces, medical spaces, discharge spaces, and visitation space in an attempt to remove the typical stereotype of a gloomy jail (ITS, 2012). The justification for incorporating more natural light into the TSDC provided by then MCSCS spokesperson, Brent Ross, was that it was, “proven to help people starve off depression, making them happier, more productive, healthier, and calmer” (Adelman, 2014b). Some of the areas that incorporated natural lighting at the TSDC which were shown to those on the media tour included, the living area and cells which had translucent frosted windows (Milosz, 2014; Adelman, 2014b). Most of the areas that were also shown to those on the tour had ventilation vents, which allowed fresh air from the outdoors to enter the TSDC (Milosz, 2014; National Post, 2013; Aalgaard, 2013).

The justification of structural improvements that were used to sell the TSDC is also consistent with justifications described in previous literature. Piché and colleagues (2017), Schept (2015), and Braz (2006) have all outlined how previous carceral expansions were justified as creating space to promote more rehabilitative and healing opportunities, including educational attainment for those incarcerated. Moreover, consistent with Piché and colleagues (2017), these purported structural and rehabilitative benefits of the TSDC were showcased using tours, where an emphasis was placed on the positive aspects of the facility such as its new medical facilities and programming accommodations.

#### *Economic and Environmental Benefits*

Another justification proffered for the need to construct the TSDC was the supposed positive economic benefit to the local economy and environmental cost-saving initiatives that the facility adopted:

*Infrastructure Ontario: At the peak of construction, 500 to 550 workers were on-site daily. Labour was largely drawn from the Greater Toronto Area [...] This project is expected to generate up to \$120 million in salaries in construction jobs over the lifetime of the project (Infrastructure Ontario, 2009).*

*Mark Grimes (Then Etobicoke-Lakeshore Councillor): The jail will be a good economic boost for the Mimico area, providing good, paying jobs for residents and more business for local shops and restaurants (as quoted in Grzetic, 2012).*

*MCSCS: The Toronto South Detention Centre will be located on the south portion of the Mimico Correctional Centre property in Etobicoke and will target Leadership in Energy and Environmental Design (LEED) Silver certification. LEED buildings focus on healthy indoor environments, reduced greenhouse gas emissions and efficient use of energy, water and other resources (Infrastructure Ontario, 2009).*

The TSDC would also purportedly be more environmentally friendly and greener compared to the previous carceral facilities that it would replace. This was shown through the plan for the TSDC to be LEED silver certified (Infrastructure Ontario, 2009). This entailed a vision for healthy indoor environments, reduced greenhouse emissions, and the efficient use of water and energy resources (Infrastructure Ontario, 2009). As well, the TSDC was constructed from prefabricated cells to gain LEED certification, where local material was used to finalize the cells which originated from Georgia (Milosz, 2014). Specifically, Infrastructure Ontario (2009) noted that ground source heat pumps would reduce the TSDC's natural gas consumption by at least 40 percent and that the jail would use 20 percent less water than the Don Jail. Also, during construction, 75 percent of the construction waste was diverted from landfills, and low emitting adhesives, paints, carpets, and sealants were used in the construction process (Infrastructure Ontario, 2009).

The construction jobs and contracts for local vendors were seen as a way to boost the local economy and provide economic stimulus for Toronto and surrounding areas (Infrastructure Ontario, 2009). In a press release, the MCSCS projected that the TSDC project would generate up to \$120 million in construction jobs over the course of the project (MCSCS, 2008a). The MCSCS also anticipated that at the peak of construction that 500 to 550 workers would be on-site daily, with most of the labour coming from the Greater Toronto Area (Infrastructure Ontario,

2009). Hence, the MCSCS saw building the TSDC as providing a local economic boost to the Greater Toronto Area. Nonetheless, it is worth briefly mentioning that little-to-no statistics are publicly available to demonstrate the reality of these supposed claims about the employment and environmental benefits from constructing the TSDC.

Again, the supposed ‘greening of corrections’ and economic justifications for constructing the TSDC are consistent with existing literature. For example, Piché and colleagues (2017), Moran and Jewkes (2014), and Jewkes and Moran (2015) have all previously documented that a common justification for carceral expansion is that the modern construction of carceral facilities adopts green and sustainable practices that are beneficial for the environment compared to previous institutions using new structures that are LEED-certified. A wide array of literature (Hooks et al, 2004; McElligott, 2017; Piché, 2015b; Christie, 1993; Shicor, 1992; Blankenship & Yanarella, 2004), has also previously outlined that new carceral facilities are justified in that they are portrayed as boosting the local economy through job creation and providing lucrative tender opportunities to local businesses.

#### *Transformational Vision*

Another justification for constructing the TSDC was that the facility was to usher in the infrastructure required to implement a transformational vision for ‘corrections’ in the province. In doing so, it was claimed that the new TSDC facility would alleviate conditions plaguing Ontario’s jail system, including overcrowding and poor living conditions as outlined by the MCSCS and related Government of Ontario partners:

*MCSCS: Across Canada provinces are facing an increasing adult offender population, especially among those awaiting trial or sentencing. By investing in a modern, state-of-the-art detention centre, Ontario is ensuring that it can continue to meet demands in the correctional system, now and in the future (MCSCS, 2008a).*

*Infrastructure Ontario: This new facility was part of the Ministry of Community Safety*

*and Correctional Service's strategy to address health and safety issues and inefficiencies of design, technology, and space by replacing older facilities. Older facilities did not meet operational requirements anymore and were experiencing significant and growing remand pressures (Infrastructure Ontario, 2009).*

*Toronto Life: The Toronto South, according to the Ministry, will be a vast improvement over the Don. The new jail will include a large special needs unit for mentally ill prisoners, with full-time medical professionals on hand to deal with them. It will have 1,650 beds: not just enough to house all of the Don's current prisoners, but enough to house criminals well into the future—criminals who haven't yet committed their first crimes, criminals who haven't yet been born (Toronto Life, 2010).*

Here, the quotes describe the need to construct the TSDC through a transformational process in which the new TSDC facility would offer better living and day-to-day conditions than previous facilities which would close when it opened, including the Don Toronto Jail. Specifically, these facilities such as the Don were infested with rats and cockroaches, mold grew on the walls, and the facilities were known for violent incidents against both staff and other prisoners (Robin, 2017).

As the above quotes make evident, the MCSCS claimed that the current Toronto Don Jail was outdated, overcrowded, and facing remand pressure, and as such the investment of a new facility would meet the demands of ‘corrections’ in Ontario now and into the future (MCSCS, 2008a; MCSCS, 2012). In doing so, the MCSCS contended that building the larger state-of-the-art TSDC would address crowding and remand pressures facing Toronto jails in a time when the Don and other facilities were filled with more individuals awaiting trial than those actually found guilty and sentenced.

Previous facilities such as the Don would sometimes be filled over-capacity with more than 650 men in a jail meant for only 500 (Toronto Star, 2010). The Don Toronto Jail was often so crowded that three men had to live and sleep in a cell meant for two in which one person had to sleep on the floor next to the toilet (Robin, 2017). This led to the Don acquiring a notoriously

bad reputation, which led to the previously mentioned scenario where Justice Schneider called the facility an, “embarrassment to the Canadian criminal justice system”, and awarded a person convicted of an offence three days credit served for every-one-day served on remand (Toronto Life, 2010). Hence, a larger capacity TSDC facility was thought to lead to a transformational vision to eliminate crowding in Toronto-area jails.

MCSCS staff also criticized the conditions at the Don Jail. For example, an anonymous staff member at the Don Jail publicly criticized the crowding and the understaffing of jail guards as factors that contributed to violence by a, “2010 generation of street thugs in a 1950s-generation Don Jail” (Appleby, 2010). In fact, Nick Antoncic, a former manager of employee relations for the MCSCS, went as far as saying that, “The ministry and management lost control of that facility [the Don Jail] a long, long time ago”, referring to the fact that five or six superintendents had come and gone at the facility in recent years (Powell, 2010). Furthermore, in 2013, retired Don Jail guard, Kari Niemi, spoke publicly about the conditions at the Don, stating that the facility often smelt of sweat and feces, was crowded to the point that individuals confined to the facility sometimes had to sleep on cots in the common room, and was infested with mice and cockroaches (Brennan, 2013).

As well, the hope was that the new TSDC would have lower rates of violence than the facilities that it was replacing such as the Don Jail, where violence was common-place. For example, a range of violent incidents occurred at the Don Jail whereby two deaths occurred over a two-month span from mid-November 2009 to mid-January 2010, in addition to several other violent prisoner-on-prisoner attacks (Toronto Star, 2010).

This notion of a transformational vision is also consistent with existing literature. For example, Piché (2014) previously found that larger carceral facilities are justified in that they

claim to alleviate poor living conditions of smaller carceral facilities. As well, both Piché (2014) and Mathiesen (1990) have found that carceral expansion is justified through a needed transformation-like process to replace outdated infrastructure and adapt to alleged changes in prisoner profiles.

### Challenge

Despite the vision and the justifications divulged for the TSDC in the previous theme, the TSDC in practice has been far from the envisioned state-of-the-art facility. Although any new large structure may suffer from minor deficiencies, the TSDC has been plagued by several considerable challenges since it has opened. In this section, I will explore the theme of challenge that emerged in my dataset, which emphasized several sub-thematic aspects including: healthcare, operations, and morale and pessimism.

#### *Healthcare*

Following the opening of the TSDC in early 2014, media reporting by the *Toronto Star* in December 2014 revealed the non-operation of the health and mental health units at the facility due to inadequate staffing despite the jail being open for almost a year (Dempsey, 2014a). Instead, the *Star* learnt that at the time, 21 individuals with physical injuries, infectious diseases, and mental health issues were being placed in solitary confinement for up to 24 hours a day until they were removed based on the discretion of medical staff (Dempsey, 2014a). The MCSCS acknowledged this practice and stated its necessity, “to ensure a private location for them [prisoners] to recover”, while noting, “The health and well-being of inmates and staff is our top priority” (Dempsey, 2014a). This prompted criticism from a variety of political and professional figures:

*Daniel Brown (Defense Attorney): It was surprising to think that they would open a jail without those facilities being in place, and it was even more surprising to learn that*

*someone would be held in segregation as a substitute for appropriate medical facilities (as quoted in Dempsey, 2014a).*

*John Struthers (Then Provincial Director of the Criminal Lawyers' Association): It's very unfortunate that persons merely accused of criminal behaviour and on remand have their humanity diminished and their health compromised by inadequate provision of necessary care. Strangely, as a society we are more likely to treat stray cats with more humanity at the pound than human beings accused of criminal behaviour (as quoted in Dempsey, 2014b).*

*Registered Nurses Association of Ontario: Using segregation as a work-around to the problem of not having fully staffed infirmaries and mental health units contravenes the letter and spirit of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Registered Nurses Association of Ontario, 2015).*

*André Marin (Then Ontario Ombudsman): We've got a shiny new facility but the most important part of it — the infirmary — is not functional. I mean, what's the point? (as quoted in Dempsey, 2014a).*

*Rick Nicholls (Then Tory MPP and Corrections Critic) Why are critical components still not operational almost a year after it opened and over two years after construction was completed? This is shocking and inhumane. Under what standard is this acceptable? (as quoted in Dempsey, 2014b).*

As the above quotes similarly argue, the inadequate health care at the TSDC posed a challenge that was “shocking”, “surprising”, and “inhumane”, since critical components of the facility were not open despite construction being completed for almost two years and the jail itself being open for almost a year (Dempsey, 2014b). Other political figures such as then NDP MPP and Corrections Critic, Lisa Gretzky, also stated that the government needed to stop “lollygagging” and get the facilities open as even jail guards know that placing the injured and those living with mental health issues in segregation is not the best option (Dempsey, 2014b). On the other hand, journalists such as Amy Dempsey (2014a) drew a comparison to a United Nations report which criticized the use of segregation. Specifically, the report claimed that segregation should only be used in exceptional circumstances for a period of under 15 days and noted that even a few days in isolation could cause mental health damage (Dempsey, 2014a).

As the above quotations also illustrate, the challenge of inadequate healthcare at the TSDC resulted in a stern public warning from then Ontario Ombudsman, André Marin, to find a better solution for individuals confined to the facility who needed medical attention. This was in consequence of his office receiving 144 of the 292 complaints about the TSDC in its first 11 months solely regarding healthcare and segregation (Dempsey, 2014b). Morin specifically mentioned that he does not see the point of having a shiny facility opened without its medical spaces operational, calling the placing of the physically injured or those living with mental health issues in segregation “shameful” (Dempsey, 2014b).

In response to the shortage of nurses and subsequent segregation practices, the Registered Nurses’ Association of Ontario also penned an open letter to then Minister of Corrections, Yasir Naqvi (RNAO, 2015). Specifically, the letter reacted in “dismay” to the placing of the injured and those with mental health issues in segregation due to staffing and nurse shortages at the jail (RNAO, 2015). The letter also outlined that this practice was in, “direct contravention and spirit of Canada’s United Nations Commitment on the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment” (RNAO, 2015).

Even into the beginning of 2015, none of these facilities were operational (Dempsey, 2015a). This was in part a direct result of the problematic recruitment of nurses at the TSDC due to the prevalence of lower paying salaries that nurses would receive compared to if they were employed at a hospital (TSDC CAB, 2015). As well, nurses had to undergo a comprehensive security clearance that lasted upwards of six months given their exposure to a great deal of confidential health records, in addition to working in a carceral institution environment (TSDC CAB, 2015).

The MCSCS only began to recruit medical and dental staff on December 12, 2014, almost a year after the TSDC opened with an anticipated start date not until April 2015 (Dempsey, 2015a). Nonetheless, even when the medical facilities at the TSDC began to slowly open in February and March 2015, media reporting and the TSDC CAB have captured instances where those confined to the TSDC have received inadequate health care, including late insulin medication administration due to the lack of medical staff (White, 2015b; TSDC CAB, 2017). This has led to statements from an array of professional figures in the quotations above such as then Provincial Director of the Criminal Lawyers' Association, John Struthers, who drew comparisons that cats at the pound are treated better than human beings held on remand at the TSDC who are presumed legally innocent.

Eventually, on January 12, 2015, the largely publicized mental health facility that included Forensic Early Intervention Services began operation (TSDC CAB, 2015). Moreover, on March 31, 2015, the TSDC CAB reported that 14 of the 26 beds in the Mental Health Assessment Unit at the jail were open (TSDC CAB, 2015). The TSDC CAB (2016) further reported that a Dental Unit opened at the facility on May 8, 2015, which would run three days per week.

As a result of this challenge and the subsequent inhumane living conditions, magistrates such as Justice Green have taken additional time off prisoners' sentences aside from the maximum two days credit for every day served on remand and have called remand conditions at the TSDC, "oppressive and medically compromising" (Dempsey, 2015f). Magistrates have also openly criticized the healthcare at the TSDC by diverting prisoners from possible jail time at the TSDC. For example, Justice Allen stated that he had no, "confidence anyone will be treated medically properly in our custodial institutions [the TSDC]" (White, 2015b). Therefore, the first

challenge made evident in the dataset in terms of meeting the promised gains that were to come with the TSDC according to its proponents, is the inadequate healthcare provided to those confined there.

### *Operations*

Following the opening of the TSDC, the facility has been plagued with operational challenges which have impacted the day-to-day operations of the facility. As a result, political figures, the jail staff's union, and jail guards themselves have been vocal regarding the challenges at the TSDC:

*Jennifer French (Then NDP Corrections Critic): This place was supposed to be a shining example of the future of corrections in this province. Instead, we've had very costly problem after very costly problem (as quoted in White, 2015a).*

*Sheldon Small (Then VP of Local OPSEU Local 5112): We have some challenges. We definitely have some challenges [...] Our place is probably the only jail where staff would look forward to going on strike. We can stay out until they build us a real jail. This one's already falling apart (as quoted in Mallen, 2014).*

*Rick Nicholls (Then PC MPP and Community Safety and Corrections Critic): Why did the government go ahead with Toronto South Detention Centre's experimental designs despite warnings from the Auditor General and staff (as quoted in Toronto Life, 2017)?*

*Rick Nicholls (Then PC MPP and Community Safety and Corrections Critic): You have this new \$600-million facility that's absolutely riddled with malfunctioning equipment. One of these days someone is going to get seriously hurt and maybe even killed. Is that when the ministry is going to step in? These warnings have been coming for a long time (as quoted in White, 2016b).*

*Veteran Jail Guard at the TSDC: It's sad. It's a beautiful building. But it's a shithole. Every day at the South seems to expose another critical flaw (as quoted in Robin, 2017).*

As the above quotes make evident, the TSDC has been the subject of many systematic challenges which impact its operation. These include the malfunction of electronic doors and locking mechanisms, hard to operate central terminals, the non-operation of the X-ray machine, and the malfunction of the Security Monitor Control System on numerous occasions (Mallen, 2014;

Ontario PC, 2015). Since the computerized system at the TSDC is centralized, a minor glitch can crash the jail's basic functioning, leading to manual key operation for doors, locks, and intercoms (White, 2015). In one instance, *Global News* was made aware that the integrated electronic security system had malfunctioned, which caused staff to be locked in a secure area for over an hour (Mallen, 2014). Several instances have also occurred as a result of malfunctions, such as several doors opening without warning, in one instance resulting in officers having to physically hold them shut for several hours (White, 2015).

Moreover, in August 2015, *City News Toronto* reported that the locking mechanisms in several locations at the TSDC could be easily broken with material that prisoners come into contact with as part of their day-to-day activities inside the jail (Howorun, 2015). In October 2015, after the TSDC's security control system malfunctioned for multiple days, the Ontario PC's voiced their displeasure and called for a safety review of the facility. This was because they claimed that the system is the heart of the facility and must be operational, contending that the facility's security problems are a threat to public safety (Ontario PC Party, 2015).

As well, the prefabricated cells used to construct the TSDC have led to mold issues, poor air circulation, and a bad odor which negatively impacts prisoners' living conditions and staffs' working conditions (OPSEU, 2017). In April 2015, an anonymous employee at the TSDC told the *Globe and Mail* that the X-ray machine used to scan clothing and other personal belongings prior to being permitted entrance into the jail had been non-operational since it had opened, making it easy to smuggle in contraband (White, 2015). Similarly, the TSDC CAB (2015) noted that on several visits to the facility that they smelt the odor of cigarette smoke and jail guards on duty noted that smoking in cells was an ongoing problem. Incidents such as this, in conjunction

with the delays in opening the facility, led then PC MPP Steve Clark to call the rollout of the TSDC a “disaster” (Mallen, 2014).

There have been a significant number of false fire alarms and the frequent flooding of cells and ranges due to easily accessible sprinklers, which those confined to the TSDC often vandalize and activate (White, 2016b; Jeffords, 2015). Those confined to the TSDC have been able to flood cells and ranges by blowing powdered milk into smoke detectors due to their accessible location above the sink, which sets off the fire alarms and activates the sprinkler systems (White, 2015). As a result, prior to December 2015, management could cancel a fire alarm call to Toronto Fire within a short activation time. However, this protocol ended in December 2015, after four separate fires occurred at the TSDC set by the same individual over the course of one day without Toronto Fire being notified. In fact, TSDC staff themselves had to call Toronto Fire after smoke from the fires led to five individuals at the facility needing medical treatment for smoke inhalation (Jeffords, 2015). In response to the incident, Sheldon Small, then VP for OPSEU 5112, called TSDC management, “incompetent and callous”, further stating that, “one of these days someone is going to get seriously hurt and maybe even killed.” (White, 2016b).

As a result, a change in protocol occurred in early 2016, where Toronto Fire would be required to respond to all incidents of fire alarms at the TSDC. From January to May 2016, Toronto fire crews rushed to the TSDC for a fire alarm trigger almost every other day (White, 2016b). Toronto Fire responded to the TSDC 143 times, with only four being for an actual fire, whilst 44 were for medical emergencies, and the overwhelming majority, 95, being attributed to malfunction (White, 2016b).

In 2014, *Global News* was made aware that those confined to the TSDC were able to break three shatterproof windows (Mallen, 2014). Later in 2015, it was determined that approximately 1,700 windows, nearly one-in-five at the TSDC, had the capacity to shatter into small pieces under pressure despite being “shatterproof”. They later needed to be replaced with unbreakable polycarbonate glass. Moreover, it was determined that ITSs’ contractual obligations would not cover this replacement, but instead, the burden to bear the costs would be placed on the Province of Ontario (White, 2015). These occurrences at the TSDC have posed several challenges as delineated by Jennifer French’s statement in the above quotes where she states that the jail has seen, “costly problem after costly problem”.

These findings of challenges at the TSDC represent a contrast from what one would expect based on existing American literature on the adoption of the direct supervision model. For example, the National Institute of Corrections (1991) found a significant decrease in vandalism in direct supervision facilities compared to traditional jails, whereas Saunders III (1995) concluded that direct supervision facilities have reduced maintenance costs compared to traditional jails, including fewer broken windows and fewer fires.

Even before the TSDC opened, the facility was criticized for the lack of rooms for defense counsel to meet with their clients. Whilst the Toronto Don Jail, a 562-prisoner capacity jail, had six rooms set aside for defense counsel meetings, lawyers criticized the 1,650-capacity TSDC for only having two rooms available (Hasham, 2013). Defense attorney Reid Rusonik called the move “absurd” and an “access-to-justice issue”, while defense attorney Roots Gadhia of the Criminal Lawyers’ Association called the move “troubling”. Gadhia detailed that since the TSDC serves as a remand facility, face-to-face meetings with clients are crucial to sign and review documents ahead of trial, which cannot be accomplished through the video visitation

system at the TSDC (Hasham, 2013).

Similarly, the TSDC was also criticized prior to its opening for a lack of a normalized environment needed for a direct supervision model to operate successfully (Adelman, 2014b). Although the TSDC used soft furnishings such as foam seating and plastic chairs, the facility still used concrete and steel benches and tables. Richard Wener, a prison design expert, contended that utilizing this type of materials presented a challenge or provocation to those at the TSDC that the object/material could not be broken (Adelman, 2014b). Second, Wener criticized that the TSDC's centrally controlled lighting system prevented prisoners from switching their lights on and off. Wener stated that this results in the tendency for prisoners to break things more often in their cells and communal space due to the frustration of being unable to control aspects of their living environment (Adelman, 2014b). Third, Wener criticized the use of the newly implemented video visitation system at the TSDC, calling it a “terrible idea” stating that, “human contact is very critical” (Adelman, 2014b).

Finally, Rick Nicholls’s comment regarding the Auditor General refers to critiques from the Office’s 2008 report. As the 2008 Auditor General Report noted:

[...] we expected the Ministry to have conducted a formal study of the advantages and disadvantages of various supervision models before deciding to move to a direct supervision model [...] such a decision could significantly affect the Ministry both financially and operationally and should therefore be supported by comprehensive cost-benefit analyses of the various options (Office of the Auditor General of Ontario, 2008, p. 86).

Nicholls particularly questions why the TSDC project went ahead “despite warnings” in the report that questioned the adoption of what Nicholls termed an “experimental design”. Hence, Nicholls seems to suggest that these operational challenges and problems may have been foreseeable had the MCSCS and the Government of Ontario conducted prior study before adopting the direct supervision model at the TSDC. Therefore, it can be seen that the TSDC has

been plagued by several challenges which have impacted its operations.

### *Morale and Pessimism*

A third challenge faced at the TSDC is the low morale and pessimism by staff, especially by guards who work at the facility. From the announcement of the direct supervision model at the TSDC onwards, staff were resentful towards its adoption due to the lack of consultation concerning the design of the TSDC and have grown increasingly pessimistic with the facility which has become plagued with flaws. Jail guards and representatives from the jail staff's union, OPSEU, have been vocal in the media in regard to their dissatisfaction with the TSDC:

*Sheldon Small (Then VP of OPSEU Local 5112): To be perfectly honest I've never experienced anything like this in the 12 years that I've been doing this job. [...] They're trying a new concept, they say it works really well, but really it's an experiment being run on us (as quoted in Mallen, 2014).*

*Rodger Noakes (Then President of OPSEU Local 5112): When you see all these deficiencies and faults, you lose confidence in the building, lose confidence in the system [...] People will only work so long in this environment before they decide to move on and try something else (as quoted in White, 2015).*

*Warren 'Smokey' Thomas (President of OPSEU): Our members are front-line workers. They can see the cracks in the system firsthand every time they go to work. There are more and more cracks and they are getting bigger and more threatening every day (as quoted in Draaisma, 2018).*

*Jail Guard at the TSDC: Nothing can fix this jail except for shutting it down, transferring inmates out and starting over [...] TSDC is a lost cause and broken (as quoted in Sapers et al, 2018b, p. a-6).*

As the above quotes make evident, TSDC front-line staff and their union harbour great resentment and negativity towards the facility. Staff at the TSDC and their union were not consulted prior to the adoption of the direct supervision model and feel as though their concerns about the use of the new model have not been adequately addressed by management and the MCSCS (Dempsey, 2015e). Specifically, the jail staff's union, OPSEU, argued against the use of the direct supervision model, contending that it put workers at an increased risk of assault.

However, their input was ignored. This led then VP of OPSEU, Sheldon Small, to state that the new jail was actually worse than the ones that it replaced (Mallen, 2014).

The lack of consultation with the jail staff's union also drew political criticism. Then NDP Corrections Critic, Taras Natyshak, called the situation a "perfect storm" of poor planning by the then Liberal Government (Brennan, 2013). Natyshak even went as far as commenting that to his knowledge that the jail staff's union had not been consulted on any aspect of the TSDC since 2006 (Brennan, 2013). Also, when asked about the situation in 2014, then OPSEU Corrections Division Chair, Dan Sidsworth, said that the jail staff's union was not consulted in any aspect of the facility's design and development process until 2013, which was after the TSDC's construction had already been completed (Anderson, 2014).

To continue, despite the MCSCS raising awareness that American research showed that the direct supervision model was safe and based on a better design and operating system, staff at the TSDC remained concerned with the model (CBC News, 2013). For instance, anonymous staff members have stated that they had "significant concerns" and "wouldn't enjoy" the use of the new model (CBC News, 2013). The TSDC CAB (2016) has also outlined that although some staff seem to have bought into the direct supervision model, others were still "grappling" with the model, and were "resistant and resentful", leading to more sick days and resulting staff shortages and lockdowns (TSDC CAB, 2017). In response, the CAB highlighted the need to increase and accelerate the speed of hiring jail guards to address staffing issues (TSDC CAB, 2017).

A report by Sapers and colleagues (2017a) has also noted that the Province of Ontario did not consult stakeholders such as OPSEU until after the construction of the TSDC had begun and was already designed, making amendments costly and non-practical. The report further

acknowledged that the lack of meaningful engagement with OPSEU led to labour unrest during the first two years of the TSDC's operation. The report has also cited the MCSCS's hesitancy to fully embrace the direct supervision model, with several design elements that run contrary to the direct supervision philosophy. However, it did not elaborate in detail on what these elements entail (Sapers et al, 2017a). As a result, the report noted that tensions and pessimism amongst staff have been high, while morale has been low. This can be seen through the above quotations that see the direct supervision model as "an experiment being run on us", whereas the TSDC is negatively seen as a facility that is full of "cracks and deficiencies" and is a "lost cause".

Despite then MCSCS Director David Hall's contention that guards and other staff members would be safe given that they had personal alarms on their uniform, panic buttons on the walls that could be pressed in case of an emergency, and tools such as handcuffs and pepper spray, pessimism and low morale have become commonplace at the TSDC (National Post, 2013). This negativity and pessimism have resulted in a toxic work environment illustrated through an increased level of sick days for staff at the TSDC. For instance, in March 2015, the TSDC CAB (2015) reported that on some days up to a quarter of all staff at the jail would call in sick. As well, a FOI request revealed data that in late Fall 2016, for a random three-and-a-half-day stretch, 100 officers missed shifts out of the 529 employed officers at the time (Robin, 2017). Moreover, as of August 2015, more than half of the guards at the TSDC, 260 of 470, had applied for a transfer (Robin, 2017; White, 2015).

Sapers and colleagues (2018b) have also captured this pessimism in their report on violence in Ontario jails. Their report notes that jail guards at the TSDC call the use of the direct supervision model "failed", "a useless piece of crap", "stressful", "burnout causing", and a, "stupid US imported model" (Sapers et al, 2018, p. a-14). As a result, news media has drawn

comparisons of this pessimism and discontent to an illegal jail strike at Canada's first direct supervision carceral institution in Edmonton within the first weeks of it opening due to health and safety concerns (Adelman, 2014b).

Moreover, the above quotes allude to a disconnect between front-line staff and management at the TSDC. Aside from staff at the TSDC resenting the direct supervision model, frontline staff also present negativity towards management. In December 2015, Tory MPP Rick Nicholls invited staff from the TSDC and across Ontario to the Ontario Legislature at Queen's Park to pack the public gallery where he stated that there was a "corrections crisis" in Ontario. Nicholls specifically referred to a disconnect between the MCSCS and front-line staff shown through understaffing and dangerous working conditions, in addition to a 67 percent rejection of the last contract offer to jail guards by the Government of Ontario (Nicholls, 2015).

As well, in their case study of the TSDC, Sapers and colleagues (2018b) collected a wide range of statements from jail guards at the facility that were critical of its management team. These statements describe the "toxic poison work environment created by management", the "complete failure on all levels of management", the "incompetent" and "out of touch managers", and that managers are "unsupportive" and "throw staff under the bus" (Sapers et al, 2018b, p. a-43). It is perhaps for additional reasons such as this that the average guard at the TSDC missed an average of 34.1 work days in 2017, which was above the average of 26.2 sick days in the Ontario Jail Central Region (Sapers et al, 2018b).

Moreover, survey research conducted by Sapers and colleagues (2018b) further illustrates the significant abundance of pessimism and lack of morale held by TSDC jail guards. First, only 13 of the 292 respondents, 4.45 percent, agreed or strongly agreed that they felt supported by management when they initiated a health or safety concern, whereas 204 respondents or 69.86

percent disagreed or strongly disagreed. Similarly, only ten respondents or four percent of the 250 respondents strongly agreed or agreed that there is good communication between staff and management at the TSDC, whereas 223 respondents or 89.20 percent disagreed or strongly disagreed. Finally, and perhaps most disturbingly, the study found that just four respondents or 1.6 percent of the 250 respondents felt that issues at the TSDC are dealt with proactively, whilst 221 respondents or 88.4 percent disagreed or strongly disagreed.

Lastly, it is worth mentioning that salary does not appear to be a contributing factor to this lack of morale and pessimism amongst guards at the TSDC. As Robin (2017) has noted, the starting salary for a jail guard in 2017 was \$26.96 and salaries rise to a maximum of \$34.09 an hour. The Sunshine List of Ontario public service employees who make over \$100,000 per year is full of jail guards with one Ontario guard even making a yearly salary of \$174,585 due to overtime (Robin, 2017). Hence, it appears that many jail guards work large amounts of overtime given that their yearly gross salary using these wages and presuming a normal 37.5-hour work week ranges from \$52,572 to \$66,476. Guards may be forced to work extra shifts to fill the gaps due to lack of staffing or guards may simply wish to supplement their incomes.

The challenge of low morale illustrated through negativity and pessimism towards the TSDC and the direct supervision model itself are in sharp contrast to American literature on the adoption of the direct supervision model, which, as previously noted, has frequently found that it increases morale amongst staff. Specifically, previous research has found that the adoption of the direct supervision model has led to up to 50 percent less sick leave amongst guards, more motivation, less occupational stress, and higher job satisfaction when compared to traditional jails (National Institute of Corrections, 1991; Nelson, 1988; Saunders III, 1995; Wener, 2006; Zupan & Menke, 1991).

## Shortfall

The facility has also suffered several long-term shortfalls which continue to be unaddressed and, in some instances, have become increasingly worse since the jail has opened. Specifically, I operationally define shortfall as a failure to live up to the expectations or needs identified when the TSDC was announced, constructed, and opened. In this section, I will explore the theme of the shortfall for the TSDC, which emphasizes several sub-themes including: staffing and lockdowns, complaints and unrest, violence, and reform.

### *Staffing and Lockdowns*

Perhaps one of the most significant shortfalls of the TSDC has been its inability to staff the facility adequately, which has resulted in lockdowns. As Lauren Callighen, spokesperson for then Minister of Corrections Yasir Naqvi, put it, “The ministry works closely with staff to manage daily staffing demands, but there are periods when staff shortages result in lockdowns as we must ensure the safety and security of staff and prisoners during this period of time” (Dempsey, 2015b). Nonetheless, media reporting and secondary reports have captured this shortfall of the lack of staff and the subsequent overabundance of lockdowns at the TSDC in great detail:

*TSDC CAB: An ongoing concern is the number of lockdowns and shortage of staff. This has been an issue for the TSDC since it opened its doors and remains unresolved at this time. This has a serious impact on the mental health of inmates and the morale of staff (TSDC CAB, 2016, p. 1).*

*Alison Craig (Defense Attorney): Lockdowns have been constant [...] I mean five, six, seven days a week, every week of the month (as quoted in Robin, 2017).*

*Monte Vieselmeyer (Then OPSEU Corrections Division Chair): We've been referencing it as a crisis in corrections [...] There are many lockdowns where inmates are locked in their cells for longer periods of time than would be normal (as quoted in Taekema, 2016).*

*Rodger Noakes (Then President of OPSEU Local 5112): I'm supposed to have 700 bodies to staff this place, but I've only got 400 and change. We can't cover this place like*

*we need to (as quoted in White, 2015c).*

*Warren ‘Smokey’ Thomas (President of OPSEU): When it opened the government crowed it would be a state-of-the-art detention centre. In fact, it’s proven quite the opposite. It’s dangerously understaffed and some of the design and construction flaws jeopardize the health and safety of inmates and staff (as quoted in OPSEU, 2015).*

*Dan Sidsworth (Then Chair of OPSEU’s Corrections Unit): They got this new building sitting there empty because they don’t have the money to staff it properly [...] We are at the tipping point where we don’t have enough corrections officers (as quoted in Brennan, 2013).*

Here, the quotes describe the shortfall concerning staffing at the TSDC, which began even prior to the facility opening. While the facility was being constructed, the MCSCS proposed a 40:1 prisoner to guard ratio; however, the MCSCS later relented in December 2013 and shifted to a proposed 16:1 ratio after the 40:1 ratio was outrightly rejected by the jail staff’s union (Robin, 2017). In consequence, this meant that there were not enough staff to fill the facility due to a hiring freeze (Robin, 2017; Brennan, 2013). In December 2009, the MCSCS suspended all recruitment hiring programs and initiatives for jail guards in order to amend the vetting process to attract higher calibre candidates and prohibit those with gang relations from becoming guards (Toronto Life, 2010; Anderson, 2014).

As a result, the TSDC did not open for over a year after construction was completed, leaving taxpayers to pay for mortgage, lighting, and heating costs for a facility that was not being used at a supposed cost of over a million dollars per month (Brennan, 2013). This drew political criticism from the like of then Progressive Conservative Corrections Critic, Steve Clark, who demanded that the taxpayer know what the empty facility was costing on a monthly basis and called for the government to open the TSDC as opposed to letting it sit idle (Adelman, 2014). Nonetheless, spokesperson for the MCSCS, Brent Ross, was later quoted as stating, “You can’t just flip a switch and open the doors” (Adelman, 2014). Then Minister of Corrections, Madeleine

Meilleur, mirrored these contentions by stating that, “I understand that some people may want us to rush the opening without consulting the employees and our delivery partners”, and that, “We’d rather get this right and open the TSDC in a safe and responsible way that keeps the health and well-being of staff and inmates as a priority” (Anderson, 2014).

As part of the new hiring process, it took and continues to take more than six months to train and screen new jail guards (Brennan, 2013). This includes undertaking a mandatory Correctional Officer Training and Assessment program at the Ontario Correctional Services College (TSDC CAB, 2015). As a result, when the Province of Ontario lifted its jail guard hiring freeze, the first 80 of 93 graduates of the training program were designated to the TSDC (Anderson, 2014). In fact, after the hiring freeze on recruitment was lifted, 104 of the first 480 Correctional Officer Recruitment Training and Assessment Program graduates were assigned to the TSDC in 2014 (TSDC CAB, 2015). Hence, a considerable number of newly hired jail guards have been assigned to the TSDC, leading to the facility being run by a significant number of junior guards.

Moreover, despite the MCSCS claiming that it was addressing the staffing shortages with hiring statistics, it is worth noting that the majority of these positions are only part-time or temporary positions meant to supplement the full-time guards, which OPSEU has frequently claimed does not address staff shortages (Brennan, 2013). Nonetheless, as the above quotes make evident, lockdowns are “constant” and an “ongoing concern” at the TSDC which have created a “crisis in corrections”. As Sapers and colleagues (2017a) have noted, “current staffing and deployment have not resolved these issues”, referring to the continuing existence of staff shortages at the TSDC that have resulted due to the lack of consultation between the MCSCS and stakeholders such as the jail staff’s union (Sapers et al, 2017a). Moreover, as the above excerpt

from the TSDC CAB has noted, staff shortages have remained unsolved, which can be seen even in August 2018, where OPSEU's correctional unit still contends that it is understaffed by 50 to 100 staff at the TSDC (Davis, 2018). It is perhaps for reasons such as this that the TSDC only housed an average of 873 individuals in 2017 despite its significantly larger capacity of 1,650 (Davis, 2018).

Moreover, the effects and impacts that staff shortages have on those confined to the TSDC have been publicized through a variety of voices, including those detained at the jail themselves and defense attorneys who represent clients there:

*Karen McArthur (Defense Attorney): It's almost like solitary confinement, except it's two to a cell instead of one. They're not getting out. All they can do in that cell is urinate, defecate, and eat. It's disgusting (as quoted in Dempsey, 2015g).*

*Peter Scully (Defense Attorney): You have to remember that the vast majority of people there have not been sentenced. They are presumed innocent, and this is the way they are treated. [...] I'm astonished there hasn't been a full-on revolt (as quoted in White, 2016).*

*Stephen Tello (Former Prisoner at the TSDC): We're two grown men [...] We're not showering. You're dripping sweat [...] Mostly, you're just brain-dead. You sleep your day away. Your sense of time is gone. You're in a tiny room, and your living space is maybe six square feet of that. You'll punch each other, get into shoving matches. Tensions boil. You're in each other's space 24 hours a day (as quoted in Robin, 2017).*

Here, the quotes describe the staff induced lockdowns that are frequent at the TSDC on weekends, holidays, and warm summer months, which negatively impacts the scope of programming and prisoner's well-being, and also increases their anger and frustration (TSDC CAB, 2017). While on lockdown, those confined to the TSDC cannot get out of their cell to shower, use the phone, see visitors, are denied fresh air and exercise, and are unable to see their lawyer (Dempsey, 2015e). As the above quotes also highlight, while on lockdown, two grown men are confined to a cell and in each other's space 24 hours a day, which results in the potential for tensions to boil over due to the inability to do much aside from sleep, urinate, and be "brain-

dead”. The TSDC CAB (2017) has therefore voiced concern with the continual number of lockdowns and staff shortages at the TSDC, which they state, “seriously impacts the mental health of prisoners”, with an average lockdown count of four days per week.

Media reporting from the *Toronto Star* has also detailed that those confined to the TSDC have written to them, stating that the situation is “unbearable” and that, “Being incarcerated, we are often forgotten. We are sons, fathers, and friends. Hopefully this reaches someone who can help us.” (Dempsey, 2015e). Specifically, the May 2015 note sent to the *Toronto Star* brought to light the issue of chronic lockdowns at the TSDC that stemmed from inadequate staff, sick leave, and vacation leave (Dempsey, 2015e). The note pleaded for help from anyone who cared and stated that lockdowns were frequent every weekend at the TSDC and regularly on weekdays, which resulted in prisoners being locked in their cells for 24 hours a day (Dempsey, 2015e). The note also stated that access to showers, yard, family visits, and visits with lawyers were severely limited or not permitted during lockdowns (Dempsey, 2015e). These occurrences were confirmed by the MCSCS, which stated that between January 1 and March 31, 2015, 15 partial or full lockdown days occurred as the result of staffing issues (Dempsey, 2015e). On the other hand, an individual in one unit during the same period of time stated that he had been on lockdown for 32 out of the 50 days that he had spent so far at the TSDC (Dempsey, 2015e).

Similarly, the concern regarding the frequency of lockdowns at the TSDC, especially on weekends, is also noted in the TSDC CAB reports for 2014 and 2015. The reports both note that prisoners lose privileges such as showers, become annoyed and frustrated, and retaliate by assaulting TSDC staff once the lockdown is lifted (TSDC CAB, 2015; TSDC CAB, 2016). The TSDC CAB (2015) further noted that sometimes up to 25 percent of the staff at the jail would call in sick on a single day, leaving the facility understaffed. As a result, those confined to the

TSDC had to remain in their cells on lockdown and were denied activities such as showers, which was justified through the need to ensure the safety of prisoners and staff at the facility (TSDC CAB, 2015).

Specifically, one anonymous prisoner confined to the TSDC stated that, “We feel like animals”, and criticized that in lockdown situations family visits, yard time, and showers were not permitted, and that they were locked in their 12 by-8-foot cells with their cellmates (MacLellan, 2015). The anonymous individual also claimed that while on lockdown, staff turn off all the lights, leaving prisoners in the dark with only a tiny light the size of a candle (MacLellan, 2015). Moreover, the anonymous individual’s lawyer, Karen McArthur, called the frequent lockdowns at the TSDC “segregation squared”, stating that depriving prisoners of sunshine, exercise, and hygiene is psychological and emotional torture that makes them unready for trial (MacLellan, 2015).

Negative attributions and stressful occurrences such as this contrast in comparison to existing American literature on the adoption of the direct supervision model. Zupan and Stohr-Gillmore (1988) found that those confined to direct supervision carceral facilities held more positive evaluations of their living environments and demonstrated less physical and psychological stress compared to those held in traditional jails. Given that those confined to the TSDC have gone so far as to write to the *Toronto Star* asking for help in regard to their living conditions illustrates one of many instances that contrast findings such as those by Zupan and Stohr-Gillmore (1988), whereby the TSDC can be seen as a facility that is worse than the ones that it replaced.

Although those detained at the TSDC have provided estimated figures of their time spent on lockdown, they are not verifiable. This is because the MCSCS only keeps note of lockdowns

that occur for staff shortages and not for the most common occurrence of lockdowns, which are due to security concern. Security concerns comprise a broad array of occurrences such as the loss of master keys, a violent incident involving staff or another prisoner, cell searches, computer hardware malfunctions, the power going out, and if staff suspect that a prisoner has a weapon (Robin, 2017). Hence, any statistic provided by the MCSCS that presents yearly or monthly lockdown instances are significantly less than appear in reality, since all security-initiated lockdowns are not included in official lockdown statistics (Taekema, 2015a).

A publicly accessible 2016 FOI request submitted by solicitors from Koskie Minsky further revealed the significant increase in staff-related lockdowns at carceral facilities prior to their closing compared to those at the TSDC once it opened. In 2013, the Toronto Don Jail had zero-unit lockdowns and 16 facility lockdowns due to staff shortages, while the Toronto West Detention Centre had 24-unit lockdowns and 48 facility lockdowns due to staff shortages. In 2014, after the Toronto Jail closed, the TSDC opened, and whilst the Toronto West Detention Centre remained open, the TSDC had 19-unit lockdowns and ten facility lockdowns due to staff shortages, while the Toronto West Detention Centre had 26-unit and 25 facility lockdowns due to staffing shortages. In 2015, after the West closed, the TSDC had 53-unit lockdowns and 128 lockdowns due to staff shortages (Koskie Minsky, 2016). These statistics show that the TSDC was on lockdown for over a third of 2015 due to staff shortages on top of lockdowns for other reasons such as security concern.

The number of lockdowns at the TSDC continues to plague the jail. Recent statistics published by Sapers and colleagues (2018b) revealed that in 2017 there were 157 partial and 47 full lockdowns at the TSDC, where 60 percent, 122 of the 204 lockdowns, were due to staff shortages.

### *Complaints and Unrest*

In consequence of the previously described challenges and shortfalls at the TSDC, several complaints, including legal and human rights have arisen. This has resulted in the presentation of lawsuits against the TSDC, the MCSCS, and the Government of Ontario, and has also resulted in reduced sentences for those confined to the facility due to harsh remand conditions. The shortfalls at the TSDC have also resulted in unrest amongst those confined to the jail in the form of several hunger strikes as an attempt to bring attention to their concerns. Media reporting has covered many of these criticisms, complaints, and instances of unrest at the TSDC:

*Jordan Brown (Then TSDC Prisoner and Strike Organizer): I think that dogs with the Humane Society have more freedom than we're getting in this jail (as quoted in Taekema, 2015b).*

*Kemare Carroll (Then TSDC Prisoner): What kind of living is this [...] We want our dignity back. We deserve to be treated like human beings (as quoted in Taekema, 2015b).*

*Gina Igbokwe (Defense Attorney): At the end of the day, we live in a society that respects basic human rights (as quoted in Davis, 2018).*

*Matthew Eaton-Kent (Defense Attorney): I do understand that the conditions at Toronto South are really bad. They don't have a functioning system that allows for the proper rights to be respected (as quoted in Brown, 2018).*

*Daniel Brown (Toronto Director of the Criminal Lawyers Association): I think this is going to be the first of many cases that use this sentencing approach to give credit for particularly harsh periods in custody [...] and perhaps it will send a message to the institutions that if they don't improve the conditions people will serve shorter sentences as a result (as quoted in Dempsey, 2015g).*

Here, the above quotes refer to the shortfall of unrest and complaints that have directly resulted at the TSDC in consequence of the continuing shortfalls of the facility. As the above quote from attorney Matthew Eaton-Kent delineates, the TSDC lacks a system for proper rights to be respected. For instance, while testifying in court, then TSDC security manager, Michael MacLennan, stated that to his knowledge there were no provincial policies that limited the use of

lockdowns. He further compared the process of a lockdown to segregation, whereby in a lockdown an individual would have a cell partner and possibly a view of the common-room TV, whereas in segregation, one would be in isolation but may have better access to showers and telephones (Dempsey, 2016).

Other defense attorneys have also been critical of the issues at the jail. For example, defense attorney, Jeff Hershberg, stated that during an extreme cold warning in December 2014, his client was transferred from the TSDC to court in only a shirt with no coat (Dempsey, 2015c). In conjunction with his awareness of this and other issues at the facility, Hershberg proceeded to state that, “The Don Jail had its issues as well, but even it ran better than this” (Dempsey, 2015c).

Those confined to the TSDC have also launched hunger strikes on several instances to bring awareness to the conditions at the facility in an attempt to bring an end to staff-induced lockdowns (White, 2015c). In August 2015, those confined to the TSDC staged a hunger strike for three days in response to the significant number of lockdowns, in addition to leaking showers and not having enough television time (Taekema, 2015). The organizer of the hunger strike, Jordan Brown, in a phone interview, claimed that he had been on 111 lockdowns throughout his stay at the TSDC from February to August 2015 (Taekema, 2015). After the hunger strike subsided, those confined to the facility threatened to resume their hunger strike in the near future if conditions at the facility did not improve.

Later that year, in November 2015, those confined to the TSDC began another hunger strike due to the abundance of lockdowns in addition to cracked floors, freezing cells, and the presence of flies, mold, and plugged drains in the showers at the jail (White, 2015c; OPSEU, 2017). In this instance, one-in-five detainees at the facility, 179 of the 884, refused their dinners

(White, 2015c). In doing so, an anonymous individual confined to the TSDC stated that, “We feel like animals”, and criticized that in lockdown situations, family visits, yard time, and showers were not permitted and that they were locked in their 12 by-8-foot cells with their cellmate (MacLellan, 2015). Soon after this hunger strike incident, the MCSCS and TSDC management warned staff about speaking out in a November 2 memo. The memo stated that leaking, “confidential information may negatively impact the safety and security of the institution and/or damage the reputation of the ministry” (White, 2015b). In June 2016, as many as 160 individuals confined to the TSDC also refused to return to their cells for a lockdown and peacefully protested by sitting in the jail’s yard (Taekema, 2016).

This unrest and dissatisfaction amongst those confined to the TSDC can also be seen as evident through a high complaint volume to the Ontario Ombudsman Office. Since the TSDC opened in 2014, it has placed second highest out of all Ontario jails in complaint volume for three out of four years. Specifically, in 2014-2015, it had the second highest complaint volume with 422 complaints and the Ombudsman’s report specifically criticized the inadequate and non-operational healthcare at the TSDC. This included criticism for placing the injured and those with mental health issues in segregation while all four of the medical units stood empty (Ombudsman Ontario, 2015). The report also noted that in two instances it had to intervene given that two prisoners who had undergone major surgery were placed in segregation at the TSDC as opposed to an infirmary to receive proper medical care (Ombudsman Ontario, 2015). As well, data from January 2014 to August 2015 showed that Ontario’s Ombudsman received 50 complaints specifically regarding lockdowns at the TSDC, which was more than three times any other jail in the province (Taekema, 2015).

The Ontario Ombudsman report for 2015-2016 again criticized the TSDC for providing

inadequate medical care to prisoners, specifically by not providing insulin to diabetic prisoners in a timely manner due to staff shortages, which caused their blood sugar levels to dangerously fluctuate (Ombudsman Ontario, 2016). The report also noted that the TSDC retained the second highest complaint volume of all Ontario jails, with 455 complaints representing 11.2 percent of the corrections-related complaints within the Ombudsman's authority (Ombudsman Ontario, 2016).

In 2017, the 2016-2017 Ontario Ombudsman Report was released. Although no specific criticisms of the TSDC were noted in the report, the jail remained second highest for complaint volume amongst Ontario provincial correctional facilities. Specifically, the TSDC had 444 complaints representing 11.1 percent of all jail-related complaints within the Ombudsman's authority (Ombudsman Ontario, 2017). Similarly, in 2018, the 2017-2018 Ontario Ombudsman Report was released and noted no specific criticisms of the TSDC. However, it should be noted that the TSDC dropped to fourth highest in complaint volume amongst Ontario carceral institutions (Ombudsman Ontario, 2018). Specifically, the TSDC had 534 complaints representing 10.7 percent of all jail complaints within the Ombudsman's authority (Ombudsman Ontario, 2018).

Further evidence of shortfall is enhanced remand credit given due to inhumane conditions at the TSDC, as well as potential human rights violations such as discriminatory practices. In 2010, the *Truth and Sentencing Act* capped remand credit at one-and-a-half days for every-one-day served on remand, which was only to be awarded under extraordinary circumstances. However, in the 2014 Supreme Court of Canada *R v Summers* decision, the court unanimously ruled that those who suffer particularly harsh treatment could seek additional credit beyond the one-and-a-half-day maximum credit (Dempsey, 2015f). In January 2015, the first legal complaint

regarding segregation practices at the TSDC was filed. Jamie Simpson, a 44-year old HIV positive man, alleged that he was held in solitary confinement at the TSDC for more than 90 days in 2014 based on his HIV-positive status and filed a human rights complaint with the Human Rights Commission (Dempsey, 2015b). Simpson sought \$200,000 in damages as the result of his alleged discriminatory placement in segregation since those confined to the TSDC did not want to live amongst him due to his HIV status (Dempsey, 2015b).

In a September 2015 ruling, Justice Green also criticized the “oppressive and medically comprising” pre-trial remand incarceration of Ronald Doyle who was confined to his cell as part of lockdowns for over a quarter of his days on remand. Specifically, Green called the practice an, “unexplained form of pre-sentence punishment” (Dempsey, 2015f). As a result, Green awarded Doyle 1.5 days credit for every-one-day served on remand and additionally reduced his sentence by two months. This was because Green concluded that the standard of care fell below what was required by the TSDC and the MCSCS given that Doyle’s diabetic insulin injections were often not delivered on time and that lockdowns made exercise impossible (Dempsey, 2015f).

In February 2016, Gregory Chaytor, at his sentencing hearing, alleged that he spent excessive time on lockdowns at the TSDC while on remand. Specifically, Chaytor claimed that he spent roughly 20 percent, consisting of 43 days from August 2014 to March 2015 in lockdown. In doing so, Chaytor sought enhanced credit of 1.75 days for every day he spent on remand (Dempsey, 2016). As part of his argument, Chaytor had TSDC security manager, Michael MacLennan, testify that to his knowledge there were no provincial policies that limited the use of lockdowns. MacLennan also compared the practice of lockdowns to solitary confinement given that prisoners are confined to their cell and are denied fresh air, phone access, and showers (Dempsey, 2016). In doing so, Chaytor claimed the excessive lockdown time to be

cruel and unusual punishment and a contravention of the United Nations Minimum Standard for Treatment of prisoners due to the large amount of time he spent on lockdown (Dempsey, 2016). As he put it, “When you’re locked up for long periods of time it eats away at you”, and you begin to “lose your mind” (Dempsey, 2016)

Moreover, in a February 2016 decision, Justice O’Marra granted Jeffrey Bedward additional credit served due to the conditions at the TSDC which he termed “state misconduct”. Bedward was awarded an additional three months off his sentence, in addition to 1.5 days credit for every day that he spent on remand at the TSDC, in which he spent at least 225 days of his 520 day stay at the TSDC on lockdown due to staff shortages (White, 2016a).

In November 2016, Aaron Sherman filed a complaint with the Ontario Human Rights Commission. Sherman claimed that he was discriminated against and placed in administrative segregation due to his disability and the medical unit at the TSDC being full while at the jail in March 2016 (Rankin, 2016). As a result, Sherman claimed that he sat soiled in his boxers for three days and could not eat for five days. Hence, he filed a human rights complaint since segregation in order to provide medical treatment is not permitted in Ontario (Rankin, 2016).

Of particular significance is also the commencement of a class action lawsuit by solicitor Koskie Minsky in 2017. Specifically, the \$1 billion lawsuit against the Ontario provincial government claimed to be certified as a class action lawsuit on behalf of all Ontario prisoners who had experienced lockdowns due to understaffing in Ontario jails, including the TSDC (Robin, 2017). The lawsuit claimed that the excessive number of lockdowns across Ontario constituted a deprivation of healthcare, privacy, dignity, and hygiene (Koskie Minsky, 2016). Moreover, Koskie Minsky argued that the excessive number of lockdowns constituted a violation of basic human rights of prisoners, in addition to being violations of Sections 7, 9, and 12 of the

*Canadian Charter of Rights and Freedoms* (Koskie Minsky, 2016). In doing so, the Statement of Claim contended that the Province of Ontario had been negligent and had breached its fiduciary duty to staff carceral institutions, and in doing so, despite this knowledge of being understaffed, had yet to take sufficient action to address the problem, causing harm to prisoners across Ontario (Koskie Minsky, 2016).

Two of the four preliminary plaintiffs on the class action had spent a significant amount of time at the TSDC on lockdown and outlined their claims in affidavits (Koskie Minsky, 2016). One of these plaintiffs, Jerome Campbell, outlined spending approximately 75 percent of his time on remand awaiting trial from March 1 to November 22, 2016, on lockdown (Koskie Minsky, 2016). While on lockdown, he alleged that he was unable to shower, see his family and lawyer, was denied the ability to go outside, and was unable to attend his programming such as his alcoholic anonymous program, which all negatively impacted his mental health (Koskie Minsky, 2016).

Another plaintiff, Gregory Smith, outlined spending significant time on lockdown at the TSDC since his conviction on July 25, 2016. While on lockdown, he alleged that he was unable to access the telephone, showers, attend in-person visits, receive clean laundry, and attend his congregate prayer on Fridays in accordance with his Muslim faith (Koskie Minsky, 2016). Most importantly, as a diabetic, Smith claimed that his feet pains increased significantly causing him mental distress and anxiety since he could not exercise while on lockdown (Koskie Minsky, 2016). Although it remains to be seen what the result of this class action will bring, it should be noted that it was certified in September 2018 without contention from the Government of Ontario and is currently before the courts (Toronto Star, 2018; Perkel, 2018).

In July 2018, accusations were made that the TSDC was not following new procedural changes that limit an individual's stay in segregation to 15 days. Gary Arnaquq, a prisoner transferred to the TSDC from Iqaluit's Baffin Correctional Centre due to damage from a riot, claimed that he had been in segregation for over 21 days, and refused to enter a plea on his pending charges (Brown, 2018). Moreover, his lawyer, Matthew Eaton-Kent, who went to visit him at the TSDC stated that he understood the conditions at the TSDC were "really bad" and that the TSDC does not have, "a functioning system that allows for proper rights to be respected" (Brown, 2018).

In August 2018, another magistrate granted additional time off a prisoner's sentence due to the conditions at the TSDC. Specifically, Robert Duncan served 200 days on remand at the TSDC and was on lockdown for 38 days, with almost all of the lockdowns resulting from staff shortages (Davis, 2018). Duncan, who has back problems, also demonstrated that he received questionable medical care and was not given his prescribed opiate pain killer medication despite acquiring the prescription from his pharmacist, and that lack of the medication caused him aggravated pain (Davis, 2018). Calling the conditions "unduly harsh", Justice Mulligan gave Duncan 1.5 days credit for every day on remand, in addition to taking off an additional 56 days of his sentence to equal a total of one year off his sentence. As a result, Duncan was fined, discharged, and placed on probation (Davis, 2018).

### *Violence*

Another shortfall at the TSDC has been the increased rate of violence against jail guards and against others confined to the jail despite the vision for increased safety and security at the facility. Jail guards and their union, OPSEU, have been vocal in bringing attention to the issue of violence at the TSDC:

*Jail Guard at the TSDC: When they're locked down it makes our jobs that much more difficult [...] We've seen an escalation on the numbers of assaults on our staff and offenders. If this isn't dealt with, and there are further hunger strikes connected with this issue, it's going to be a much bigger problem for front-line staff (as quoted in Taekema, 2015b).*

*Monte Viselmeyer (Then Corrections Division Chair for OPSEU): Assaults on staff are through the roof (as quoted in Dempsey, 2015f).*

*Chris Jackal (Then Chair of OPSEU's Correctional Bargaining Team): Our working conditions can only be described as hazardous and dysfunctional [...] None of us have signed up to be punching bags (as quoted in Draaisma, 2018).*

*Warren 'Smokey' Thomas (President of OPSEU): The government actually tried to open this jail with only one officer for every 40 inmates. These are the same Liberals that recently capped kindergarten classes at 30 kids per teacher. That's right, this government believed fewer staff were needed to maintain control in a jail than in a kindergarten class. It's no wonder four people died in the first two years of the jail's operation. Canada does not have a death penalty and we must not let our correctional facilities become death traps- for the inmates or the correctional officers who are there all day, every day (as quoted in Toronto Life, 2017).*

*Jail Guard at the TSDC: I can honestly say that I fear for my own safety, and the safety of others everyday [sic] I come into work. What kind of a career is that (as quoted in Sapers et al, 2018b, p. a-4).*

Here, the quotes illustrate that the TSDC is a violent jail, which has been described above as “dysfunctional” and “hazardous”. This includes escalating rates of violence that are “through the roof” in areas such as assaults-on-staff, in addition to prisoner-on-prisoner violence.

In the first two years of operation at the TSDC, four prisoners died and 14 tried to end their own lives (Robin, 2017; Dempsey, 2015c; Dempsey, 2015d). News media has also reported several violent prisoner-on-prisoner and prisoner-on-staff attacks with varying degrees of injury, ranging from minor in nature to injuries that required medical attention and hospitalization (see Warmington, 2016; Pfeffer, 2018). Notably, on January 26, 2017, a prisoner was severely beaten by another prisoner at the TSDC and later died on route to the hospital (Van Bastelaer, 2017). An informant for freelance journalist, Raizel Robin, claimed that the occurrence had started between

two cellmates who were confined with each other throughout a lockdown where their tensions boiled over into a physical altercation (Robin, 2017). The informant further stated that after the lockdown was lifted, the cell mates proceeded to fight each other with one beating the other so badly that he had brain matter spilling out of his skull (Robin, 2017).

As the *Review of Corrections Institutional Violence Report* from Sapers and colleagues (2018a) has made evident, prisoner-on-staff violence has risen dramatically at the TSDC, from 68 incidents in 2014, to 151 in 2015, to 136 in 2016, and to 267 in 2017. Prisoner-on-prisoner violence at the TSDC also illustrates similar trends. In 2015, there were 167 reported cases, with a rise to 218 in 2016 (Howorun, 2018). Through the first six months of 2017, there were already 115 incidents (Howorun, 2018). The report noted that since the TSDC had the most substantial hiring increase of 355 new jail guards (representing 40 percent of all new hires in Ontario) in association with a large spike in violent incidents on staff, that the matter required further investigation to make a concrete determination as to whether there was a link between the two phenomena (Sapers et al, 2018a).

Moreover, from 2012 to 2017 there were 1,278 Workplace Safety and Insurance Board claims from jail staff in Ontario. Of this, the TSDC represented the institution with the greatest number of claims and over a third of all the claims from all of the Central Correctional Region and 17.8 percent of all carceral jail claims across Ontario. As Sapers and colleagues (2018a) note, this is significant given that this includes data from 2012 and 2013 when the TSDC had yet to be opened.

These statistics provide support to OPSEU President, Warren ‘Smokey’ Thomas’s, claim that institutional violence in Ontario is “out of control” (Sapers et al, 2018a). Then VP of OPSEU 5112, Monte Vieselmeyer, stated that assaulting a guard is considered a “badge of

honour” and that there is no deterrence due to recent amendments to segregation which limit it to 15 days and includes more privileges such as access to the television and telephone (Pfeffer, 2018). Similarly, defense attorney, Kevin Egan, claims that a lack of responsible supervision, lockdowns, and a lack of rehabilitative programming is to blame for carceral institution violence in Ontario. As he contends, carceral facilities in Ontario such as the TSDC have become, “the law of the jungle, with the meanest, toughest inmates running the ranges, setting the rules and enforcing them” (Howorun, 2018). To further add to this, it should be noted that more than half of the officers working at the TSDC have been working as jail guards for less than two years and are therefore often inexperienced in an often-hostile environment (Ferguson, 2018). Hence, a lack of experience has been thought to contribute to the high rates of violence at the TSDC.

Sapers and colleagues (2018b) specifically explored the TSDC in great detail as a case study in part due to what former corrections minister Marie-France Lalonde stated was a “disturbing trend” of increased violence (p. 11). Using various closed-ended and open-ended survey questions, the report explored violence rates at the TSDC, which increased 85 percent from 2016 to 2017, making it the most violent jail in Ontario (Sapers et al, 2018b). Staff fearing for their safety are strongly self-evident through the results of Saper and colleague’s (2018b) case study of the TSDC. The case study noted that 63.43 percent or 137 of the 216 officers surveyed worried every day if they would be assaulted by a prisoner, whereas an additional 10.65 percent or 23 officers, and 11.57 percent or 25 officers respectively stated that they worried about being assaulted once every two-to-three days or once weekly. So, in sum, 85.65 percent of officers or 185 of the 216 surveyed, thought about whether they were going to be assaulted at least once on a weekly basis.

The high rates of violence at the TSDC diverges significantly from the findings of American literature on the adoption of the direct supervision model. Studies by Saunders III (1995) and Wener (2006) have concluded that facilities that adopt the direct supervision model have seen fewer incidents between staff and those confined to the facility and have also seen violence rates at direct supervision facilities drop 30 to 90 percent compared to indirect supervision facilities.

### *Reform*

During the creation and early years of the TSDC, several Ontario corrections ministers have come and gone, including Madeline Meilleur, Yasir Naqvi, David Orazietti, Marie-France Lalonde, Michael Tibollo, and currently Sylvia Jones. Each has tried to solve the problems plaguing the TSDC and have been vocal on carceral institution reform in response to negative political, professional, and front-line worker criticism:

*Taras Natyshak (Then NDP Corrections Critic): Ultimately, hindsight will prove that there was a lack of vision and planning on the government side on specifically the implementation of the Toronto South facility [...] You have a ministry that hasn't spoken in tandem with the union to ensure that they are in lockstep with the implementation. They haven't spoken with the union in any tangible (way) since 2006. [...] Now the government is scrambling to bring this thing online (as quoted in Brennan, 2013).*

*Steve Clark (PC MPP): It's been a disaster [...] And I think part of the reason why ministers were shuffled was because of the problems (as quoted in Mallen, 2014).*

*Madeleine Meilleur (Then Minister of Corrections): I understand that some people might want us to rush the opening without consulting the employees and our service delivery partners [...] We'd rather get this right and open the Toronto South Detention Centre in a safe and responsible way that keeps the health and wellbeing of staff and inmates as a priority (as quoted in Anderson, 2014).*

*Marie-France Lalonde (Then Minister of Corrections): I recognize that the Toronto South Detention Centre is not without its challenges, and we know that more work needs to be done for it to live up to its full potential. We need to hire more staff, reduce the lockdowns and improve the overall condition of the institution [...] Our government is committed to the transformation, and I'm working on this (as quoted in Toronto Life, 2017).*

Many corrections ministers have noted the lack of staff at the TSDC and the significant number of lockdowns but have been unsuccessful at addressing these issues. As the TSDC CAB (2015, p.3) has noted, “This [staffing shortages and subsequent related lockdowns] seems to be of concern to management; they are, however, not sure what can be done”.

Nonetheless, each minister has spoken of the need to transform the carceral system, echoing that, as Naqvi stated, the “status quo is not good” (Legislative Assembly of Ontario, 2015). However, as problems are addressed such as healthcare, new problems have emerged in recent years such as the cook-chill food program. Those confined to the TSDC and staff have both noted that the food is of poor quality and portion size, and that the food does not comply with certain cultural and religious restrictions. The TSDC CAB (2017) has reported that approximately 85 percent of the food in 2016 went into the garbage. Given that the TSDC report for 2017 had yet to be released as of December 31, 2018, due to the needed approval from the corrections minister, it remains to be seen what further issues the TSDC CAB noted in 2017, and whether the issue of food delivery has been addressed or has become increasingly worse.

In November 2018, *City News Toronto* broke a story that a prisoner’s contraband cell phone revealed a photo of another prisoner with an iPhone, eating lobster and steak, and drinking a root beer inside the TSDC in July 2018 (Mandel, 2018). However, sources for *City News Toronto* revealed that no investigation was done into how the contraband entered the facility until the news story broke in November 2018 (Howorun, 2018). The contraband was likely brought into the jail by TSDC staff or management who are not screened prior to entering the facility and can be subjected to smuggle in contraband for lucrative payments (Mandel, 2018). This led Gord Cobb, then VP of OPSEU’s correctional unit at the TSDC, to state that the

prisoners are running the jail given this example of their influence that they have over staff and management at the facility (Mandel, 2018).

Upon Sapers and colleague's (2018b) release of their final *Institutional Violence in Ontario* report in December 2018, former corrections minister, Marie-France Lalonde, accused her successors of inadequate action (Ferguson, 2018). Lalonde criticized former corrections minister Tibollo and current minister Jones for their inaction on jail violence. In a statement to the *Toronto Star*, she stated, "Despite commitments made during the lead-up to the last provincial election, neither of the two ministers have done anything to address the issues in corrections" (Ferguson, 2018). Hence, this illustrates that the issue of violence is one of many issues of reform that have faced Ministers of Corrections, yet none have been able to address the problem at the TSDC and in Ontario carceral institutions more broadly.

Given that reform and a transformational process have been attempted at the TSDC, but have ultimately been unsuccessful, it is time to pursue new avenues for meaningful change. It is time to apply a prison abolitionist perspective to 'corrections' in Ontario and to the TSDC more specifically so that meaningful change can occur. A prison abolitionist approach views the meaningful reform of the TSDC as both unachievable and unattainable, and instead pursues transformation through decarceration and investing in communities (Knopp et al, 1976).

### Conclusion

In summary, the analysis for this research project revealed three sets of themes. The first thematic aspect that emerged from the data was justification. Specifically, this thematic aspect distilled the many reasons that were utilized to build and construct the TSDC. These include increased safety and security, infrastructure change, economic and environmental benefits, and a transformational vision.

Second, the theme of challenge emerged from the dataset. Specifically, this theme made evident that several large-scale challenges have plagued the TSDC since it has opened. This includes inadequate healthcare services for prisoners, operational challenges such as malfunctioning equipment, and low morale and pessimism amongst jail staff which contributes to a toxic working and living environment.

Third, the theme of shortfall emerged from the dataset and made evident that the TSDC has many flaws. These include that the TSDC continues to lack adequate staff, is plagued by frequent lockdowns, has been the subject of many instances of unrest and legal complaints, has become the most violent jail in Ontario, and has been unsuccessful at attempts to reform the facility.

I now proceed to continue with a further discussion on the implications of the gap between correctional expansion and reality as it relates to the TSDC. Drawing on the prison abolitionist perspective, I briefly discuss what these implications have for the future of the TSDC jail, and what alternatives exist to incarceration that are worthy of consideration.

## **Chapter 6- Implications and Recommendations**

### The Gap Between Carceral Expansion and Reality

When the TSDC was announced to replace the Don Jail, it was claimed that the state-of-the-art facility would be the envy of other carceral institutions for years to come. The MCSCS even claimed that in fiscal year 2010/2011 the cost to keep a prisoner in an Ontario jail was \$183 per day, but since the TSDC would be larger and more efficient, the expected cost would be only \$125 per day (MCSCS, 2012a). When the previous Toronto Don Jail lacked sufficient staff, those confined to the facility were denied their entitled 20 minutes of daily fresh air/exercise (Toronto Life, 2010). Visits and outside programming from organizations such as the John Howard Society were also cut when there was a lack of staff (Toronto Life, 2010). Then Don Jail superintendent, Rose Buhagiar, stated that violence could break out over the most trivial matters and was commonplace (Makin, 2011). An anonymous former Don Jail guard even stated that the Don was, “one of the worst places to work as a correctional officer” (Anderson, 2013). The Don was referred to as an overcrowded dungeon, an insult to humanity, and compared to the Black Hole of Calcutta (Toronto Life, 2010). Ontario magistrates have also recognized the notorious conditions at the Don in their judgements and have frequently awarded two days credit for every one day served on remand at sentencing (Kidd, 2011).

While the TSDC was being constructed, prison design expert Richard Wener called the direct supervision model a, “better way of designing and operating a jail or prison”, and that, “There is no study condemning direct-supervision operations or showing them to be less effective than traditional facilities” (CBC News, 2013). He further stated that under the direct supervision model, prisoners feel safer and that they do not need to act tougher or turn to weapons to protect themselves because a guard is in the same room to prevent and address

confrontations (CBC News, 2013). At the same time, the MCSCS stated that it saw the importance of programming, rehabilitation, education, life skills, and work programs through statements such as, “The ministry’s modern facilities are specially designed and resourced to provide a variety of programs to address issues that bring people into the criminal justice system in the first place” (MCSCS, 2012a).

Fast forward to 2018. In the legal community, the TSDC is referred to as the ‘plea factory’ because those on remand are known to plead guilty just to transfer out of the TSDC. On the other hand, those confined to the TSDC have called the facility the ‘Guantanamo South Detention Centre’ due to the inhumane occurrences and living conditions at the jail (Robin, 2017). Using OPSEU’s terminology there is indisputable evidence that there is a ‘corrections crisis’, specifically at the TSDC, which runs in direct contravention to the supposed positive aspects of the direct supervision model, and the boasted-of increased safety, security, and structural benefits promoted by the MCSCS to justify the construction of the facility. This shows, consistent with previous literature (see McElligott, 2017; Modoc-Jones, 2009; Schept, 2015; Piché 2015b; Piché et al, 2017), that the visions and intentions for carceral expansion provided by bureaucrats do not always come to be in practice and, in some instances, as with the TSDC, can actually lead to worsened and more inhumane conditions.

The Don Jail was known for its violence; in turn, in 2017, the 1,650-capacity TSDC was Ontario’s most violent jail, with 337 combined instances of assault, attempted assault, and threats on staff. In comparison, the second highest jail in Ontario was the 1,100-capacity Central East Correctional Centre in Lindsay, with 199 combined instances of assault, attempted assault, and threats on staff (Howorun, 2018). However, the actual number of violent incidents at the TSDC is likely higher because, as one anonymous TSDC jail guard put it, “Administration doesn’t do

anything about it [the violence against staff], so if you're not injured too badly, sometimes it's not worth the paperwork and the headache" (Howorun, 2018). Even still, in 2017, the TSDC comprised 19.6 percent of all physical assaults on staff in Ontario jails or 52 of 211, and 18.6 percent or 50 of 219 of all attempted assaults in Ontario jails (Sapers et al, 2018b).

The TSDC has been a facility plagued with challenges and shortfalls which greatly contrast from the supposed positive aspects of the direct supervision model (Anderson, 2014). As the TSDC CAB (2017, p. 3) has noted it has:

[...] not seen any improvement in the number of lockdowns at the TSDC in the four years since the TSDC has been operational. The result is that inmates are in lockdown on average four days a week, which results in inmates spending up to 22 hours per day in their cell with limited access to their shower time, yard time, use of the phone and time being able to talk and interact with other inmates. The harmful impact of this cannot be underestimated. It is similar to the treatment of inmates in segregation and is inappropriate.

Perhaps most troubling is that problems at the TSDC may be even worse than media reporting has uncovered and that the TSDC CAB has reported. Guards refer to a code of silence that they agree to under the *Correctional Services Act* when they are hired as 'correctional' staff. This confidentiality agreement includes that they, "preserve secrecy in respect of all matters that come to his or her knowledge in the course of his or her duties" (Robin, 2017). So, the full extent of the problems at the TSDC are likely not publicly known. Nonetheless, a large array of malfunctioning equipment/technology, a lack of staff, frequent lockdowns, inadequate healthcare, and low morale amongst staff has received large amounts of media attention and criticism in several reports from the TSDC CAB and from Sapers and colleagues in their series of reports on the Ontario carceral landscape.

Given the evident gap between the vision for the TSDC and its reality whereby the facility is now known for its notorious conditions, it can be seen that the legitimacy of the facility

is questionable at best. As an Independent Review of Corrections report conducted by Sapers and colleagues (2018a, p. 10) has noted:

For correctional facilities to be legitimate and useful, they must be safe. Safety includes both physical and mental well-being of all individuals within correctional institutions. Consideration must be given to creating a working and living environment that minimizes opportunities for violence among and between staff and inmates. Exposure to institutional violence undermines the potential for successful correctional rehabilitation and community reintegration.

As the above quote makes evident, for a carceral institution to be legitimate, it must be safe which the TSDC is far from. Despite MCSCS spokesperson Brent Ross's contention that, "The ministry takes the health and well-being of its inmates and staff very seriously", the jail has shown the contrary (Dempsey, 2015a). Staff have referred to the TSDC as a "death trap" and feel as though one of their own will be seriously injured in the near future (Dempsey, 2015c). It is also at this same facility that staff have been trapped in secure areas for great lengths of time and have been plagued by doors that sometimes take up to five minutes to open. Violence in the facility against staff has nearly quadrupled since the facility has opened from 68 incidents in 2014 to 267 in 2017 (Sapers et al, 2018a). In fact, a survey conducted by Sapers and colleagues (2018b) found that 71 percent of officers felt unsafe working at the TSDC, while 53 percent or 143 of 272 respondents reported that they would feel safer working at a different institution. It should therefore come as no surprise that staff at the TSDC have stated that their employer, the MCSCS, is "out of touch" with front-line workers (OPSEU, 2018).

On the other hand, those confined to the TSDC either on remand awaiting trial, on immigration detention, or serving out their sentences, have also voiced very serious concerns with the jail. Those confined to the TSDC such as Guy have called out the facility for its inhumane conditions stating, "We feel like animals", due to the significant number of lockdowns (MacLellan, 2015). As this study has outlined, those confined to the TSDC have complained of

inadequate medical care, mold, cracked floors, a large number of lockdowns, and the subsequent loss of privileges that result from lockdowns. Similarly, as the jail staff's union, OPSEU, contends, the rise in violence is linked to lockdowns, which are the result of frustration that is evident through statements by those confined to the TSDC such as Guy, in addition to the several hunger strikes that have taken place at the facility (Sapers et al, 2018a).

As Sapers and colleagues (2018b, p. 9) have recently noted in their report on institutional violence at the TSDC, “Notwithstanding, the voices of those working and living inside provincial facilities must not be dismissed – their experience is an invaluable source of evidence and their concerns are valid and deserve the ministry’s attention”. In doing so, media reporting and secondary reports have clearly delineated that both groups confined to the TSDC detest the facility. Hence, the living and working conditions at the TSDC bring into question its legitimacy and the purpose of the jail more broadly. As such, I proceed to explore avenues for reform, mainly that of adopting alternatives to incarceration altogether. Doing so follows Sapers and colleagues (2018b, p. 9) notion that, “evidence-based practices must be at the core of correctional operations” and remains consistent with the MCSCSs’ reform objectives of safety, human rights, and dignity for those presently confined and those who work in Ontario jails.

### Recommendations for Alternatives to Incarceration

As Robin (2017) notes, “At a time when taxpayers are focused on toll roads, creaky infrastructure, and skyrocketing hydro bills, jail reform falls low on the list of priorities”. However, criticisms of prisons and proposals for reform are not a recent phenomenon. Since imprisonment began as a form of punishment some two hundred years ago, criticism of it has gone hand-in-hand with it (McMahon, 1992). From examining the vision for the TSDC compared to the reality of a violent, malfunctioning, and moldy facility, it is not only a failure,

but it is overwhelmingly counterproductive. Hence, the aims and views of carceral facilities as those that protect, deter, and rehabilitate are mere myths since incarceration further damages those it confines and often releases more dangerous individuals back into society (Knopp et al, 1976).

This can be seen through a TSDC facility which has been plagued by frequent lockdowns, a practice almost identical to segregation, which negatively impacts individual's mental health and well-being, in addition to a facility that has become Ontario's most violent jail. Moreover, the TSDC can also be seen as counterproductive through Sapers and colleagues (2018b) revelations regarding a lack of programming at the jail. Sapers and colleagues (2018b) note that effective programming should be evidence-based, regularly available, and accessible to all. However, most programs at the TSDC do not focus on rehabilitation or treatment and are dependent on volunteers or non-contracted community organizations, making them subject to cancellation due to staff shortages or lockdowns. As well, the report found that in 2017, all course/programming offerings at the TSDC were held on direct supervision units, meaning that those housed on more restrictive units such as indirect supervision units could not access programming. In fact, several TSDC guards have stated that, "inmates have nothing in the facility to stimulate their mind in a positive way", that the TSDC lacks programming to try to help those confined to the facility, and that the facility's programming does not focus on rehabilitation (Sapers et al, 2018b, p. a-72). Lastly, only two ministry developed programs occurred at the TSDC in 2017 and these served as merely informational sessions without providing any opportunities to work on anything resembling rehabilitation or even to share personal experience, but instead adopted a "we teach they listen" philosophy (Sapers et al, 2018, p. a-71).

Hence, the TSDC can be seen as a warehouse full of convicted individuals serving sentences under two years in length, those on immigration detention, and those on remand accused of committing a wide variety of acts. In these warehouses of human degradation, prisoners are caged, brutalized, and infantilized (Morris, 1995). As Canadian Quakers phrased it in a 1981 statement, “We are increasingly clear that the imprisonment of human beings, like their enslavement, is inherently immoral and is as destructive to the cagers as to the caged” (Morris, 1989, p. 11).

As such, this thesis recommends the adoption of a prison abolitionist logic with a focus on healing and reconciliation as opposed to walls and cages. As put by Justin Piché, “Every new generation touts the innovations of its prisons, only to see them later discredited. [...] Maybe we should stop thinking that it is the design of old prisons that is antiquated and start looking into whether it is the idea of imprisonment itself that is well past its time” (Adelman, 2014b). This quote speaks well to the failure of carceral expansion in Toronto regarding the TSDC as this study has delineated. This is because this study has clearly shown that despite the vision for the TSDC facility and the adoption of the direct supervision model, the jail has been plagued by staff shortages, violence, lockdowns, a lack of programming, and operational/structural challenges just as its predecessor the Don Jail.

I suggest that the results of my case study of the TSDC can be generalized to other jails through the logic that, “if it is valid for this case, it is valid for all or many cases” (Flyvbjerg, 2006, p. 233). As Flyvbjerg (2006) claims, the notion that one cannot generalize from a single case is a common misunderstanding of case study research. This is because even though the TSDC is only a single case, it creates informed conclusions regarding broader and underlying issues (Flyvbjerg, 2006). So, an overarching conclusion that can be taken away from this

research, is that incarceration and the jail are failed and doomed institutions that punish the socially vulnerable and those dealing with mental health and drug use issues. I use this broad generalization to guide the implications of the gulf between carceral expansion and reality, and the recommendations on alternatives to incarceration which are elaborated upon below.

It is time to stop talking about reforming the jail with new and bigger carceral facilities such as the TSDC and to instead start to work *towards* their eventual abolition in favour of alternative, evidence-based solutions. As Knopp and colleagues (1976) claim, this means three things: first, admitting that carceral institutions cannot be reformed; second, the recognition that carceral facilities are mostly used to punish those living in poverty and the working class through warehousing them; third, that carceral facilities should be replaced with a variety of alternative programs.

A critical carceral studies is therefore required to intervene in dominant criminological narratives about the carceral state in order to broaden and sharpen abolitionist analytical vantages regarding a gap between the vision and reality of carceral expansion (Brown & Schept, 2017). This abolitionist perspective is needed to disrupt the carceral foundation in physical landscapes, intellectual landscapes, and the knowledge production of criminology. As Brown and Schept (2017, p. 455) state, “It asks what could have been there instead as well as what was already there and unacknowledged”. As such, we as a society need to rethink how safe, healthy, and flourishing lives can be created. I therefore contend that it is time to stop expanding carceral facilities and is instead time to divert, decarcerate, and invest in communities and alternatives to incarceration. In doing so, I suggest that a more complex, multi-faceted approach to incarceration be adopted as opposed to a single solution. This multi-faceted approach would be based on principles such as education, social assistance for all, a health care system that provides *free and*

*accessible* physical and mental care to all, and a justice system based on reparation and reconciliation as opposed to retribution and vengeance (Davis, 2003).

As Knopp and colleagues (1976) claim, the abolition of carceral institutions would be best achieved through their gradual attribution, starting with declaring a moratorium on the construction of carceral institutions and instead compel the necessity to build community resource services (Knopp et al, 1976). In doing so, a starting point would be what Loader (2010) refers to as penal moderation. Penal moderation re-focuses public attention on the benefits of a minimum necessary penal system. One strategy to sell this intermediate step appeals to what Loader (2010) terms the treasurer-mindset, whereby penal moderation serves as a reminder that carceral facilities are expensive public resources that should be used as sparingly as possible. In doing so, it is vital to convert the public from fearful victims to taxpayer mindsets. This is because carceral facilities are costlier than any of their alternatives: if the public understood the total costs they would be reluctant to support these measures, as with the TSDC, which will cost Ontario taxpayers an estimated \$1.1 billion (Morris, 1989).

Put simply by Morris (1995, p. 5), “Any way you look at it, anywhere in the world, incarceration is the most costly alternative that we have in responding to crime [...] If you compute in the high failure rate of prisons, they become one of today’s most amazing dollars-down-the-drain investments”. As this thesis has made quite evident the more than \$1 billion used to construct and maintain the TSDC over 30 years follows this same train of logic. As I proceed to outline, as opposed to spending over a billion dollars locking people up in a jail plagued with problems and shortfalls such as violence and frequent lockdowns, evidence-based alternatives to incarceration serve as a better use of public tax dollars, lower the reliance on the need for

incarceration, and afford more humaneness to those that are imprisoned, in addition to those working in the carceral system.

### Alternatives to Incarceration

As Loader (2010) contends, adopting a penal moderation or abolitionist stance entails learning from modern times. This emphasizes that the status quo does not have to remain and emphasizes that punishment is a social and political choice based on public opinion. Given that this study has illustrated the challenges and shortfalls of the TSDC, I now briefly outline alternatives to incarceration as adopted from Canadian prison abolitionist Ruth Morris (1995). In doing so, I highlight evidence-based alternatives to incarceration that deserve further public awareness of their cost-effectiveness and humaneness as opposed to locking individuals in cages in carceral institutions that are plagued with challenges and shortfalls such as the TSDC. In particular, exploring the use of alternatives to incarceration follows another of Sapers' and colleagues' (2018b) contentions that 'corrections' and justice partners need to collaborate to ensure that custody in a carceral facility is used only as a last resort. Therefore, as opposed to having 7,012 admissions to the TSDC as was the case in 2017, I proceed to illustrate the existence of a significant opportunity for the utilization of existing community alternatives to incarceration that are funded by the MCSCS and/or operated in a not-for-profit capacity (Sapers et al, 2018b).

First, as opposed to incarceration in Ontario, bail residences can be utilized, which are run by community organizations for those awaiting trial with funding from the MCSCS. This service offers one a suitable environment to live whilst they address their legal situation (Morris, 1995). These programs are significantly cheaper than placing individuals in cages while they await trial and are presumed legally innocent. For instance, The John Howard Society, an

organization which offers community supervision programs in Ontario, has stated that it costs about \$5 a day to supervise someone in the community awaiting trial as opposed to \$200 a day to place them in jail (Seymour, 2016).

Second, supervision methods such as probation and parole provide support and community supervision whilst one resolves their legal situation. Probation refers to a judge order after an individual is found to have committed a wrongful act, which allows them to remain in the community under supervision and guidance as opposed to being placed in a metal cage. On the other hand, parole allows a prisoner serving the last bit of their sentence the opportunity to gradually reintegrate back into the community (Morris, 1989). These alternatives to incarceration are estimated to cost \$18,000 a year per person when provided by a community organization such as The John Howard Society compared to a cost of over \$85,000 to incarcerate a person per year in Ontario (John Howard, 2018; Statistics Canada, 2018).

Given that the majority of provincial jails in Ontario are filled with those on remand as opposed to those who have actually been found guilty and sentenced, alternatives to incarceration such as these are both more cost-efficient and more humane alternative. Strategies such as this can prove vital as an initiative to decarcerate a vast array of those confined to the TSDC given that in 2017, 83 percent of those confined to the TSDC were on remand awaiting trial and were presumed legally innocent (Sapers et al, 2018b). Aside from being more cost-effective, this service is also more practical for those on remand awaiting trial. This is because staying in jail on remand has been found to increase one's chance of being convicted and of reoffending, whereas community supervision has been found to decrease both of these possibilities (Morris, 1995).

A third alternative consists of housing alternatives such as community resource centers, which exist for persons serving out the last part of their sentences who are able to obtain jobs in the community. Although under many restrictions, one is allowed to go out into the community workforce and is given some freedom on weekends and evenings. Run by social agencies through government funding, these programs decarcerate gradually (Morris, 1995). As Morris (1989) notes, these programs work best when they occur in smaller person settings and are integrated into the community. Programs such as this allow for those confined to carceral facilities to reform bonds with law-abiding citizens in their community as opposed to being isolated in a carceral institution such as the TSDC, which is the subject of frequent lockdowns, violence, and understaffing.

Fourth, there are halfway houses and therapeutic residences, where one can voluntarily reside at for a caring home and to receive treatment for mental health and/or drug use issues. For instance, The Ontario Halfway House Association (2018) has stated that halfway houses are significantly cheaper than carceral facilities and cost approximately half the cost of housing someone in a carceral institution. Despite evidence for their effectiveness, in 1995, the Harris Conservative government announced the closing of Ontario's 25 halfway houses (Legislative Assembly of Ontario, 1995). Given that a considerable amount of those in Ontario jails are dealing with mental health and drug use issues, it is both more practical and more cost-effective to place them in support services such as this as opposed to in a cage. This is self-evident at the TSDC, where in 2017, approximately one-third of its population had an alert related to mental health or substance abuse on their tracking information system file (Sapers et al, 2018b).

Fifth, there exist alternatives that divert the case before it reaches the court system. Diversion programs are typically utilized for first time 'law-breakers', particularly youth, who

commit minor wrongful acts. These programs focus on an appropriate response to the wrongful act, including education, work, and/or compensation. Diversion encourages initiative and helps one work through their guilt, which contrasts to the court process that stigmatizes, stereotypes, and inspires guilt (Morris, 1989).

Sixth, there exists the alternative of a transformative model of justice. This model promotes the healing, reconciliation, and transformation of both the victim and perpetrator as opposed to the retributive justice system (Morris, 1995). This model adopts several characteristics, including the provision of answers as to why a wrongful act was committed, that there is a recognition of wrongdoing, that restitution happens in the sense that the harm done to the community is mended, and lastly that the significance of the commission of the wrongful act is realized (Morris, 1995).

Nonetheless, despite these alternatives such as community supervision, bail residences, probation, and halfway houses, Morris (1995) notes that there are several factors to be mindful of. If community alternatives are to be widely adopted, it must be ensured that net-widening does not occur, whereby an alternative meant to keep someone out of a carceral institution funnels people into more controlling settings than they are currently faced with. Also, there needs to be assurances from government at all levels for sufficient funding to allow for adequate staff, salaries, and reasonable caseloads for community workers (Morris, 1995). Lastly, their needs to be assurances that alternatives to incarceration adopt values such as respect for all parties involved, the creation of an integrated community between clients and staff, honesty, and the rejection of labels and stigmatizing (Morris, 1989).

## Reducing the Harms of Imprisonment at the TSDC

As this research has made evident, those imprisoned at the TSDC experience a great deal of harms, including increasing rates of violence, questionable healthcare, and large amounts of lockdowns. As put by Morris (1989, p. 158):

First, the prison system is NOT dealing primarily with the dangerous few, but rather with the hapless multitude. Second, far from protecting us, it makes the dangerous few more dangerous. Finally prison itself is a violence creating atmosphere that makes some previously nondangerous people become dangerous.

Given the revelations from this study, a great deal can be undertaken at the TSDC to improve the harms of imprisonment in the short-term, while working towards abolition in the long-term. First, the MCSCS needs to undertake a significant hiring initiative and a transformation of the morale of its staff. At present, the TSDC remains largely understaffed and a toxic work environment perpetuates increased sick days amongst staff and a toxic living environment. Hence, the MCSCS must engage with the staff's union, OPSEU, in order to address workers' concerns to improve the prevalent disconnect between the MCSCS and front-line workers. Having a more positive living environment and an adequately staffed facility will improve the living conditions for prisoners and will also lessen the number of lockdowns at the facility that result from understaffing. However, in the long-term, measures need to be implemented to decarcerate, leading to lower prisoner populations and a subsequent need for less jail staff.

Second, the TSDC should treat both prisoners in a humane way and show respect for their value as human beings with rights to justice and dignity (Morris, 1989). This means ensuring that the facility possesses adequate medical staffing and equipment to ensure that medical care can be adequately provided to prisoners. Nonetheless, measures should be implemented so that prisoners can access these services in the community to the degree possible,

thereby lessening the imprisonment of those living with drug use and mental health issues. This also means undertaking initiatives to address prisoners' frequent concerns of moldy and freezing cells and better-quality food. Lastly, it means ensuring that staff show up for their shifts and that equipment does not malfunction so that the number of lockdowns is lessened. In doing so, prisoners will be more often afforded the opportunity to participate in visits with family and friends and receive fresh air/exercise time. Implementing changes such as this may also lessen the amount of violence at the TSDC, which in 2017, became the most violent jail in Ontario with frequent assaults on both guards and other prisoners that stem from frustration over lockdowns. These recommendations are consistent with a recent case study of the TSDC by Sapers and colleagues (2018b, pp. a74-75) which similarly recommended that, "improving conditions of confinement, by prioritizing safety, human rights, and dignity, and the principle of least restrictive measures, will result in a safer environment for all".

Nonetheless, as Morris (1995) claims, carceral institutions do not rehabilitate. In the long-term, measures need to be implemented through investing in healthcare and communities so that those with health, drug use, and mental health issues are entirely diverted from the carceral system altogether and instead receive treatment in their respective community. As well, in order to rehabilitate, the MCSCS must address the social causes of 'crime', including poverty and a lack of education, which unfortunately perpetuates the incarceration of many individuals (Morris, 1995). In doing so, the MCSCS must coordinate with other government ministries to provide better social support services to prisoners both while incarcerated and create evidence-based reintegration plans to assist them upon their release from a carceral institution. This can be best accomplished through penal abolitionism, which moves beyond prison abolitionism and seeks to remove and abolish government institutions/practices that may be seen as punitive or

suffering in nature such as probation (Canadian Quakers, 2015). Instead, penal abolitionism seeks to eliminate and shift a punitive and retributive societal mindset to one focussed on healing and restoration (Canadian Quakers, 2015).

Having now outlined the implications of the gap between the vision for carceral expansion versus reality at the TSDC, possible alternatives to incarceration that are worthy of consideration, and ways to reduce the harms of imprisonment at the TSDC, I present final thoughts in the concluding chapter. The chapter will be comprised of a brief summary of the studies' key findings, an explanation of how the TSDC and any new jail in Ontario will fail based on existing conceptual terms, and future research directions.

## **Chapter 7- Conclusion**

### Brief Overview of Key Findings, Recommendations, and Final Thoughts

In summary, this study sought out to answer: 1) What were the benefits of replacing the Don Jail with the TSDC envisioned by the MCSCS and the provincial government when the facility was announced and opened? 2) What has happened in practice at the TSDC since it has opened according to various sources? and 3) What is the gap between the promise and reality of the TSDC according to various sources?

As I have shown in this Master's thesis, the vision for a carceral facility can significantly differ from the reality of its operations once it opens. As evident through the case study of the TSDC, the MCSCS boasted several positive aspects to justify its construction, including increased safety and security through the direct supervision model, more rehabilitative space and programming, a greener facility, and a transformational vision that would make the facility the envy of carceral institutions to come. Instead, the TSDC has been plagued by numerous challenges and shortfalls. These consist of inadequate health care services, malfunctioning equipment and technology inside the facility, low morale and pessimism amongst staff, a lack of staff and a subsequent need to lockdown the facility, and high rates of violence. Therefore, there is a huge gap between the vision for the TSDC and what has happened in practice at the jail.

The findings from this study illustrate a need to seek out alternatives to imprisonment. As Sapers and colleagues (2018b, p. 15) note, "Individuals on remand, immigration detention hold, and those serving sentences should have a right to a safe and secure space where their human rights are upheld, and where they are treated with dignity while in the care and custody of the province". Given that carceral expansion is an utterly ineffective and counter-productive tool in meeting the needs of the prisoner population, which tends to be made up of the poor, those living

with mental health issues, and racialized persons who are criminalized, public attitudes and policy must be shifted through education in order to achieve meaningful change. In doing so, alternatives to incarceration must be utilized to their full potential as opposed to unnecessarily placing human beings in metal cages.

#### The Underlying Failure of the TSDC and the Foreseeable Failure of Future Ontario Jails

Another significant conclusion that can be taken away from this research project is that existing conceptual terms can make apparent why the TSDC has failed and that the construction of any new jail in Ontario is likely to also fail. Despite the transformational vision for the state-of-the-art TSDC facility, little consideration was afforded to underlying factors that lead individuals to end up in jail in the first place. Instead, a significant amount of tax dollars has been spent on constructing new carceral institutions such as the TSDC and continues to be spent in vast sums annually on their maintenance and operation. In doing so, the links between social welfare and ‘crime’ control are overlooked and given inadequate attention and consideration.

Specifically, little attention has been afforded to challenging the view that incarceration is a solution to social problems of ‘crime’, unemployment, and homelessness through targeting certain behaviours and criminalizing them to remove a ‘surplus’ population of those who are deemed to be non-contributors to society (Mathiesen, 1990; Blankenship & Yanarella, 2004). Moreover, consideration is not afforded to how carceral expansion can be viewed as expanded means of social control, whereby the state seeks to control the impoverished social classes through criminalization as opposed to social assistance.

As Tonry (1995) notes, the current premises of both social policy and ‘criminal justice’ policy have led to injustices against vulnerable populations, including minority groups. Tonry (1995) refers to this occurrence as one of malign neglect, whereby current social programming

does not provide adequate support to cover basic living expenses, while harsh law-breaking penalties and increasing carceral populations are instead utilized to address insufficient social assistance. As previously outlined, notions such as rabble and total institution demonstrate that in the contemporary neoliberal society, lower classes are subjected to social control, whereby they become targets of incarceration by the state (Irwin, 1985; Schept, 2012; Piché, 2014).

Using Irwin's (1985) notion of rabble, it can be seen that the state houses, manages, and controls what it deems to be a potentially 'dangerous' population of like-situated individuals. As Doyle and McKendy (2019) note, Ontario jails are routinely housed with minority groups and vulnerable populations, including Indigenous and Black individuals, those living in poverty, the homeless, and those with drug use and mental health issues. In particular, this can be seen at the TSDC, where in 2017, 39.4 percent of its inhabitants had an alert related to substance abuse on their file, whereas 32.2 percent had an alert related to mental health on their file (Sapers et al, 2018b). Despite bureaucrats perpetuating fear that delineates those incarcerated as dangerous, in 2017, the majority of the population at the TSDC, 50.2 percent, was comprised of those convicted or accused of non-violent offences such as property-related crimes (Tonry, 1995; Sapers et al, 2018b). Hence, the purpose of the jail in contemporary neoliberal times serves as an institution to house marginalized and vulnerable individuals and through which the state seeks to control these groups of individuals as opposed to providing sufficient social assistance.

Until underlying causes of 'crime' such as inadequate social assistance can be addressed as opposed to merely controlling individuals via incarceration, it can be predicted that any subsequently built carceral institution will be similarly doomed. Instead, society must have open and frank discussions on the ineffectiveness of 'crime' policies that do not work and instead target those who are vulnerable and/or those who belong to minority groups (Tonry, 1995). This

is because it is these groups of individuals that are routinely housed in metal cages and unnecessarily subjected to punishment through incarceration and a strict routine to instill discipline (Foucault, 1975).

As Pate (2008) and Braz (2006) note, it is time to challenge social cuts and instead stimulate evidence-based social policy. This includes diverting carceral funding from the prison industrial complex to focus on reducing the underlying causes of ‘crime’. This can be done by investing in communities through housing, education, and employment initiatives. It also means assisting those with mental health and drug use issues, which is insufficiently addressed under the status quo in Ontario carceral institutions. This is because in 2017, the ratio of professional workers to prisoners at the TSDC was very small, consisting of one social worker per 116 prisoners, and one psychologist per 291 prisoners (Sapers et al, 2018b). It is also because carceral settings are not places of care (Carlen, 2002).

Funds that could be used to provide social assistance are currently diverted to private sector operations for the construction, maintenance, and operation of the prison industrial complex (Christie, 1993; Davis, 2003; Wacquant, 2010). For instance, Ontario taxpayers will pay over \$1.1 billion for the construction, maintenance, and operation of the TSDC with ITS as part of a public-private partnership. Moreover, in fiscal year 2017-2018, the TSDC’s budget was \$108,740,360, which includes a significant amount of \$85,846,345 for salaries (Sapers et al, 2018b). When further broken down, the distribution of salaries includes \$63,213,709 for ‘correctional’ staff, \$5,318,637 for administrative purposes, \$1,063,576 for food, and \$2,284,178 for housekeeping (Sapers et al, 2018b).

Imagine what an investment of several million dollars could do for a community or individual, yet alone the \$1.1 billion spent on the TSDC and its \$108.7 million yearly budgeting

costs. Given the significant amount of funds used to construct and maintain the TSDC, it is evident that funding is not the issue at hand, but instead, it is a lack of political will (Tonry, 1995). The resulting situation in effect emphasizes the need to control lower classes as opposed to providing social and health assistance to these vulnerable and marginalized groups of individuals (Tonry, 1995).

Social welfare and ‘crime’ control are connected. Economic development and health care via evidence-based policy can improve the living conditions and incomes of disadvantaged people, thereby reducing a reliance on the need to control them (Tonry, 1995; Pate, 2008). Until such a point that bureaucrats and politicians invest in communities, carceral institutions will continue to house these same groups of vulnerable individuals. In turn, this need to control and punish those of lower classes in the contemporary neoliberal society will continually lead to the failure of carceral institutions.

### Public Criminology Using Newsmaking Criminology

Having completed this study, public criminology initiatives can now be undertaken. Specifically, the results and implications of the gap and failure of carceral expansion in Toronto can be communicated to larger public audiences in an attempt to impact future carceral expansion and public policy in Ontario. In doing so, after successfully defended, I propose adopting the approach of newsmaking criminology to distill these significant findings through public channels by transforming my results into lay-person terms.

Specifically, the term newsmaking criminology was coined by Barak (1988) to describe the use of mass communications for the purpose of informing, interpreting, and altering newsworthy images of ‘crime’ and punishment to reflect more realistic, social, political, and economic conditions of ‘crime’ and social control. As Barak (1988) states, this form of public

criminology is particularly useful to combat the ruling classes' use of the media to produce and reproduce inequality (Barak, 1988). In doing so, newsmaking criminology seeks to demystify images of 'crime' and punishment and to affect public attitudes, thoughts, and discourses about 'crime' and justice. Therefore, the aim is to convince those in the media and public that criminologists are credible and have important analyses and research findings to discuss (Barak, 1988).

As part of this public criminology initiative, I suggest that several forms of newsmaking criminology have the potential to be undertaken: firstly, a criminologist-as-expert approach, where one reacts to 'crime' in the media through writing letters to the editor such as in the *Toronto Star* or *Ottawa Citizen* and/or appearing as a subject expert in the media (Piché, 2015b); secondly, through a criminologist-as-journalism approach, where one writes their own blog posts or op-eds, which include one's own title rather than providing a narrative to the media (Piché, 2015b; Barak, 2007); thirdly, a self-reporting approach, whereby one garners media attention for their own research via the media using press releases or social media to publicize research results and/or events of actions such as information sessions, demonstrations, and protests (Piché, 2015b). Hence, any number of these approaches can be used to interpret the realities of 'crime' and punishment as it relates to carceral expansion in order to inform public opinion and voters who shape the penal system through electing a democratic government (Piché, 2015a).

In particular, to follow through on the public criminology aspect of this research project, in February 2019, I began the process of undertaking the news criminology approach of crafting an op-ed. In doing so, I simplified the conclusions and findings of my study in easy and clear-cut language so that a general audience could understand them. I plan to submit the completed op-ed to several news media outlets in Toronto such as the *Toronto Star* and other outlets as necessary

until it is accepted for publication, in hopes that the piece will raise awareness of the significant gap between the vision and reality of the TSDC. I also hope that the op-ed will raise awareness to reconsider the need for bigger and larger jails such as the ones currently proposed in Thunder Bay and Ottawa, and alongside other interventions, will contribute to carceral expansion divestment and investment in community-based resources and alternatives. If the op-ed is not published in the media, I will give CPEP permission to publicly publish the op-ed on their blog. Although CPEP is not a media outlet, it has a wide reach to various groups, including critical criminologists, students, researchers, community members, front-line workers, and those affected by criminalization and punishment (CPEP, 2019).

In undertaking these public criminology approaches, there are several challenges that I will have to overcome. This includes having to simplify and translate complex conclusions into simplified language and stories that can be understood by different publics (Sanders & Eisler, 2014). Another challenge is gaining media attention and access to the media by framing the conclusions of my study as significant and newsworthy (Sanders & Eisler, 2014). As a result of these challenges, Sanders and Eisler (2014) note that important conclusions often remain solely in academic journals that no one knows about and become irrelevant. To overcome these challenges, time, patience, and energy to network and build relations with those in the media and organizations that seek to influence policy must be undertaken so that my findings and the story that it tells can become publicly known (Sanders & Eisler, 2014).

### Future Research Directions

To garner further knowledge in the area related to carceral expansion and the TSDC, more in-depth and time-consuming research is needed in the form of FOI requests and interviews with relevant stakeholders. Under Canadian law, every Canadian citizen has the right to request

information from federal, provincial, and municipal governments for the purpose of facilitating a transparent and democratic government (Cribb, 2015; Brownlee & Walby, 2015; Jobb, 2015).

Larsen and Walby (2012) describe the information request process as one that balances transparency and the secrecy culture of governments. In doing so, this process is regulated under the *Access to Information Act* at the federal level, and under various freedom of information legislation at both the provincial and municipal levels (Brownlee & Walby, 2015). Generally, these forms of requests can produce an array of material such as memos, meeting minutes, internal reports, e-mails, training material, and letters and memoranda of understandings among other textual documents (Walby & Larsen, 2011b). Over the course of completing an access request, Larsen and Walby (2012) refer to the process as one of access brokering. By this, Larsen and Walby (2012) refer to the range of interactions involved with the filing, processing, and receiving of an information request, whereby the framing and scope of the request are negotiated and modified in consultation with public servants.

Requesting information from the Ontario provincial government would allow future researchers to build sequentially on the data that is publicly available about the TSDC as a means of accessing a ‘live archive’ of government documents that constantly grows (Walby & Larsen, 2011b; Luscombe & Walby, 2017). Hence, undertaking such practices would complement publicly available data given that FOI requests enable access to records generally not publicly available, leading to another level of data which are unknown outside of government department walls (Savage & Hyde, 2013; Walby & Larsen, 2011). Doing so would therefore allow future research to move beyond official discourses which are carefully prepared and managed online by the government and in the media (Walby & Larsen, 2011b). As such, requesting access to government documents may reveal what Marx (1984) terms dirty data. This refers to secret data

that if publicly revealed would discredit the creator, such as the MCSCS or other government entities with a stake in carceral expansion (Marx, 1984).

To further triangulate the data that I have collected for this thesis, future researchers could also conduct interviews. This will allow for the inclusion of first-person narratives and interpretations of real-life phenomenon related to the TSDC aside from those collected by news media reporting. Using the information and data already collected from this thesis as probes to conduct interviews would allow for the emergence of further information and/or the affirmation of information contained in media reporting (Walby & Larsen, 2011).

As a starting point, it would be ideal to reach out and recruit several stakeholder groups. One type of stakeholder worth anonymously recruiting are former or current jail guards from the TSDC or members of their union's leadership, OPSEU. Given that jail guards and their union have been vocal in the media, it would be ideal to include their voice and perspective in future carceral expansion research in the Ontario context. It is also recommended that further first-person narratives be collected from OPSEU's Twitter feeds and analyzed through a social media analysis given their large online presence. The most important stakeholder worth trying to anonymously recruit are former prisoners at the TSDC, given that they have described first-person lived accounts of the horrendous conditions at the jail. It is also essential to try to obtain interviews with public servants who work or have worked in the MCSCS. Although it remains to be seen whether the new Progressive Conservative Ontario provincial government will continue a transformation process of the carceral system started under the previous administration, it is also worth extending an interview request to the minister of corrections and Deputy Minister of the MCSCS. However, the study likely would have to be seen as beneficial to the ministry in order for them to participate. Lastly, another stakeholder group that should receive an interview

request would be the TSDC CAB, which has been chaired by Dr. Wesley Crichtlow since the TSDC has opened. Given that CAB members are tasked to monitor the conditions at the TSDC, they would possess a great deal of relevant information given their first-hand experience at the TSDC. Therefore, in summary, future research in this area should seek to conduct FOI requests and conduct interviews with relevant stakeholders.

### Moving Forward

It is time to think outside of the current capitalist system and instead time to engage in meaningful change. To accomplish this, societal mindset must shift from a punitive system to one that sees no one as disposable. Underlying causes of incarceration such as social issues and mental health and drug use issues must be addressed. If action is not taken to eliminate the carceral institution and the underlying causes of ‘crime’ more generally, the ‘correctional’ system now and into the future will continue to be seen as doomed and a failure. Rather than advocating for more jails and cages, we as a society must say no to prison expansion and demand a moratorium on new carceral institutions, a divestment of current institutions, and instead demand investment in communities.

## Appendix A- Table of Documents Analyzed

Date of Publication	Document Title	Author	Affiliation or Institution
May 7, 2003	Don Jail conditions 'medieval'	Nick Pron	The Hamilton Spectator
2008	2008 Annual Report	Office of the Auditor General of Ontario	Office of the Auditor General of Ontario
May 9, 2008	Site of new detention centre announced: McGuinty government taking action to replace aging facilities	MCSCS	MCSCS
June 3, 2008	Request for qualifications issued for new detention centre	Infrastructure Ontario	Infrastructure Ontario
September 9, 2008	Detention centre project attracts industry interest	Infrastructure Ontario	Infrastructure Ontario
October 17, 2008	Construction teams invited to bid on Toronto South Detention Centre project	Infrastructure Ontario	Infrastructure Ontario
March 3, 2009	Jail overcrowding and light sentencing are putting public safety at risk: OPSEU calls for probe into correctional system	Marketwire	Marketwire
April 20, 2009	Toronto South Detention Centre	Infrastructure Ontario	Infrastructure Ontario
October 28, 2009	Contract awarded for Toronto South Detention Centre	Infrastructure Ontario	Infrastructure Ontario
November 19, 2009	Value for money assessment- Toronto South Detention Centre	KPMG	KPMG
January 5, 2010	How Toronto's Don Jail became a toxic stew	Timothy Appleby	The Globe and Mail
January 5, 2010	Province must move inmates out of Don	Toronto Star	Toronto Star

	Jail: NDP		
January 6, 2010	Don Jail is out of control, critics say	Betsey Powell	Toronto Star
December 6, 2010	Hell House: Why the Don Jail is a wretched, dangerous dungeon that should have been shut down ages ago	Toronto Life	Toronto Life
January 23, 2011	New Mimico detention centre Ontario's first prefab prison	Kenneth Kidd	Toronto Star
April 19, 2011	Inside the Don Jail: One of Canada's most harrowing prisons is about to close	Peter Power	The Globe and Mail
November 24, 2011	New Mimico jail is Ontario's first prefabricated prison	Tamara Shephard	Etobicoke Guardian
2012	Close up: The new Toronto South Detention Centre	MCSCS	MCSCS
2012	Toronto South Detention Centre	MCSCS	MCSCS
April 5, 2012	Don Jail beating victim 'did not deserve this', mother says	CBC News	CBC News
April 29, 2012	Construction of new superjail continues	Noel Grzetic	Etobicoke Guardian
May 12, 2012	Toronto South Detention Centre	ITS	ITS
August 18, 2012	Inmate-transfer delay holds up new hospital; Detention centre not ready to receive Don Jail prisoners	Armina Ligaya	National Post
2013	Ministry of Community Safety and Correctional Services: Results-based Plan 2013-14	MCSCS	MCSCS
2013	Ministry of Community Safety	MCSCS	MCSCS

	and Correctional Services: Accessibility Plan 2013-14		
March 6, 2013	Etobicoke superjail sits empty because province can't staff it, union says	Richard Brennan	Toronto Star
April 13, 2013	Don Jail has done its time: After 150 years of controversy, notorious Toronto facility to be shut down	Megan O'Toole	National Post
April 17, 2013	Ontario jail guards concerned about their safety	CBC News	CBC News
June 6, 2013	Enhancing Public Safety Through Mental Health Services for Inmates Ontario Partners with Centre for Addiction and Mental Health	Government of Ontario	Government of Ontario
June 13, 2013	Etobicoke superjail: 1,650 inmates, 2 rooms to meet their lawyers	Alyshah Hasham	Toronto Star
August 28, 2013	Greater transparency in correctional facilities: Community volunteers to advise government	Government of Ontario	Government of Ontario
October 1, 2013	Media tour of new Toronto South Detention Centre	Government of Ontario	Government of Ontario
October 3, 2013	A tour of the new Toronto South Detention Centre	Todd Aalgaard	Torontoist
October 3, 2013	New Toronto South Detention Centre almost ready to open	David Shum	Global News
October 4, 2013	Trail-blazing jail	National Post	National Post
2014	Ministry of Community Safety	MCSCS	MCSCS

	and Correctional Services: ODA Accessibility Plan 2014		
2014	Ministry of Community Safety and Correctional Services: Results-based Planning Briefing Book 2014-2015	MCSCS	MCSCS
2014	Ghosts of prisons past: A Pre-history of the Toronto South Detention Centre	Magdalena Miłosz	Scapegoat
January 16, 2014	The \$593.9M Toronto South Detention Centre, is the second largest jail in Canada. So why has it sat empty since 2012?	Tyler Anderson	National Post
January 17, 2014	Toronto super jail empty a year after completion; 'Can't just flip a switch,' ministry spokesman says	Michelle Adelman	National Post
January 22, 2014	Inmates 'stuffed here, there and everywhere' after Don Jail closure	Patrick Cain	Global News
January 29, 2014	Toronto South Detention Centre opens its doors	Government of Ontario	Government of Ontario
February 13, 2014	Etobicoke's cutting-edge jail opens to mixed reviews	Michelle Adelman	CBC News
December 18, 2014	No hospital at new Ontario superjail; sick inmates kept in solitary	Amy Dempsey	Toronto Star
December 19, 2014	Rollout of Toronto's new 'super jail' a 'disaster,' say critics	Sean Mallen	Global News
December 22, 2014	Ontario Ombudsman:	Amy Dempsey	Toronto Star

	Get sick inmates out of solitary confinement		
January 10, 2015	Year-old superjail only now hiring medical staff for infirmary	Amy Dempsey	Toronto Star
January 23, 2015	Toronto jail inmate says he was sent to solitary for having HIV	Amy Dempsey	Toronto Star
January 26, 2015	RE: Protection of Human Rights and Improving Health Care in Correctional Facilities	RNAO	RNAO
February 13, 2015	Toronto jail on lockdown after inmate suicide, missing keys	Amy Dempsey	Toronto Star
February 17, 2015	Ontario superjail hit by two deaths in a week: Apparent drug overdose and alleged suicide occur behind the bars at Toronto South Detention Centre	Amy Dempsey	Toronto Star
February 18, 2015	Toronto superjail sees second inmate death in a week	Amy Dempsey	Toronto Star
March 31, 2015	2014 CAB Report	TSDC CAB	TSDC CAB
June 14, 2015	Lockdowns, staff shortages plague Toronto South superjail	Amy Dempsey	Toronto Star
July 28, 2015	2014-2015 Annual Report	Ontario Ombudsman	Ontario Ombudsman
August 19, 2015	EXCLUSIVE: Locks at Toronto super jail can be easily broken, says OPSEU	Christina Howorun	City News Toronto
August 23, 2015	Inmates at Toronto South Detention Centre threaten to resume hunger strike	Dan Takema	Toronto Star

August 24, 2015	Inmates plan hunger strikes to protest soaring lockdowns: Cell confinements have more than tripled since 2009 across province	Dan Takema	Toronto Star
August 27, 2015	Costly repairs of broken windows latest in Toronto South jail setbacks	Patrick White	National Post
September 30, 2015	Inmate's jail time reduced due to 'oppressive' pretrial lockdowns: Judge's ruling flies in face of Harper government's cap on sentence reductions	Amy Dempsey	Toronto Star
October 9, 2015	Staff calls out Toronto South Detention Centre for crisis in inmate health care	Mark Blinch & Patrick White	The Globe and Mail
October 10, 2015	Situation Critical: The Toronto South Detention Centre began accepting inmates early last year, yet the country's second-largest penal institution took 17 months to open its highly touted medical infirmary - long enough for judges, staff and lawyers alike to call out the jail for its crisis of inmate health care. Patrick White reports	Patrick White	The Globe and Mail
October 29, 2015	Ontario PCs call for safety review at Toronto South Detention Centre	Ontario PC Party	Ontario PC Party
October 30, 2015	OPSEU members	Fred Lum	The Globe and Mail

	accept new contract with Ontario government		
November 17, 2015	Inmates announce new hunger strike; fear already terrible living conditions could worsen if jail staff strike	Lila MacLellan	Yahoo News
November 18, 2015	The Forensic Early Intervention Service A New Facility, A New Approach	Forensic Early Intervention Service, Centre for Addiction and Mental Health	Forensic Early Intervention Service, Centre for Addiction and Mental Health
November 18, 2015	Inmates at Canada's second-largest jail protest problems with hunger strike	Patrick White	The Globe and Mail
December 4, 2015	Five hurt by firebug inmate in Toronto South Detention Centre	Shawn Jeffords	Toronto Sun
December 10, 2015	Nicholls addresses crisis in corrections	Rick Nicholls	MPP Rick Nicholls
December 20, 2015	Media Advisory - OPSEU president to tour Toronto South Detention Centre Dec. 21; news conference to follow	OPSEU- Canada NewsWire	Canada NewsWire
February 8, 2016	Lockdowns 'similar' to solitary, jail security official says	Amy Dempsey	Toronto Star
March 8, 2016	Jail sentences reduced for Ontario offenders who endured lockdowns	Patrick White	The Globe and Mail
March 31, 2016	2015 CAB Report	TSDC CAB	TSDC CAB
June 10, 2016	Inmates protest against more lockdowns at Toronto South Detention Centre	Dan Taekema	Toronto Star
August 2, 2016	Superjail to adopt new fire-safety plan after dozens of emergency prank	Patrick White	The Globe and Mail

	calls		
August 15, 2016	Certification Motion Volumes 1,2,3, and 4	Koskie Minsky	Koskie Minsky
November 2, 2016	2015-2016 Annual Report	Ontario Ombudsman	Ontario Ombudsman
November 8, 2016	Jail broke human rights deal, inmate says	Jim Rankin	Toronto Star
December 5, 2016	Jail guards hurt in savage attack	Joe Warmington	Toronto Sun
January 27, 2017	Inmate dies after fight at Etobicoke jail	Sophie Van Bastelaer	Toronto Star
February 15, 2017	The \$1-Billion hellhole	Raizel Robin	Toronto Life
February 21, 2017	President's letter to Toronto Life re: Toronto South Detention Centre article	OPSEU	OPSEU
March 2017	Segregation in Ontario	Howard Sapers et al	Independent Review of Corrections
April 24, 2017	2016 CAB Report	TSDC CAB	TSDC CAB
June 27, 2017	2016-2017 Annual Report	Ontario Ombudsman	Ontario Ombudsman
September 2017	Corrections in Ontario: Directions for Reform	Howard Sapers et al	Independent Review of Corrections
January 19, 2018	Government 'out of touch' on corrections crisis: OPSEU	OPSEU	OPSEU
March 27, 2018	Union calls for more guards at Ontario prisons amid growing number of assaults	Muriel Draaisma	CBC News
April 30, 2018	Attacks on jail guards jump amid segregation changes	Amanda Pfeffer	CBC News
April 30, 2018	Police charge two inmates following alleged attack on correctional officers at Toronto jail	Amanda Pfeffer	CBC News
June 27, 2018	2017-2018 Annual Report	Ontario Ombudsman	Ontario Ombudsman
July 23, 2018	Nunavut inmates complain about	Beth Brown	Nunatsiaq News

	Ontario jail conditions		
August 23, 2018	Convicted drug dealer faced 'oppressive' conditions inside Toronto jail, judge rules	Stephen Davis	CBC News
August 2018	Institutional Violence in Ontario	Howard Sapers et al	Independent Review of Corrections
September 19, 2018	Lawsuit over solitary confinement in Ontario jails certified as class action	Colin Perkel	Toronto Star
November 6, 2018	Judge grants killer enhanced credit for time served as transgender women in all-male Toronto jail	Betsy Powell	Toronto Star
November 21, 2018	How the Toronto South Detention Centre became Ontario's most violent jail	Cristina Howorun	City News Toronto
November 21, 2018	Why is a murder suspect dining on lobster and steak in jail?	Michele Mandel	The Whig
December, 2018	Institutional Violence in Ontario Final Report: Case Study-Toronto South Detention Centre	Howard Sapers et al	Independent Review of Corrections
December 14, 2018	Ontario needs better training for guards to quell violence in jails, report says	Rob Ferguson	Toronto Star
December 14, 2018	Vast majority of staff at Toronto jail afraid to go to work, report says	Kate McGillivray	CBC News
December 17, 2018	The province's independent corrections review team has some	Toronto Life	Toronto Life

	suggestions for the Toronto South Detention Centre		
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