

The Code – Facts and highlights

Ombudsman's investigation and report

Regulations on “reasonable” force: **Page 14**

Process for reporting incidents of use of force: **Page 15**

Process for investigating incidents of use of force: **Pages 15-18**

Complaint trends first flagged to Ministry: **November 2010**

Formal investigation launched: **August 16, 2011**

Complaints about excessive use of force received since launch: **147**

Complaints about excessive force received in past four years: **350**

Total complaints received (on all matters) from correctional facilities in 2011-2012: **4,135**

Interviews conducted for this investigation: **182** Recommendations: **45**

Ministry statistics

Provincially-run adult correctional institutions in Ontario: **29**

Length of sentences served by provincial inmates: **60-729 days**

Total capacity: **8,857 inmates, plus 489 on intermittent (weekend) sentences**

Correctional officers: **3,560 (3,265 on active duty)**

Inmates admitted in 2011-2012: **71,329** Average daily inmate count that year: **8,802**

Inmates flagged that year for: Mental health issues - **14,000 (approx.)**; gang affiliations - **2,860**

Inmate-on-inmate assaults reported 2011-2012: **3,035**

Correctional staff trained under new program for dealing with inmates with special needs and mental health issues: **134 (about 3% of frontline staff)**

Cases reviewed as result of Ombudsman inquiries, 2010-2011: **2,800**

Total reported incidents of use of force, August 2011-April 2012: **766**

Allegations of excessive use of force investigated 2010-2013: **55**

Findings of excessive use of force in those cases: **26**

Staff disciplined as a result: **108**

Staff dismissed as part of discipline: **31 (including 5 managers)**

Dismissed staff charged criminally: **4** Charged staff convicted to date: **1**

Complaints to Ministry by staff of threats from colleagues since 2010: **4**

Reports by correctional officers to WSIB of assault by inmates, 2011-2012: **191**

Institutions mentioned in this report (by paragraph number)

Brockville Jail – Inmate Edward's story, starting at paragraph 120

Central East Correctional Centre – Inmate Brian's story, starting at paragraph 79; Inmate Jason's story, paragraph 372; also at paragraphs 336, 443, 448 and 464

Central North Correctional Centre – Inmate George's story, paragraph 147; also 387

Elgin-Middlesex Detention Centre – Inmate Albert's story, paragraph 63

Maplehurst Correctional Complex – Paragraphs 207 and 219

Niagara Detention Centre – Paragraph 335

North Bay Jail – Paragraph 286

Ottawa-Carleton Detention Centre – Inmate Colin’s story, paragraph 97; Inmate Daniel’s story, paragraph 112; also at paragraphs 334, 398, 443 and 444

Sarnia Jail – Inmate Helen’s story, paragraph 166; also at paragraph 270

Toronto Jail – Inmate Frank’s story, paragraph 131; also 443 and 444

Toronto East Detention Centre – Paragraphs 253 and 347

Toronto West Detention Centre – Correctional Officer Ian’s story, paragraph 262; also at paragraphs 240 and 301

Vanier Centre for Women – Paragraph 199

In their own words – witness and inmate comments in *The Code*:

“... the guy that just beat me up was standing there ... every time I was questioned about this, the officers that were involved were right beside me. I felt intimidated. I felt scared...”

-Inmate Brian, Central East Correctional Centre (p. 25)

“...one of my fellow officers kicked him in the back of the head and his head went off the track, splitting his head open, and blood started spilling out from underneath him... I was shocked. I was stunned. I stood there and the same officer booted him ... for the second time.”

-Officer in Inmate Colin’s case, Ottawa-Carleton Detention Centre (p. 30)

“...I said, ‘I can’t [rat out a fellow officer].’ I mean, I can’t I may as well throw my uniform in. ... I don’t want to see all the people I work with feel like they have to lie. I don’t want to see a bunch of good people in my mind... sinking for ... the actions of one person.”

-Another officer in Inmate Colin’s case, Ottawa-Carleton Detention Centre (p. 31)

“It’s a tough thing, because in any area where you’re depending on somebody for your protection, you’re going to protect them too. And sometimes if people do things that aren’t maybe 100%, you’re still going to protect them because you need them as protection. And... you don’t want to be a rat...”

-30-year veteran correctional officer (p. 64)

“We have some seriously sociopathic individuals wearing blue right now who have no problem whatsoever in paying people back for breaking the blue code.”

-Superintendent of a large institution (p. 65)

“All correctional officers referred to their fear of being labelled a ‘rat,’ or breaking the ‘code of silence’ as reprisals could ensue – even being forced out of the institution. As a result, occurrence reports are often not filed, and guards who break the rules are not reported to management...”

-Judge in 2004 assault trial of three Toronto East Detention Centre officers (p. 66)

“We spend millions of dollars, hours upon hours training people how to defend themselves. We spend far too little time telling them how to deal with people.”

-Trainer, Ontario Correctional Services College (p. 101)