

## Self-declared indigenous people in prison

Hundreds of Quebec criminals declare themselves aboriginal upon admission to the penitentiary, which allows them to benefit from certain advantages, such as more frequent contact visits with their spouses and a more rapid reassessment of their security ratings. This is revealed by our survey of Correctional Service of Canada (CSC) employees, ex-prisoners and indigenous elders in recent weeks.

Quebec Hells Angels, not belonging to any recognized community, are considered Aboriginal by the prison authorities. Among them was the powerful head of the Trois-Rivières section, Normand Marvin Casper Ouimet, who established his neighbourhoods in the indigenous premises of the Archambault de Sainte-Anne-des-Plaines.

These criminal motorcyclists are far from the only ones discovering themselves as Native American roots between four walls.

### “Words”

In 2005, Eric Vollant quarreled with a friend in their community of Uashat, in Sept-Îles. Things got in its fester. Eric Vollant killed his friend with a baseball bat. He pleaded guilty and served his sentence for homicide for four years when he decided to take over his life.

Incarcerated at Cowansville Penitentiary, the Innu enrolled in an “Indigenous Trail,” a program designed by CSC to allow Aboriginal inmates to reconnect with their traditional culture and beliefs.

Eric Vollant immediately felt a minority. "It's heavy to open yourself in front of the group in the healing circle. There are 18 of us, but you know that there are 15 who are not indigenous. You know they're clamping what you're going to say. They are there to enjoy the buffalo meat served in the ceremonies and to double the number of their visits to their spouse.”

Now on parole, Eric Vollant claims to have been a Latin American inmate in the native wing of the Cowansville Penitentiary. "Astheure, the word is going. When you say you're indigenous at the reception... they don't ask you for your Indian card, they ask you - excuse the expression - fuck all.”

"You say your grandmother was indigenous and they accept you. All they want is to have people in their programs.”

### Self-declaration

“The way in which it is determined whether an offender is Aboriginal is based on the principle of self-declaration. That is, if an offender claims to be an Aboriginal, we must consider him as such,” explained Kathleen Angus, Regional Administrator of Aboriginal Initiatives for the Quebec Region at CSC, in a previous report.

Angus this time declined our request for an interview.

Self-declared indigenous prisoners, “there are many, many, many,” denounces Dominique Rankin, an Algonquin elder formerly hired by the SCC to guide indigenous prisoners on their spiritual journey to La Macaza Penitentiary in the Laurentians.

“They say they are Métis just to take advantage of the system and to get good grades (to their file). There are many of them.”

“Indeed, self-declarations, there are many of them among the detainees, among the employees,” says Gilles Kovacs. He himself self-proclaimed Montagnais, he was employed by the SCC as the eldest at the Penitentiary of Donnacona, near Quebec.

“Yes, there are many among the inmates,” confirms Frédérick Lebeau, president of the Union of Correctional Officers of Canada for the Quebec region. “There can be an increase in these cases because generally there are benefits that are granted. ... Conditions are better.”

#### A Majority of Authority of Authority

Although CSC states that it does not compile these statistics, an internal source has assessed that the majority of the 469 Aboriginal people incarcerated as of March 31, 2019 in Quebec penitentiaries are not Inuit or First Nations people. They were regarded as such on the basis of a simple self-declaration.

Most of them call themselves “mixed”. However, no Metis community has been legally recognized to date in the territory of Quebec – neither by the provincial and federal governments nor by the Assembly of First Nations.

CSC does not distinguish between “indigenous statuses”, he writes in an e-mail. “Some offenders may be encouraged to take advantage of services that they perceive as an advantage. Nevertheless, very quickly they will realize that this is not a privilege, but rather a path of healing that requires full involvement.”

#### The Advantages

The Mohawk Frank Diabo was incarcerated at Archambault in Sainte-Anne-des-Plaines for the crime of absconding. Now released, he estimates that half of the detainees should not have been in the wing reserved for indigenous people. “There are two who told me that they came from my reserve. That was not true. I know, I've lived here all my life. In Kahnawake, we all know each other.”

Robert Haché, from Chibougamau, told La Presse in February how he had declared himself a Métis after his conviction for drug trafficking in 2011. Upon his arrival at the reception centre in Sainte-Anne-des-Plaines, he had been asked whether he was indigenous - a routine matter for new detainees.

Robert Haché had then remembered his uncles’ discussions about the “Indian blood” that was circulating in the family and responded in the affirmative. “I fell into the wing of the Native Americans. We had a lot more benefits,” he told us.

Robert Haché had then been entitled to original meat, served on occasion by an elder. Above all, however, he had been entitled to an individual cell. “It's a long, four years,” when you're forced to share every minute with a fellow inmate, he said.

#### The Hope of Release

For men deprived of their liberty, every privilege counts. But what drives mostly in inmates to enrol in programs for indigenous people is the prospect of faster re-evaluation of their security rating - possibly for early parole.

“Since April 1, 2017, CSC has consistently reviewed the security rating of Aboriginal offenders who have successfully completed a program,” reads a report by the Standing Committee on Public and National Security, published in June 2018.

In his latest annual report, Correctional Investigator Ivan Zinger also points out that participation in a Path "has become the most likely way for an Aboriginal person to obtain early release from a federal facility".

Trudeau's government decided to address the over-representation of Indigenous people in federal penitentiaries head-on. In the Quebec region alone, the annual expenditure of the CSC Aboriginal Initiatives Directorate amounted to 3.7 million for the 2018-2019 fiscal year. The problem is not only real, but it tends to get worse, says Mr. Zinger in the interview. For example, Aboriginal people account for 4.3% of the Canadian population, but 28% of the country's prison population. The situation is critical in the Prairies, where as many as half of the inmates are indigenous, often members of street gangs.

To address this imbalance, CSC is required to provide programs to Aboriginal people. However, the latter were relatively few in number in Quebec (13%), self-declared aboriginal people would be admitted to the Paths to justify the existence of these programs, denounce several criticisms interviewed by La Presse.

For his part, the Correctional Investigator does not believe that the phenomenon of self-reporting in Quebec significantly distorts statistics throughout the country.

#### Ottawa Pressure

The pressure exerted by Ottawa to reduce the rate of Aboriginal inmates is nevertheless felt within the Correctional Services. "With the investment coming from a government, they certainly need results. The mechanical side of all of this is that they need statistics. That means they push us a little bit," Robert Bourdon told the Commission of Inquiry into the relationship between indigenous people and certain public services on June 7, 2018.

Mr. Bourdon, who claims to be a Metis, acts as the eldest with the indigenous detainees of La Macaza, in the Laurentians.

Ottawa's pressure does not instruct CSC to verify the origins of inmates, believes that an employee has asked for anonymity for fear of losing their job:

"What matters is that it's rolling. Although whites benefit from the programmes, CSC can say that so many inmates have served. We did our duty, we fulfilled our obligation."

These programmes are, however, especially for indigenous people who have been uprooted, boarding schools and other tragedies that still afflict the first peoples, says another employee.

"But it is white people who appropriate these sufferings to obtain privileges. Once again, indigenous people must be crushed and lest they should be silent."

"It's like rape, in a sense," says Marc, an Incarcerated Innu at Archambault, who prefers not to spread his family name for fear of reprisals. "My parents went to the boarding school and they were subjected to all kinds of abuse. I grew up in a dysfunctional family and became a criminal. There are a lot of people like me who need these programs to get back into the community."

#### "A Gift to the Visage"

At Archambault, Frank Diabo was unable to register for the Path due to no seat. The programme, he says, was full of self-declared indigenous people.

"It's very frustrating to see these people in front of us. It's like a slap in the face," says ex-detainees Mohawk, who sees it as a waste of public money. He did try to file a complaint with

the prison directorate. "When we try to raise the issue, we are told that it is not our business. We are not allowed to ask questions."

"The watchword in the penitentiary is that everyone is equal, that there are no real or false Indians," said an employee. I apologise, but there are fake Indians. We're told that these guys have lost their culture, but you have to go back to Jacques Cartier to find them an indigenous ancestor. That is absurd."

"I endured because I wanted to have my parole, like everyone else. Inside, we walk on eggs. You can't contradict the elders or the prison's leadership." - Eric Vollant

In Cowansville, Eric Vollant was so infuriated by the large number of self-proclaimed indigenous people that he asked his wife to photocopy his card attesting to his Indian status. "I was walking around with my Indian card around my neck."

CSC would avoid encouraging fraud, he believes, if it required that detainees be with the federal government's card in order to be considered Aboriginal.

One employee believes that CSC would also benefit from requiring the card rather than simply asking those applying for Aboriginal-only positions to fill out a simple "Aboriginal Affiliation Form."

"You're filling up on a reserve, you're being asked for your Status card," she said. You buy cigarettes, you're asked your Status card. But if you apply for a job in the federal civil service, you're not asked anything anymore... It's absurd."

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