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The Correctional Investigator
Canada

L'Enquêteur correctionnel
Canada

**REPORT
ON
ALLEGATIONS OF MISTREATMENT
OF INMATES AT
ARCHAMBAULT INSTITUTION
FOLLOWING THE EVENTS
WHICH OCCURRED ON
JULY 25th, 1982**

R.L. Stewart
Correctional Investigator
21 June 1984

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ARCHAMBAULT INSTITUTION FOLLOWING THE
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JULY 25th, 1982

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PART I

GENERAL

1. INTRODUCTION AND TERMS OF REFERENCE

The Correctional Investigator was appointed pursuant to Part II of the Inquiries Act, R.S.C. 1970, c I-13 by Order-in-council PC 1977-3209 dated November 15, 1977, to, inter alia,

"...investigate, on his own initiative, on request from the Solicitor General of Canada, or on complaint from or on behalf of inmates as defined in the Penitentiary Act, and report upon problems of inmates that come within the responsibility of the Solicitor General of Canada..."

A copy of the Order-in-council in question is attached as Appendix "1".

On June 23, 1983, the Solicitor General of Canada, the Honourable Robert Kaplan, requested the Correctional Investigator to conduct a full, independent and impartial investigation into allegations of mistreatment of several inmates confined in the Archambault Institution, Sainte-Anne-des-Plaines, Québec following incidents which occurred in this Institution on July 25, 1982. In particular, the request from the Solicitor General suggested as follows:

"Although I have no wish to further constrain you in the way in which you conduct the investigation, I would ask that you:

- concentrate on the treatment experienced by inmates transferred to the segregation unit;
- interview inmates who were held in the unit during the period following the riot, and members of their families, lawyers or others who visited them during this period;
- interview relevant staff of the segregation unit and other staff of the institution, where this appears warranted, including medical staff;
- examine all relevant records;
- examine all previous reports on this incident and its aftermath;
- examine and assess the adequacy of policies and directives pertaining to the handling of inmates and the control of the institution in the aftermath of major incidents.

In particular, I would like you to report any specific incidents of mistreatment, including, wherever possible, details of the identity of inmates, staff, date, time and place of the incident."

In addition the Solicitor General requested that the investigation, when completed, should address the following matters in its conclusions, namely whether:

- "(a) There is evidence to substantiate a conclusion as to whether or not individual or general mistreatment of inmates took place during this period;
- (b) there is evidence to warrant disciplinary action against any individual member of staff;

3.

- (c) there is evidence of inmate mistreatment which should be referred to the Attorney General of Quebec for his further investigation and/or consideration of prosecution;
- (d) there are any recommendations you would make to prevent or reduce the likelihood of mistreatment in the aftermath of future incidents."

The Correctional Investigator agreed to carry out his investigation according to the broad outline suggested by the Solicitor General and to consider the matters raised in paragraphs (a) and (d) as part of his report. However, he was of the view that the matter raised in paragraphs (b) and (c) exceeded his mandate as set out in Order-in-council PC 1977-3209 and so advised the Solicitor General. This report will not therefore address the matters set out in paragraphs (b) and (c) above. Copies of the exchange of correspondence between the Solicitor General and the Correctional Investigator setting out the above request and terms of reference are produced in Appendix "2" to this report.

At the outset of this investigation counsel was retained by the Correctional Investigator pursuant to the provisions of Order-in-council PC 1977-3209 and the Inquiries Act, in the names of John D. Richard, Q.C. and Robert W. Côté of the law firm of Gowling & Henderson in Ottawa, to assist and advise him in the conduct of this investigation and in the preparation of this

report. The present report and its findings are based solely on the facts gathered during the course of the investigation.

2. ARCHAMBAULT INSTITUTION: BACKGROUND & ORGANIZATION

According to the information provided by the Correctional Service, Archambault Institution is a maximum security institution located at Sainte-Anne-des-Plaines, Québec, and is part of the Québec Region of the Correctional Service of Canada. The Institution opened its doors in October of 1969 and at the time of the events of July 25, 1982, it had a population of 425 inmates.

The Institution is generally laid out in the form of a hexagon with each of the six sides linked by corridors to a central hub known as "N" control. Three such corridors each lead to three separate pavillions of cells; three other corridors lead to either a building housing the general administration and visiting area ("T" building), a building housing the shops and industries areas ("U" building) or a building housing the Institution's hospital, gymnasium, detention unit, inmate canteen and chapels ("S" building). Each corridor leads to a control point at the entrance of either a pavillion or T, U or S Buildings. Diagrams of the general layout of the Institution and of "S" building in particular are attached to this report as

Appendices "3" and "4" respectively. The following is a brief description of the specific areas relating to each of the above control points:

"N" Control: is at the hub of the Institution and

"A", "E" and "J" Controls: each control is at the centre of a two storey pavillion of 143 cells in 5 ranges along with 2 common rooms, 5 television rooms, 3 stairways and 2 offices; these corridors also serve as serveries and kitchenettes.

"T" Control: is located in "T" building and

. This building is the main entrance to the Institution.

"R" Control: is located in "U" building and

6.

"P" Control: is located at the entrance to "S" building and .

A long corridor leads from "P" Control to the disciplinary court area which itself leads to the detention unit; the disciplinary court area has a door on both sides of the room, one leading to the corridor back to "N" Control and one leading directly into the detention unit as shown in Appendix "4".

According to this layout, one who wishes to gain access to the detention unit from another part of the Institution must pass through at least "N" and "P" Controls as well as both doors at either end of the disciplinary court area.

In light of the particular importance given to the detention unit in the Correctional Investigator's mandate, a more detailed description of the detention unit is set out below. This unit consists of a total of 16 cells arranged in two parallel ranges separated by a dividing wall, each range having its own separate entrance with a wrought iron door. A guard control office is located at the head of the ranges, adjacent to these doors. The main entrance to the unit leads to a corridor

leading to and beyond the guard control office to a small area of lockers where the property and clothing of inmates assigned to the detention unit are kept while the inmate remains in the unit. The opposite end of the ranges lead to separate doors for each range giving access to a common exercise yard measuring approximately 30 feet x 50 feet, surrounded by a concrete wall of approximately 20 feet in height. A wide mesh screen extending over all of the yard is attached to the top of the wall. The yard itself was paved with asphalt in June of 1982. An open shower is located in each range adjacent to the guard control office, a deep sink with taps is located beside each shower. The general layout of the detention unit is set out in Appendix "4" of this report.

Each cell in the unit measures approximately 4 feet x 8 feet, has no windows, has fluorescent lighting in the ceiling along with a small blue night light; the lights in each cell are controlled by separate switches located in the guard control office. In addition, each cell has a cold air return vent located in one of the walls, close to the ceiling, along with a hot air vent located close to the floor.

With the exception of one cell in each range located at the end of the range opposite to the guard control office, each cell has a wooden platform on which rests a mattress along one wall, a

small sink with taps and a toilet immediately adjacent to the cell door; the water to each of these cells can be controlled by valves immediately outside each cell. The remaining cells, are special in that they do not have either a wooden platform or a sink with taps. In addition the toilet in these cells consist of a hole in the floor which can be activated only from the exterior of the cell.

The doors of all cells consist of sliding steel doors which slide into the door frame when locked. Each door has two small openings; the first is a small peep hole located at eye level and covered with a movable flap. The second is located just below waist level and is approximately 4 inches x 15 inches, positioned horizontally and covered by a metal flap which opens to act as a small shelf to the opening; it is slightly lower than the door opening when it is in this position.

At the relevant time, the Warden of the Institution was André LeMarier, to whom reported several Assistant Wardens; Mr. LeMarier was Warden from 1978 to June 1983. The Warden was responsible for the management and administration of the Institution as a whole while each Assistant Warden was responsible for different functions within the Institution. A copy of the general organization chart of the Institution is

attached as Appendix "5". The relevant Assistant Wardens for the purpose of this report were as follows:

a) Assistant Warden-Security: this position was occupied by Louis LeMay from 1977 to September 6, 1982 at which time he was replaced by Michel Gilbert who up to that time had been Assistant Warden-Socialization. The Assistant Warden-Security was generally responsible for the control of inmates and the security of the Institution and in particular for the assignment, control and discipline of all correctional officers (guards) in the Institution. During the weeks following the events of July 25, 1982, there were 217 correctional officers assigned to the Institution at the levels of CX-2, CX-4, CX-6 and CX-8 plus 11 additional correctional officers assigned from time to time to the Institution on a temporary basis from other institutions in the Québec Region. In addition to these correctional officers, two administrative officers reported to the Assistant Warden-Security, namely a Co-ordinator of Security and a Preventive Security Officer. The Co-ordinator of Security was generally responsible for, inter alia, the administration of the overall assignments of correctional officers to different posts on different shifts in the Institution and for the

safe-keeping of various security records, including Detention Unit log books. The Preventive Security Officer was generally responsible, inter alia, for the maintenance of security files on inmate activities, liaison with external police investigators during investigations of incidents by external police forces and the maintenance of various administrative records including daily reports from the detention unit.

b) Assistant Warden-Socialization: this position was occupied by Michel Gilbert from September 1977 to September 6, 1982 when he was assigned to the position of the Assistant Warden-Security. He was replaced by L. St. Martin. This position comprised overall responsibility for all inmate social programs in the Institution including recreation, socio-cultural activities, family visits of inmates, inmate correspondence and psychological and social evaluation programs of inmates. Several classification officers were assigned to this section to perform these duties.

c) Assistant Warden-Medical and Health Services: this position has been occupied by Dr. Michel Morin since 1970. At the time of the events of July 25, 1982, Dr. Morin had been on holidays for 1 week and was not

scheduled to return to the Institution for an additional week. During this period, he was replaced by Dr. Jean-Guy McFadden, who was the head of a medical clinic in Sainte-Anne-des-Plaines. Dr. Morin was responsible for a health care staff consisting of a Chief Health Care Officer and eight Health Care Officers who were all registered nurses. The health care staff was generally responsible for administering general health services to inmates and for treating injured or sick inmates in the institutional hospital; inmates who required treatment which exceeded institutional health care facilities were referred to civilian hospitals. The procedures and many of the functions to be performed by the Health Care Unit were set out in a Policy and Procedures Manual. The institutional hospital comprised in part, a number of offices, a treatment room, 12 cells and a control post at the entrance to the hospital.

d) Assistant Warden-Technical Services: this position has been occupied by Jacques Courtemanche since 1978. The Technical Services Unit was responsible for the general maintenance of and minor repairs of the Institution including heating, lighting and plumbing as well as for the service of inmates' meals and for providing and maintaining inmates' clothing.

3. EVENTS OF JULY 25-26th, 1982

The facts set out in this section, were obtained from a report of a board of inquiry appointed by the Commissioner of Corrections to investigate the events of July 25-26, 1982. The Chairman of this board was A.F. Wrenshall, Inspector General, Correctional Service. The report was produced in August of 1982.

On Sunday, July 25, 1982, at approximately 10:30 p.m. some 180 inmates were in the process of re-entering the Institution from the recreational yard in order to return to their cells; at the time there were eight correctional officers in "N" Control supervising the re-entry along with one correctional officer inside the control itself.

Two inmates armed with makeshift knives, seized two correctional officers as hostages as they entered in "N" Control and proceeded with them to "T" Control in an attempt to escape. In the meantime, approximately 60 inmates had congregated in "N" Control and proceeded to ransack the area. The remaining correctional officers in "N" Control took refuge in two offices in "N" Control. One officer was forceably taken from one office and given into the hands of the hostage takers who had by that time returned to "N" Control. The hostage takers then proceeded to "E" Control with their 3 hostages; at that point the third

hostage was stabbed to death. The remaining two hostages were also stabbed by the hostage takers and left for dead. The hostage takers then committed suicide.

One of the five remaining correctional officers who had taken refuge in the offices at "N" Control was felled by a blow on the head from an inmate and was then dragged on the floor by several inmates. A second correctional officer was also grabbed by inmates and punched, kicked and stabbed by his aggressors. This correctional officer then managed to escape through "T" Control. The remaining three officers also managed to escape by the same route. The first officer originally felled by a blow to the head was then hanged by a fire hose from a set of catwalk steps in "N" Control and his body was mutilated by inmates. In addition, one inmate was seen activating the nozzle of a fire extinguisher directly into the mouth of the two correctional officers who had been left for dead by the hostage takers.

During the course of events, "N" Control was ransacked and fire was set to the area; fire was also set in the gymnasium. In addition some inmates broke into the industrial and vocational areas to obtain tools to further their purpose.

Control of "N" Control was re-taken from the inmates at approximately 12:45 a.m. on July 26, 1982; tear gas was used

during the take-over. By 1:20 a.m., all inmates who were in the Institution during the event were confined to cells. The remainder of the inmates who stayed in the exercise yard during the events were returned to their cells by 7:15 a.m.

During the above events, three correctional officers met their death while five others were injured. In this respect, two officers died as a result of multiple stab wounds, one officer died of skull fractures, one officer suffered severe internal injuries as a result of several stab wounds to the face and body, one officer suffered injuries from serious blows mostly to the head, face and hands. The remaining three officers suffered minor injuries. As to the inmates, two of them committed suicide, two others suffered a number of pellet wounds to the body and another suffered a minor stab wound on the right forearm.

Repairs and modifications to the Institution were begun during the week immediately following the events and completed by the end of September, 1982. According to information provided by the Assistant Warden, Technical Services, the cost of such repairs and modifications was in the amount of \$475,000.00 to \$500,000.00.

4. PROCEDURE AND HEARINGSa) PRE-HEARING PREPARATION

Following the receipt of the above mandate, comprehensive research was undertaken of all of the institutional files and records relevant to the investigation as well as the other pertinent documents; this research was performed during July and August of 1983. The types of documents reviewed are set out below:

(i) Prior Reports on Allegations of Mistreatment:

These reports included a report to the International Human Rights Law Group by Charles M. Kolb, dated September 23, 1982 and entitled "The Riot and Deaths at Archambault Penitentiary Ste-Anne-des-Plaines, on July 25, 1982", a report by the Moderator of the United Church of Canada, the Right Reverend Clarke MacDonald dated November 3, 1982, a report by the "Fédération internationale des droits de l'homme" written by Thierry Maleville at the end of 1983 and entitled "Rapport de Maison - La situation au Penitencier Archambault, Sainte-Anne-des-Plaines, Québec, Canada" and a report by Amnesty

International on "Allegations of Ill-Treatment of Prisoners at Archambault Institution, Québec, Canada" dated June, 1983.

- (ii) Relevant Statutory Provisions and Administrative Directives: these comprised The Penitentiary Act and Regulations as well as the relevant Divisional Instructions, Commissioner's Directives, institutional Standing Orders and the Policy and Procedures Manual for medical and health care services in the Canadian Penitentiary Service. Such statutes and administrative directives set out the legal framework within which the Institution was bound to operate and will be referred to as necessary in this report.
- (iii) General Administrative Records of the Institution: these records included files of the Security Section, Health Care Unit records, inmate grievance records, inmate movement records, guard assignment records, armoury records, security equipment inventories and documents from the Warden's personal file.

(iv) Inmate Files: these files comprised inmate
institutional, medical and security files.

(v) Personnel Files: of correctional officers.

From the inmate movement records and the guard assignment records, a list was compiled setting out for each day during the period July 26 to August 31, 1982, the names of all inmates in detention including the date of their admission and release, as well as the names of all correctional officers assigned to detention for each day. The reason for establishing this period are set out in a later section in this Part. This initial identification of inmates and guards was compiled in the very early stages of the investigation in order to establish a list of inmates and correctional officers who would be called upon to testify. This list was later modified to increase the number of correctional officers who would be called upon to testify for reasons which will appear later. This list also served to identify which inmates and correctional officers would be interviewed during this stage of the investigation.

Two books of photographs were also compiled from information provided by the Institution. The first contained the identity card of each correctional officer at the Institution during the relevant period, including those of correctional

officers who were transferred to the Institution from other institutions in the Québec Region following the events of July 25, 1982. The names of the correctional officers on each card was blotted out, leaving only the photograph and the number of the correctional officer visible. It was later ascertained that the information relating to transfers of correctional officers from other institutions which had initially been provided by the Institution, was incomplete in that five additional correctional officers had in effect been transferred to the Institution during the relevant period. Unfortunately, these additional correctional officers were not identified until almost all of the inmates had testified. In light of the circumstances it was decided that this book of photographs would not be modified to add the identity cards of the five additional correctional officers.

A second book of photographs was also compiled which contained the photograph and number of inmates who had been identified as being in the detention unit during the relevant period. The photographs of a small number of such inmates were not included in this book because although they were requested, they were not available from the Correctional Service.

Finally, inmates who, according to information contained in the above Amnesty International Report, had made specific

allegations of mistreatment, were interviewed informally by a representative of the office of the Correctional Investigator in order to obtain further particulars of their allegations prior to their testimony. The information obtained from these interviews was used to brief the Correctional Investigator and counsel prior to receiving the testimony of these inmates.

b) HEARINGS AND WITNESSES

The hearings into this matter commenced on August 25, 1983, and were resumed from time to time until January 23, 1984; for reasons which will become apparent later in this report, hearings were resumed to receive additional inmate testimony in April and May of this year. In all, there were 37 days of hearings resulting in over 7,000 pages of testimony and 98 exhibits. Hearings with respect to inmate testimony were held at Millhaven Institution, Kingston Penitentiary, the Correctional Development Center, Leclerc Institution and Prince Albert Institution. Hearings with respect to the testimony of correctional officers and other witnesses, were held at the Sheraton Laval in Laval, Québec; hearings were held at Archambault Institution to receive the testimony of a number of classification officers assigned at that Institution during the relevant time. Two days of hearings were held in Ottawa, Ontario. The dates and locations of the hearings are set out in

Appendix "6" to this Report and the list of exhibits filed during the hearings is set out in Appendix "7".

All hearings were held in camera and no person other than the Correctional Investigator, his counsel and members of his staff, a court stenographer, the witness and his counsel was allowed to attend the hearings. The reasons for this decision were twofold. First, the purpose of this investigation was to inquire into allegations of mistreatment which had not yet been proven. A great number of penitentiary staff would be accused of responsibility for or complicity in such mistreatment during the course of the investigation; the publication of the names of such persons during the course of the investigation would seriously prejudice their rights during and after the investigation, in particular in those instances where allegations by inmates would be found to have been without foundation. The overriding purpose of this investigation was to ascertain whether any allegations by inmates of mistreatment had any basis in fact and if so, to identify, where possible, specific members of the Institution's staff as having been responsible for such mistreatment. Until these determinations were made, any publication of the names of correctional officers identified by inmates would have unnecessarily prejudiced the rights of such officers. Secondly, the above mandate required that the Correctional Investigator

address his report to the Solicitor General who in turn had clearly indicated in his letter setting out the terms of reference of this investigation (see Appendix "1") his intention to make the report public, save the names of persons where it was decided appropriate. The ultimate decision to make public any information gathered as a result of this investigation therefore remained with the Solicitor General.

It was for these reasons that a number of requests on the part of inmates during the course of the hearings to allow the presence of the press were denied. It was also for these reasons that the presence during the hearings of Jean-Claude Bernheim of the "Office des droits des détenus" was denied following the request of some inmates. Similarly, requests on the part of inmates and counsel for the correctional officers for transcripts of the testimony given during the hearings were also denied.

Save a number of classification officers in the Institution and members of the families of inmates who agreed to testify at the hearings, all witnesses were subpoenaed to testify; a copy of the form of subpoena served on all such witnesses is included in Appendix "8" to this report. It will be noted that this subpoena advises the witness of his right to be represented by counsel during his testimony. Three inmates who

testified at the Millhaven Institution and Kingston Penitentiary as well as two inmates who had been members of the Inmate Committee at Archambault Institution in July-August of 1982 agreed to testify without counsel whereas all other inmates who testified, did so with their counsel present. Two of the three above inmates at Millhaven Institution and Kingston Penitentiary who were re-called to testify in April and May of this year, were represented by counsel during their second appearance. One inmate who had originally testified with his counsel present agreed to testify without counsel at his second appearance. Similarly, all correctional officers at the levels of CX-2, CX-4 and CX-6 were represented by counsel during their testimony. In addition, counsel representing each witness was allowed to question his client upon request.

All testimony received during the course of the hearings was given under oath or solemn affirmation. Most of the witnesses testified in the French language. A certified interpreter was present at all hearings where witnesses testified in French, in order to provide simultaneous translation of the testimony for the benefit of the Correctional Investigator. Counsel retained by the Correctional Investigator were fluently bilingual.

A total of 187 witnesses testified during the course of the investigation, twenty-three of whom testified on more than one occasion. The witnesses who testified can be divided into the following categories:

- (i) 31 inmates were called upon to testify as having been in the detention unit during the period July 26 to August 31, 1982. However, it should be noted that the records of the Institution indicated that a total of 39 inmates were either transferred to the detention unit at various times during this period or were already in the detention unit at the time of the events of July 25, 1982, and remained there for some days following these events. Of the eight remaining inmates, seven had been released from custody at the time of the hearings, and attempts to either ascertain their location or to communicate with them to secure their attendance were unsuccessful; the remaining inmate died in April of 1983. Although 31 inmates were served with subpoenas, five of them either refused to appear at the hearings or having attended at the hearings, refused to testify. When the hearings were re-opened in April and May of this year, 21

inmates were re-called to testify, of which four either failed to attend or having attended, refused to testify. Those who did testify at any stage described any mistreatment which they alleged to have suffered or to have witnessed and were given the opportunity to identify those correctional officers responsible by name or through the use of the book of photographs referred to earlier. At least three of the inmates who refused to testify on the first occasion, had formulated written complaints of mistreatment prior to the investigation. One inmate advised the Correctional Investigator by letter subsequent to his refusal to testify that he had done so due to threats by correctional officers. These allegations were investigated by the office of the Correctional Investigator and no evidence was found supporting the existence of such threats. All inmates who testified were given the opportunity to consult their counsel prior to their testimony.

- (ii) A total of 53 correctional officers at the levels of CX-2 or CX-4 who, according to institutional records, had been assigned to the detention unit

during the period but who had not been identified by any inmate as having been responsible for or having participated in alleged mistreatments, were subpoenaed to testify.

- (iii) A total of 56 correctional officers at the CX-2 or CX-4 level who had been identified by inmates as having been responsible for or having participated in alleged mistreatments were served with a subpoena and a notice of charge pursuant to Section 13 of the Inquiries Act setting out the particulars of each charge. In order to ensure that these matters would be kept confidential, the subpoenas and charges were served personally on the correctional officers in question at their home address, by process servers retained for that purpose. Each of these correctional officers was then given the opportunity to respond to the charges made against him. It is interesting to note that of the total number of correctional officers in this category only 31 or 55% had been identified as having been assigned to the detention unit during the relevant time according to institutional records. The reliability of these records will be discussed later.

(iv)

at the relevant time were called upon to testify as to their knowledge of alleged mistreatment and the actions of the Inmate Committee during the relevant period.

(v) Twelve witnesses from the Health Care Unit were called upon to testify, comprising the Assistant Warden-Medical and Health Services, his replacement during the first week immediately following the events of July 25, 1982, the Chief Health Care Officer and 9 Health Care Officers at the Institution during or prior to the relevant period. In this respect, two Health Care Officers resigned their positions during July of 1982 and were replaced by two other officers. The remaining Health Care Officer had already left the Institution and was not called upon to testify.

(vi) Six Classification Officers were called upon to testify as to their knowledge of alleged mistreatment during the relevant period.

- (vii) Twelve correctional officers at the CX-6 level and five at the CX-8 level were called upon to testify; these officers constituted all of the correctional officers at those levels at the Institution during the relevant period save one officer. At the time of the hearings this officer was seriously ill and confined to hospital; he was accordingly not subpoenaed to testify.
- (viii) One member of the kitchen staff was subpoenaed to testify; he was the only member of the kitchen staff who was identified by inmates as having been in the detention unit for the service of meals during the relevant period.
- (ix) The Assistant Wardens of Security, Technical Services and Socialization were called upon to testify as well as the Co-ordinator of Security and the Preventive Security Officer during the relevant period.
- (x) The Warden of the Institution during the relevant period as well as the Deputy Commissioner of the Quebec Region and the Commissioner of Corrections were also called upon to testify.

(xi) Seven lawyers who visited inmates at the Institution during the relevant period were subpoenaed to testify; these comprised lawyers acting for the "Office des droits des détenus" as well as other lawyers identified by some of the inmates as having visited them during the relevant period. Some of the lawyers who testified refused to divulge the subject matter of their conversations with their clients on the grounds of solicitor-client privilege.

(xii) Five members of the families of some of the inmates were requested to testify; these persons had been identified by some of the inmates as having visited them at the Institution in August or September of 1982. Efforts were made to contact a number of other visitors identified by inmates but such persons either could not be reached or simply refused to testify.

5. DETERMINATION OF THE RELEVANT PERIOD
FOR PURPOSES OF THIS INVESTIGATION

For the purpose of researching institutional records with respect to the assignment of correctional officers to the detention unit and of establishing a list of correctional

officers to be called as witnesses as having been assigned to the detention unit, some determination had to be made for a reasonable cut-off date beyond which further investigation would not be justified. This date was established as August 31, 1982 for the following reasons.

First, the institutional records indicated that all inmates transferred to the detention unit by reason of their suspected participation in the events of July 25, 1982 were transferred in July-August, 1982. In effect, the inmates in detention during the second half of August, 1982 were transferred to detention either prior to or on August 16-17, 1982 save in two cases where one was admitted to detention on August 20th and the other on August 28th. Secondly, the general tenor of the testimony of inmates indicated that the alleged mistreatments occurred with most frequency during the early days of confinement to detention. In addition, some inmates who were in detention during most of August, 1982, confirmed that such mistreatment had largely abated by the latter part of August, 1982. In this respect, it is noteworthy that the number of inmates assigned to detention steadily increased from July 26 to August 7, 1982, at which time the detention unit was filled to capacity and remained so until August 19 when the number of inmates dropped to fifteen and then decreased progressively by August 28, 1982. In addition, a significant alteration in the roster of inmates in

detention occurred on August 16, 1982 when half of the inmates in detention were replaced by others.

Thirdly, of the ten inmates in detention on August 31, 1982, one was transferred on September 2, one was transferred on September 7 and four were transferred on September 13 and one was transferred on September 16, 1982, thereby leaving only three inmates who were not transferred until October, 1982.

Fourth, the allegations of inmate mistreatment reported in the MacDonald, Kolb and Maleville Reports referred to earlier were largely based on visits to the Institution and inmate interviews in September of 1982. In particular, Mr. Maleville attended at the Institution on September 8, 1982, Mr. Kolb on September 2, 1982 and the Reverend MacDonald on September 9 and 30, 1982.

6. PARTICULAR PROVISIONS OF THE TERMS OF REFERENCE

There are two provisions set out in the terms of reference which had a particular bearing in defining the ambit of the investigation. The first relates to the suggestion by the Solicitor General that the investigation "concentrate" on the treatment experienced by inmates in the detention unit. The second relates to the Solicitor General's reference to the fact

that a certain number of incidents had already been acknowledged to have occurred and that such incidents need not be investigated or dealt with in this report (see Appendix "2").

As to the Solicitor General's suggestion, that the investigation concentrate on the treatment of inmates in the detention unit, it became apparent during the course of the investigation, that the allegations by inmates of mistreatment related to incidents which were said to have occurred in the detention unit. In particular, it is significant that in those cases where inmates were not transferred to the detention unit for one to three weeks following July 25, 1982, very few made any complaints of mistreatment prior to their transfer to the detention unit. There were nevertheless general allegations of mistreatment in the regular inmate population which were brought to the Correctional Investigator's attention in particular by the members of the Inmate Committee who testified during the course of the investigation. These allegations will be dealt with separately in this report.

As to the Solicitor General's direction that, the investigation need not deal with certain incidents which had already been acknowledged, these incidents comprise the following:

- a) The use of tear gas in re-taking control of the Institution on July 25 and the use of tear gas in "J" Pavillion on July 26, 1982, and "A" & "E" Pavillions on July 27, 1982. Although the circumstances of the use of tear gas will not be dealt with in this report, consideration will be given as to whether the required procedures were carried out subsequent to such gassing because some of the inmate complaints of mistreatment in the general population related to the fact that such procedures were not carried out in a timely or adequate manner.
- b) The fact that lawyers were not allowed to visit inmates in the Institution immediately following the events of July 25, 1982. In this respect it should be noted that lawyers were allowed access to inmates in the Institution as of August 4, 1982. The fact that some inmates were questioned by investigators of the Québec Provincial Police prior to August 4, 1982 as to events of July 25, 1982, will be considered in Part XI of this report.

- c) The fact that sandwiches were served to all inmates including those in the detention unit subsequent to the events of July 25, 1982; in effect this situation continued to September 28, 1982, when the normal service of hot meals was resumed in the Institution. The reasons for the service of sandwiches for this period will not be considered in this report other than to say that they related to security matters and to the fact that those areas in the Institution where meals were served, were under repair and modification for the duration of this period. In effect, unsuccessful attempts were made to serve hot meals to the inmates on September 7 and 8, 1982, and the service of sandwiches was resumed, in part at the suggestion of representatives of the Inmate Committee. The report will however deal with the allegations by inmates, in particular in detention, as to the alleged adulteration or denial of food by correctional officers and as to the improper service of meals during the period in question.

- d) The fact that immediately following the events of July 25, 1982, certain inmate property such as televisions and refrigerators was damaged by correctional officers. In addition, the inmates' canteen suffered a loss of approximately \$2,000.00. These damages were confirmed by the Wrenshall report referred to above and these matters will not be considered in this report.
- e) Institutional authorities have acknowledged according to the reports set out in this part that "minor harrassment" of inmates by correctional officers did occur in the form of disturbing inmates's sleep, throwing food on the floor or into toilets and forcing one inmate to kneel. However, the extent and particulars of such allegations did not form part of these acknowledgements. This report will accordingly deal with allegations in accordance with the Correctional Investigator's mandate.

7. DISAPPEARANCE OF DETENTION LOG
BOOKS AND DAILY DETENTION REPORTS

During the course of the investigation, two types of records directly relating to the detention unit could not be

found for the period in question. Accordingly, a Board of Inquiry was established by the present Warden of the Institution, Mr. Pierre Viau on August 8, 1983, to inquire into the circumstances of the disappearance of these documents. The Board of Inquiry produced a report on August 10, 1983 and its Chairman was called upon to testify as to its findings during the course of the investigation. In addition, those members of the staff of the Institution responsible for custody of these records were called upon to testify as to these matters. A copy of this report along with other memoranda are attached as Appendix "9" to this report.

The documents which disappeared for the relevant period were of two types. The first consisted of Detention Log Books for the period of April 26, 1981 to December 12, 1982 and the second consisted of Daily Detention Reports for the period June 3, 1982 to January 4, 1983. It should be noted that the Board of Inquiry confirmed that the institutional files nevertheless still contained the logs and daily reports prior and subsequent to those periods for which they were missing as set out above.

There is no question that these documents contained information vital to this investigation some of which was not available from other sources. On one hand, the Detention Log

Books were records which were required to be maintained by the Institution's Standing Order #833, a copy of which is attached as Appendix "10" to this report. In essence these logs recorded the names of all visitors to the unit during each shift, including all escorts of inmates. In effect all persons visiting the detention unit were required, without exception, to sign this log when entering and leaving the detention unit and to indicate the purpose of their visit. They essentially consisted of lined pages in a hard cover book filled in by hand each day. Upon the completion of any given book, it was forwarded from the detention unit to the Co-ordinator of Security and kept in his files along with all other completed log books.

On the other hand, the Daily Detention Reports were written by the correctional officer in charge of the detention unit for each day shift during the week. This officer essentially re-transcribed the information from the above log books and also noted the names of each inmate in detention and each guard assigned to detention during his shift. These reports also recorded all inmate activities in detention during the day shift. Although not a requirement as such of any institutional Standing Order or directive from the Correctional Service, these reports were created by the Preventive Security Officer as a means of direct reporting by the detention unit to the office of the Assistant Warden-Security. These reports were forwarded, on

a daily basis, to the office of the Preventive Security Officer where they were maintained in filing cabinets. A copy of a blank form of the daily detention reports is attached as Appendix "11" to this report. It should be noted however, that during the course of approximately five to seven weeks following July 25, 1982, reports were not submitted on seven or eight occasions according to the Preventive Security Officer who testified in this matter.

It is therefore clear that the Detention Logs and Daily Detention Reports in combination would have identified by name all correctional officers entering the detention unit and all inmates in detention at any given time. They would also have provided a synopsis of all activities in the detention unit for every day during the period in question other than those days where the Daily Detention Reports were not completed. As will be discussed at length later in this report, the Institution's records of assignment of correctional officers to all posts during the period of July 26 to August 31, 1982, could not be relied upon with any certainty to ascertain the name of any correctional officer who would have entered the detention unit for any reason. The investigation therefore had to rely on the recollection of those correctional officers who did testify which recollection was vague and imperfect as to such fine details. The Detention Logs and Daily Detention Reports would have

established these facts. These difficulties were seriously compounded by the fact that the inmates who testified, in most cases, could not specify the date on which they suffered the mistreatment which they alleged. In addition, although inmate activities in the detention unit were required to be recorded on individual inmate detention logs, the information contained in the Detention Log Book and Daily Detention Reports would have served as a crucial cross-check as to these matters. The fact that the investigation could not establish with any degree of certainty, the assignment or presence of any correctional officer from the Institution's records evidently seriously hampered the investigation's fact-finding function.

Moreover, none of the witnesses called upon to testify as to these matters, including the Chairman of the Board of Inquiry, could account for the disappearance of these records. In effect, although the report of the Board of Inquiry appears to suggest that these records might have been inadvertently destroyed, no evidence that such was in fact the case was brought forward and no one could ascertain whether these records had merely disappeared or were in fact destroyed. In addition, it is clear that the files in the office of the Co-ordinator of Security and the Preventive Security Officer were not maintained under lock and key during the day and hence were accessible to any person who might be in that area. Hence, the only conclusion

which can be drawn from the present facts is that these records disappeared at some time after December 12, 1982 in the case of the Detention Log Book and January 4, 1983 in the case of the Daily Detention Reports. Although the cause of their disappearance remains a matter of speculation, the coincidental disappearance of the only institutional records which would have established the presence of institutional staff in the detention unit on a daily basis during the relevant period suggests that their disappearance was not altogether inadvertent.

PART IIEVIDENCE AS TO FABRICATION AND CONSPIRACY

Before proceeding further, consideration must be given to evidence given by two inmates of the existence of an agreement among those inmates transferred to detention during the relevant period, to fabricate the allegations of mistreatment. In May of this year, while this report was being written, the Correctional Investigator received two letters from an inmate who had testified before us in the Fall, in which he asserted that all of the allegations of mistreatment made by him had been fabricated and were part of an agreement among inmates to purposely fabricate the allegations which prompted this investigation. In short, this inmate asserted that no mistreatment occurred of any inmate in detention after the incidents of July 25, 1982. The text of each handwritten letter addressed to the Correctional Investigator dated March 27 and April 9, 1984 has been typewritten and is reproduced as Appendix "12" to this report; the name of this inmate has been omitted in order to protect his anonymity. A similar letter was also sent by this inmate to the Solicitor General.

This inmate was re-called to testify during the investigation on April 16, 1984. On this occasion, he

acknowledged that he was testifying voluntarily, without any pressure of any kind from the Correctional Service or the Office of the Correctional Investigator and without any promise of any benefit from either of them.

In his original testimony during the investigation, this inmate had made a series of serious allegations of mistreatment and had identified specific correctional officers as being responsible for such mistreatment. These allegations comprised the following:

- (a) he was forced to take his walks in the detention yard and when there, he was beaten repeatedly and was forced to run barefoot on rocks;
- (b) on one occasion in the detention yard, he was subjected to the "wet towel treatment"; on other occasions, he was naked or was lifted by guards with nightsticks under the arms or had a nightstick forced into his mouth;
- (c) on admission to detention, he was kicked repeatedly in the legs;

- (d) he was gassed in his cell;
- (e) guards threatened to shoot him;
- (f) his food was repeatedly thrown on the floor of his cell;
- (g) he was kept awake at night by guards hitting his cell door with a stick and keeping the lights on in his cell; he was cold at night;
- (h) he was kept naked for three days and was not given any toiletries, mattress or paper;
- (i) he was refused water to drink;
- (j) he had witnessed another inmate being beaten in the range in detention.

It will be readily seen that the above allegations are certainly representative of all other allegations of mistreatment by other inmates. In short, he denied the truth of all of these allegations and asserted that he was never beaten in any way while in detention and was not denied any articles to which he

had a right while in detention. He also asserted that the allegations of mistreatment which he made to the authors of the Kolb Report, the Maleville Report and the Amnesty International Report referred to in Part I of this report, were equally false.

In addition, this inmate testified that when he was transferred to detention during the third week in August, he was advised by another inmate that despite the fact that none of the inmates already in detention were being mistreated or abused in any way, they were, nevertheless, very much afraid of possible mistreatment at the hands of guards given the events of July 25, 1982, and the significant tension which existed in the Institution as a result. In light of these circumstances, he was told by this other inmate that an agreement had been reached between certain inmates in detention at the time, to fabricate allegations of mistreatment and to communicate such allegations to their lawyers in order to alleviate their fears and draw public attention to their plight.

He also alleged that this agreement was pursued in the Fall of 1982 when most of the inmates in detention in August 1982 had been transferred to the Correctional Development Centre. Here, inmates were permitted to freely communicate with each other and hence, to perfect their stories and arrange to corroborate each other's allegations. Moreover, some of the lawyers who visited these inmates during this period were discussing the possibility of legal action against the Crown with respect to allegations of mistreatment and consequent monetary damages. Further, during this period, many of these inmates were interviewed by external investigators who eventually produced all but one of the reports referred to in Part I and hence, they had a ready forum for their allegations. It was for these reasons, he said, that the agreement was pursued by these inmates during this period. When these inmates were called to testify during this investigation in August-September 1983, they simply carried on with the same allegations which had already been developed a year earlier.

Legal proceedings were commenced by inmates of Archambault Institution in July-August 1982, including some of the inmates who were transferred to detention subsequent to the events of July 25, 1982, in both the Québec Superior Court and the Federal Court of Canada in July of 1983, seeking several million dollars in damages for some of the alleged mistreatment of inmates.

Following this new evidence, the investigation was resumed to question those inmates who had testified during the investigation in August-September 1983, and had made specific allegations of mistreatment and identified particular guards. From a total of 22 inmates in this category, 21 were re-called to testify since the balance had been released in the interim and could not be reached; of the 21 inmates who were re-called, four refused to answer any questions or failed to attend. An additional inmate

was also called upon to testify;

Hearings were held on April 25 and 26 and May 1, 1984, at which time these inmates were called upon to answer the above allegation of a conspiracy to fabricate allegations and to further explain discrepancies in their initial testimonies.

All but one inmate who testified at this stage denied the existence of any agreement between them to fabricate allegations and in effect re-affirmed their prior allegations. This one did confirm that such an agreement did in fact exist between inmates in detention in August 1982.

In addition, his testimony was limited to those inmates in his range in detention; both this inmate and the inmate who originally brought these matters to the attention of the Correctional Investigator in April of this year were in the same range in detention. His testimony is therefore limited by these circumstances.

There is a significant conflict of evidence which cannot be resolved with absolute certainty. If on one hand, the allegations of a conspiracy among inmates to fabricate all allegations of mistreatment are accepted, then that is the end to the matter. On the other hand, if they are not accepted, then this report must ignore them and disregard those allegations of mistreatment by the inmates who have alleged such a conspiracy. The credibility of these inmates is seriously open to question in light of their admissions to having fabricated evidence under oath.

There was, however, some motive and opportunity on the part of the inmates in question to agree to fabricate false allegations against guards given the tension and fear which existed in the Institution following the events of July 25, 1982, and the admittedly close contact between most of these inmates not only while in detention but also at the Correctional Development Centre in the Fall of 1982 and thereafter. In addition, there exists other evidence which suggests to a degree, if not an agreement to fabricate allegations, then at least one to significantly exaggerate them; this evidence is as follows:

- (a) The inmate who originally brought this matter to the attention of the Correctional Investigator, alleged that he was particularly close to other inmates at the Correctional Development Centre and that they agreed to corroborate each other's allegations in particular. In this respect it is worthy of note that the only sources of corroboration of the allegations of mistreatment on the part of these inmates are these same inmates; the corroboration by the above inmate must now of course be disregarded.

(b) The most bizarre of all allegations of mistreatment made by inmates relate to the "wet towel treatment". In this respect, the inmate who initially alleged the existence of a conspiracy, confirmed that he first thought of this particular allegation and suggested that others make use of it. The only other inmates to have also alleged this particular mistreatment are

being part of the conspiracy to fabricate allegations of mistreatment in the Fall of 1982. Further, this last inmate did not allege this particular mistreatment upon his person until he testified during this investigation in September of 1983; it is noteworthy that this particular inmate

did not make this particular allegation in this application; further, he did not make this allegation when interviewed by a member of the Office of the Correctional Investigator prior to the hearings in this matter. This inmate refused

to testify when re-called to do so in May of this year. In addition, another of these inmates corroborated the first inmate's allegation that he had been subjected to the "wet towel treatment", that is, the inmate who declared he had invented this particular allegation.

- (c) The inmates referred to in paragraph (b) represent of the total number of inmates who did make allegations during this investigation while their combined number of allegations make up of the total allegations made by all inmates who testified during the investigation.
- (d) The inmate who initially brought the matter of a conspiracy to the attention of the Correctional Investigator also identified several other inmates who were part of this conspiracy at the Correctional Development Centre. The total number of inmates involved is 16, which constitutes 65% of all the inmates who testified and made allegations during this investigation. These allegations account for almost 88% of the total allegations made by all inmates during the investigation.

The above factors, although by no means conclusive of the question, do raise a reasonable suspicion that some agreement did exist between at least some of the inmates who were in detention following the events of July 25, 1982, to fabricate or at least exaggerate allegations of mistreatment against guards. As will be discussed later, there does exist reliable corroborative evidence that some mistreatment of inmates in detention did take place in July-August 1982; the extent and magnitude of such mistreatment cannot, however, be established.

PART IIIALLEGATIONS OF MISTREATMENT IN THE DETENTION UNIT

This part sets out the number of allegations of mistreatment by category, the number of inmates making such allegations, the number of guards identified by inmates as being responsible for such mistreatment by category and the number of incidents of mistreatment where no guards were identified as being responsible for such mistreatment as well as the approximate number of unidentified guards by category of mistreatment. Schedule 1, which appears at the end of Part III along with a number of explanatory notes for each column and item, sets out these tabulated figures along with a brief description of the nature of each category of alleged mistreatment.

It should be noted that there are two further categories of alleged mistreatment of inmates which were not included in this Schedule because they cannot be quantified with any degree of precision given the nature of activity alleged. The first category relates to allegations by inmates who were prevented from sleeping at night by the guards on duty in detention. Quite apart from instances where inmates alleged having been kept awake at night due to some type of direct physical interference which

appears under the title "Night Incidents" in Schedule 1, all inmates who testified during this investigation complained of being prevented from sleeping by guards through other indirect means such as banging on or kicking their cell door and keeping the main lights in the cell on throughout the night; some inmates also complained of being prevented from sleeping due to the cold. This category cannot be readily quantified in terms of number of occurrences. In addition, inmates could not identify specific guards in most cases although a small number of guards were identified. The evidence relating to this category of allegations will be discussed later in this report.

The second category relates to allegations by inmates concerning the food that they were served in detention. These allegations related to inmates either being served food which was adulterated in some way or having food thrown or spilled on the floor of their cell and in their toilet. Most inmates complained of such mistreatment, in varying degrees, as having occurred every day or a certain number of days or even once, twice, or three times a day. Thus, this category is also impossible to quantify with any reliable precision. The evidence relating to this second category will also be discussed later in this report.

As indicated in Part I, each guard who was identified by an inmate as having been responsible for or having participated in any specific alleged mistreatment was served with a notice of such charge pursuant to Section 13 of the Inquiries Act. A copy of all such notices served on guards appears in Appendix "13" of this report. It should be noted that in the majority of these notices, the time of the occurrence of the alleged mistreatment could not be specified other than by reference to a number of days or even weeks; this was due to the fact that the inmate who made the allegation could not identify the date on which it occurred. In many instances, the lack of precision on the part of the inmate in this respect left little alternative but to insert in these notices the dates during which the inmate was in the detention unit. This difficulty accounts for the fact that some of the notices reproduced in Appendix "13" cite dates well into September and in a few cases, into October, 1982. In those instances, it can be reasonably concluded that such alleged mistreatment would have to have occurred prior to the end of August, 1982.

All the allegations of mistreatment where a specific guard was identified by the inmate as having been responsible for or having participated in the incident were, with one exception, denied by the guard in question. Further, the records of the

Institution did not contain any incident reports which are required by the Commissioner's Directives, the Divisional Instructions or the Standing Orders of the Institution to be filed on the occurrence of incidents of the nature described. More particularly, no reports relative to the use of force or the use of gas during the period in question other than a report relating to the gassing incidents in the regular population on July 26 and 27, 1982 were found in the records of the Institution. As mentioned in Part I of this report, these gassing incidents were admitted by the Correctional Service prior to this report.

The exception referred to above relates to two incidents of humiliating treatment administered by one guard with respect to one inmate. The inmate in question is who died prior to this investigation and the guard in question is

both incidents occurred on either August 18 or 19, 1982. During these dates officer was in charge of the detention unit during the day shift. In the first incident, ordered inmate to kneel before outside the detention range and to ask his forgiveness under the pretext that one of the guards killed during the events of July 25, 1982, was under his command;

admitted during the investigation, that this incident did in fact occur. In the second incident, on the same day,

admitted to ordering inmate _____ to kneel in his cell, facing the wall, in the presence of two classification officers outside the cell; inmate _____ complied immediately with this order while the classification officers observed his actions. This incident was also admitted by _____ although the two classification officers testified that inmate _____ was also forced to make humiliating statements such as to ask for forgiveness and to say that he was a "pig" or words to that effect during the incident; _____ stated that he did not remember inmate _____ saying anything during the incident. In light of this testimony, it is concluded that inmate _____ was forced to make humiliating statements of the type asserted by the two classification officers in question. It should also be added that these two classification officers reported this incident to the Assistant Warden of Socialization, Michel Gilbert. _____ was then orally reprimanded for his actions but no written record of such reprimand was placed on his file. It is also noteworthy that according to the testimony of the two classification officers in question, other guards in the detention unit at the time were aware of the happening of the incident and in effect thought it was quite amusing; no other guard who testified during the investigation admitted to having witnessed this incident.

Save the above incidents, no conclusion can be drawn as to the occurrence of any specific incident of mistreatment involving a specific guard, given the categorical denial by those guards served with a notice of charge and the fact that neither the actual date of most of the alleged incidents could not be established in conjunction with the presence of the guards in question in the detention unit. However, there is evidence obtained during the investigation which corroborates the type of allegations of mistreatment by inmates and a number of conclusions can be drawn, based on this evidence, as to whether some of these allegations are true without being able to identify any specific guard as being responsible. This evidence is discussed in Part IV.

SCHEDULE I

	I	II	III	IV	V	
	Number of Inmates	Total Number of Alleged Occurrences	Number of occurrences where at least one guard identified	Number of guards identified	Number of occurrences where no guards identified	Possible number of additional guards not identified
1. PHYSICAL MISTREATMENT						
(a) ON ESCORT:						
(i) beatings (1)	16	39	20	14	19	51
(b) ON ADMISSION:						
(i) beatings (2)	15	40	22	11	18	76
(ii) gassing (3)	9	10	3	4	7	22
(iii) Fire Extinguisher Incident (4)	2	2	2	2	--	6
(c) CELLS & RANGE:						
(i) beatings (4)	16	43	28	20	14	38
(ii) Rope Incident (5)	5	5	3	5	1	6
(iii) Showers (6)	13	17	7	6	10	11
(iv) Night Incidents (7)	20	32	20	16	12	14
(v) gassing (8)	16	43	10	12	20	29
(vi) head forced in toilets or human excrements	2	2	2	7	--	2
(vii) humiliating treatment (9)	4	4	1	4	3	12
(viii) Urine Incident (10)	2	2	1	1	1	2
(d) YARD:						
(i) beatings (11)	17	61	40	26	29	60
(ii) rope incident (12)	1	1	1	2	--	--
(iii) wet towel incident (13)	3	3	4	7	--	2
(iv) running on rocks (14)	8	8	3	4	6	15
(v) burnings (15)	4	4	3	2	1	3
(vi) humiliating treatment (16)	4	4	2	2	2	2
2. MENTAL ABUSE						
(i) verbal threats with or without 'props' (17)	10	41	21	20	21	25
3. SEXUAL HARASSMENT (18)						
	2	2	1	1	1	4

37.

COLUMN I	- Total number of alleged occurrences) This column indicates the total number of alleged occurrences where at least one officer was identified and alleged occurrences where no officers were identified.
COLUMN II	- Number of alleged occurrences where at least one guard was identified) This column indicates all alleged occurrences where the inmate concerned identified at least one officer as being present and/or actively participating in the incident.
COLUMN III	- Number of guards identified) This column indicates the total number of officers identified by inmates as being present and/or actively participating in the alleged occurrences set out in column II.
COLUMN IV	- Number of alleged occurrences where no guards were identified) This column indicates all alleged occurrences where the inmate concerned could not identify any officers present and/or actively participating in the alleged occurrences.
COLUMN V	- Possible number of additional guards not identified) This column indicates the potential number of guards which were not identified as being present and/or actively participating in the relevant alleged occurrences. In this respect, although inmates could not identify any or all specific officers they could, in most cases, recall the total number of guards present and/or participating in each alleged occurrence.) This figure is qualified in two ways:)) 1. There may be unidentified officers common to several incidents.)) 2. Where inmates could not recall how many officers were present and/or participating in the relevant alleged occurrences, the incident was counted as being one officer present and/or actively participating.

1. ALLEGED PHYSICAL MISTREATMENTON ESCORT:

This heading includes:

- inmates taken to the detention unit to be admitted; and
- inmates taken to and from the detention unit to administration for visits by lawyers and family members and for questioning by the Québec Provincial Police.

(1) beatings:

This includes:

- kicks, fists, clubs (nighstick, riot stick, PR 24 or other) slaps;
- dragged down hallways by hair, handcuffs and shackles;
- thrown against floor, wall or pillars;
- pulled up by hair and hair pulled;
- clothes ripped off.

ON ADMISSION:

This heading includes alleged mistreatment when an inmate was initially brought into detention up and until the time he was put in a cell.

(2) beatings

- same as (1)

(3) gassing

- gassing directly in inmate's face, mouth or nose.

(4) fire extinguisher treatment:

- hose of a fire extinguisher forced into inmate's mouth but not activated; one inmate was caused to bleed.

CELLS & RANGE:

This heading includes alleged mistreatment which occurred in the cells and in the ranges of the detention unit.

(5) beatings:

- same as (1)

(6) rope incident:

- rope made of bed sheets, and placed around inmate's neck with threats of hanging.

(7) showers:

- inmates forced to get out of showers before they had time to properly wash themselves or rinse off soap;

- Spic & Span and Lysol thrown at inmates while in the shower and inmates prevented from rinsing off same;
 - use of an electric prod on inmate while in shower;
 - inmate scalded with hot water.
- (8) night incidents:
- banging on doors;
 - inmates forced to get out of bed, stripped and searched;
 - inmates forced to get on the bed in cell or under it to prevent them from sleeping.
- (9) gassing:
- gassing through food slot in cell door;
 - gassing directly in inmates' face.
- (10) humiliating treatment:
- inmates forced to kneel in front of classification officers, nurses and officers;
 - inmates forced to kneel to obtain food;
 - inmates forced to shine officers' shoes.
- (11) urine incident:
- officers held inmate down while another officer urinated on inmate.
- YARD: This heading includes alleged mistreatment which occurred in the detention yard during inmates' walks.
- (12) beatings:
- same as (1)
- (13) rope incident:
- same as (5)
- (14) wet towel incident:
- inmate held down by officers, towel placed on the inmate's face and water poured from a kettle onto the towel causing the inmate to choke and in one case to bleed from the nose.
- (15) running on rocks:
- inmate forced to run or walk on rocks barefoot with threats of beating if he stopped or refused.
- (16) burnings:
- one inmate's beard was singed and three inmates' hands were burned with a cigarette butt by officer.

(17) humiliating
treatment:

- one inmate forced to kneel naked in yard while it was raining;
- inmates forced to wash a wall and sand a steel door;
- rocks thrown at one inmate.

2. ALLEGED MENTAL ABUSE

(18) verbal threats
with or without
'props':

- inmates threatened with rope, gun, knife, broken broom handle, hangman doll, bible with "In Memoriam" inscribed in it, inmates taunted to fight with officers;
- inmates threatened to be hanged, to be driven to suicide.

3. ALLEGED SEXUAL HARASSEMENT

(19)

- inmate forced to masturbate and swallow his sperm.
- inmate forced to assume various sexual positions.

PART IVDISCUSSION OF EVIDENCE BY CATEGORY OF
ALLEGATIONS OF MISTREATMENT IN THE DETENTION UNIT1. USE OF GAS IN THE DETENTION UNIT

This section deals with allegations by inmates of the use of gas by guards in the detention unit during the relevant period. In all, 9 inmates complained of the use of gas on their person at the time they were admitted to the detention unit and 16 inmates complained of the use of gas either in their cell or in the range of the unit during the period that they remained in detention, for a total of 53 incidents. Most inmates who alleged they were gassed, indicated that they were gassed on one to four occasions. In the case of two particular inmates, one alleged he was gassed almost every day during the twenty-nine days he was in detention and the other alleged he was gassed five times a day for fifteen days; both of these cases are considered to be a clear exaggeration of the facts since there is no other evidence to support such consistent use of gas of such magnitude in the detention unit during the relevant period. For the purposes of Schedule 1, the allegations of gassing of these two particular inmates were counted as four incidents each in accordance with the maximum number of gassing incidents alleged by other inmates.

The above allegations essentially consisted in gassing directly into the face and, in some cases, directly into the mouth or nose. One inmate in particular, alleged he was gassed directly into the mouth and forced to swallow the gas. Most of the inmates who alleged they were gassed in their cell, indicated that they were gassed through the food slot in their cell door either at night or during the day or both.

The evidence of the guards indicated clearly that a type of tear gas was kept at all times in a locked safe in the guards' office in the detention unit. This gas was kept in a container commonly known as a "deputy" which essentially is a small aerosol can containing a substance known as "tear dust"; when activated, it produces a fine mist creating a cloud of dust particles which irritates the eyes and the skin. This substance is technically known as "Chloro-Aceto-Phenone". According to the technical literature provided by the Institution during the course of the investigation, the "deputy" is most effectively used in a small room or cell and in such circumstances a one-second burst is considered highly effective; this literature also indicates that one "deputy" contains a minimum of 105 grams of gas and can produce approximately fifty one-second bursts. A copy of the technical specifications of the "deputy" is attached as Appendix "14" to this report.

All

of the guards questioned during the investigation denied taking the "deputy" out of the safe at any time or, for that matter, using or witnessing its use at any time in detention. However, one guard testified that when he was in detention on August 16, 1982, while escorting an inmate, he observed that one of the guards assigned to detention at the time was carrying a "deputy" either in his hand or in his pocket.

According to the Institution's inventories of gas containers and other information provided by the Institution, there were twenty-three full "deputies" and four partially empty "deputies" in the Institution during the relevant period. All "deputies" except two, were kept in the Institution's armoury; the remaining two "deputies" were kept in a safe at "T" control and in detention as described above. According to information obtained from the Institution, no gas could be obtained from the armoury without the authorization of a CX-8 officer. However, the Institution could not account for the use of the four partially empty "deputies" which were said to have remained in

the armoury throughout the period; in effect, these same four "deputies" were not accounted for in the Institution's last inventory prior to July of 1982. Further, the Institution's equipment inventory card for its armoury did not count these four "deputies" until September of 1983, due to the fact, according to the Institution, that it was not its practice to count partially empty cans in the inventory card. Therefore, the Institution's records do not account for the use of these four "deputies". Such rather lax record-keeping on the part of the Institution shows a clear lack of control of its gas inventories.

Nevertheless, there was no positive evidence to suggest, with any reasonable certainty that "deputies" were obtained elsewhere in the Institution to be used in detention during the relevant period.

However, that is not the end of the matter. Positive testimony was received that gas was in effect used in the detention unit during the relevant period. One Health Care Officer testified as to the smell of gas in detention on two or three occasions in August, 1982; according to this testimony, guards said on one occasion, that some inmates had in effect been gassed in their cell for having failed to obey orders. On the other occurrences, the Health Care Officer in question did not ask any questions. Another Health Care Officer testified that on

one occasion subsequent to July 25, 1982, she noticed the smell of gas emanating from the cell of an inmate she had been called to examine; this witness could not identify the inmate or the date of such an examination. When she arrived at the inmate's cell, she was warned by the guards present to be careful when opening the food slot in the cell door for her examination since the smell of gas inside would bother her; she could not identify the guards present at the time. She further recalled that when she did open the slot in the door the smell of gas emanating from the cell was unbearable. She did not report this incident to her supervisors. Still, another Health Care Officer recalls going to the detention unit during the evening, within one week after July 25, 1982, and noticing the smell of gas emanating from one cell in particular; she did not question the guard who was present at the time and she did not know which inmate occupied that particular cell. Lastly, a CX-6 officer confirmed that he noticed the smell of gas during two of his visits to detention, shortly after the events of July 25, 1982.

The above evidence confirms that gas was used in detention on a number of occasions although the particulars of these incidents cannot be ascertained. This conclusion is further substantiated by the fact that a "deputy" was kept in detention at all times and could have been used effectively up to

fifty times without its being replaced. In this respect, there is no evidence that the quantity of gas in this "deputy" was ever checked by guards assigned to the detention unit or their supervisors. In addition, although the evidence of the officers at the CX-6 and CX-8 levels indicated that they made rounds of the Institution, including the detention unit following the events of July 25, 1982, these officers as a rule, did not venture beyond the guards' office in detention. In this respect, the evidence is inconclusive that if gas was used directly in a cell, through the food slot with the cell door closed, the smell of gas would likely be confined to the cell and would not be smelled outside the range. Thus, an officer who inspected the detention unit as described above, may not have smelled gas in such circumstances.

Commissioner's Directive (hereinafter referred to as "C.D.") 245 states the policy of the Correctional Service with respect to the use of force, including the use of gas, as follows:

"Force shall be used as necessary to prevent or suppress an offence by an inmate. Only such force shall be used as is reasonable and necessary."

In addition, Divisional Instruction (hereinafter referred to as "D.I.") 714 provides more particularly for the use of gas in confined areas, as follows:

"Gas shall not normally be used against a lone inmate or where inmates are in closely confined areas, unless other measures are judged to be ineffective or would clearly result in injuries. Such use of gas shall be limited to the minimum necessary to subdue the inmate and shall not be such as to endanger the health or life of the inmate."

Given the conclusion that gas was in fact used on inmates in detention on some occasions following the events of July 25, 1982, and that such use was in the inmates' cells, no evidence was obtained that such use was within the policy of the Correctional Service as set out in C.D. 245 or D.I. 714. A copy of C.D. 245 and D.I. 714 are attached as Appendix "15" to this report.

In addition to D.I. 714, there are also provisions set out in the Institution's Standing Order (hereinafter referred to

as "S.O.) 864 which when read together, generally prescribe the following procedure in the use of gas on inmates:

- a) authority for the use of gas should normally be obtained from the warden or in his absence, the officer in charge of the Institution prior to its use; nevertheless, in cases of extreme emergency where it is not possible or practical to obtain such prior authority, gas may be used by any penitentiary officer and he, in turn, will be required to justify his actions;
- b) when time permits, the institutional medical officer must be consulted prior to the use of gas as to the medical and health considerations of the inmates in question; once gas has been used, the inmates must receive a medical examination;
- c) inmates against whom gas is proposed to be used must be given a warning of such use unless their illegal actions cease;

- d) every instance of use of gas shall be reported in writing as to the circumstances of the incident, the amount of gas used and the guards and inmates involved;

- e) following the use of gas, a number of requirements are specified to minimize the long term effects of such use; these include moving the inmates from the immediate area, allowing the inmates to shower, wash and bathe their eyes and to change their clothing, ensuring that the inmates are examined at least by a Health Care Officer and re-examined by the institutional physician until no further effects or symptoms remain and finally, decontaminating the area where the gas was used according to a specific procedure.

A copy of S.O. 864 is attached as Appendix "16" to this report.

No evidence was obtained during the investigation to suggest that the above directives and procedures were followed before or after the incidents of gassing referred to above. Indeed, all of the officers at the CX-6 and CX-8 levels as well

as the Assistant Warden of Security and the Warden himself admitted that if a given incident of gassing is not reported in accordance with the procedures, the authorities of the Institution would have no way of discovering the incident unless, of course, the incident was reported by another source or the person in authority himself actually witnessed the incident or noticed the smell of gas during his rounds. Therefore, the fact that no written reports of gassing of inmates in detention were produced cannot be taken in any way as implying that no such incidents occurred. Quite the contrary, the absence of such reports confirms that the above directives and procedures were not complied with by the guards. More will be said later about the actions of the medical staff of the Institution with reference to the above incidents of gassing in the detention unit.

2. ALLEGATIONS OF USE OF PHYSICAL FORCE IN THE DETENTION UNIT

(a) General

This section deals with the evidence pertaining to all of the allegations relating to physical abuse of inmates by guards in the detention unit during the relevant period excluding the use of gas. The specific breakdown of this type of activity appears in Schedule 1 of this report and will be generally

followed in this section. In addition, in light of the different considerations which apply with reference to the place in the Institution where such physical interference is alleged to have occurred, these activities are broken down into three broad categories that is, as having occurred during an escort outside the detention unit, in the cells or range of the detention unit or in the yard of the detention unit.

In an effort to arrive at some conclusions as to whether these incidents did in fact occur, the evidence to be weighed has been broken down into two types. The first consists of evidence as to particular circumstances of the type of incident alleged by the inmates. In some cases, the inferences which can be drawn from such evidence can lead to reasonable conclusions as to whether or not such incidents occurred; in other cases, no conclusions can be drawn. The second consists of corroborative evidence of actual physical injury as a result of such physical interference.

All of the above allegations were denied by the guards who were identified by the inmates; in addition all other guards who testified during the investigation denied any knowledge of acts of any mistreatment during the relevant period. Attempts were made during the investigation to obtain evidence which could

to some degree, corroborate the inmates' allegations in an effort to draw some conclusions as to whether or not such incidents actually occurred.

(b) Alleged Physical Mistreatment on Escorts

The alleged mistreatment in this category occurred during the escort of an inmate either from his cell in the regular population to the detention unit or to or from the detention unit when the inmate was taken to be interviewed by investigators of the Québec Provincial Police or to visit with his lawyer. In this respect, it should be noted that during the period in question, the inmates in the Institution were under "dead-lock" that is, they were essentially kept locked in their cells for most of the time with the exception of short periods for walks and showers. All other inmate movement within the Institution was under individual escort including inmate movement to and from the detention unit.

The allegations of mistreatment by inmates during the escorts related to being shoved and kicked in the legs or body, shoved against walls or doors, tripped, punched and slapped, hit with riot sticks in the legs and on the body and having their hair pulled. In general, inmates alleged they were escorted by

three to six guards and were handcuffed in either the front or back and in some cases shackled. Two inmates who were transferred to detention on July 26, 1982, alleged that they had to walk barefoot through broken glass on the way to detention because they were not given time to put on footwear. Here, it should be noted that the inmates would have had to proceed through "N" control from their cells in the regular population on their way to the detention unit and it has been confirmed that on that day the débris in this area included broken glass. Another inmate alleged particularly serious mistreatment in that he was shoved violently into walls and doors and slapped and punched in the face while being escorted to detention by four or five guards on August 3, 1982; further reference will be made to this inmate later in this section.

According to the guards' testimony, most escorts of inmates during the relevant period were by two guards although on some occasions there were three or four guards in the escort. In all cases, inmates were handcuffed mostly in the front and on occasion in the back; in some instances inmates were also shackled. In addition, riot sticks were carried by at least one guard in the escort. These facts are confirmed by the testimony of various classification officers who witnessed inmates being escorted in "T" building where inmates were questioned by the

Québec Provincial Police in offices normally occupied by classification officers. Lawyers who interviewed inmates during the relevant period also confirmed the above facts; they however added that in some instances, guards refused to remove handcuffs from inmates during the interview.

In addition, it should be noted that there existed a very high degree of tension in the Institution following the events of July 25, 1982: although this will be discussed in more detail later in this report, suffice to say for our present purposes, that a certain degree of bitterness and resentment did exist on the part of a number of guards towards the inmates in general and that it was common knowledge that most of the inmates who were suspected of having participated in the events of July 25, 1982, had been or were being transferred to the detention unit and were being questioned by the Québec Provincial Police.

Given the above circumstances, it is quite likely that inmates were harassed physically during escorts albeit that the above allegations were denied by the guards who testified. In this respect, riot sticks were in fact carried by guards during escorts. Also, given that some inmates were handcuffed in the back and in some cases also shackled during their escorts, the

consequences of any shoving or pushing of such inmates would have been aggravated. In this respect, it should be noted that with one exception which will be discussed later, no evidence was found of any serious physical injury to inmates as a direct result of the physical mistreatment to the degree which they alleged. Classification officers who witnessed escorts to "T" building as described above, indicated that they observed no physical mistreatment of any inmates and did not observe any indications of physical injuries on them. In effect, some of the inmates themselves asserted that the blows which they received either from riot sticks or kicks or slaps were intended more to humiliate and harass them than to injure them; others indicated they suffered minor bruises but not so serious as to require medical attention. As to one of the inmates who alleged that he was forced to walk barefoot on broken glass as described above, he testified that although he suffered minor small cuts to his feet he neither brought them to the attention of the nurse who visited him upon his admission to detention nor did he complain to her of this mistreatment; more will be said later about examinations of inmates in detention by the Institution's Health Care staff.

Other evidence suggests that some form of harassment on the part of the guards occurred during the escorts. In this

respect, three guards were called upon to answer inmates' complaints as to their use of riot sticks during this period; the evidence shows that two of these guards may have made inordinate use of their riot sticks during escorts of inmates. These guards were called upon to answer those complaints before an officer at the CX-8 level. Although these allegations were denied by these guards during the interview, this evidence does corroborate the above allegations, to some extent, that complaints as to these matters were being made by inmates at the time. Further, an officer at the CX-6 level did witness one of these guards escorting an inmate through "N" control while the inmate was handcuffed in the back. At that time, the guard in question was leading the inmate using his riot stick which had been inserted in the chains of the handcuffs.

As to the instance described above of the inmate who alleged he suffered particularly serious mistreatment, this incident represents one of the few instances where the evidence does confirm that some form of serious physical mistreatment did in fact occur during the relevant period. It also illustrates some of the serious difficulties in attributing blame to any particular guard. One of the guards who testified during the investigation, admitted to having taken part in this particular escort although he denied any physical mistreatment of this

inmate during the escort. The inmate himself had identified this particular guard as being part of this escort and as having taken part in the alleged mistreatment. This inmate identified three other guards who had taken part in this escort and the above guard confirmed that the escort was made up of four guards; however, the remaining three guards identified by the inmate denied having escorted him. As will be discussed later, no evidence could be obtained other than from the guards and the inmates in question as to which guards were in particular escorts; the guard who admitted having escorted this inmate did not remember the other guards in the escort. However, he did recall that the inmate was handcuffed in the back and shackled; he also asserted that at least two of the guards carried riot sticks.

The evidence from lawyers who interviewed the above inmate on confirmed that he had a cut on his face and that he had bruises to his legs and arms. lawyer confirmed that he complained of pain to his back. In addition, an inmate in the general area waiting to be interviewed, testified that he saw this inmate being escorted for interview around that same time and that he observed that his face appeared to have been pummelled. The inmate himself confirmed that he had suffered the same type of injuries as

described above. Lastly, no evidence was found that this inmate was examined by the Health Care staff upon his admission to the detention unit.

The above evidence readily leads to a conclusion that the inmate was physically mistreated during his escort and at least the guard who admitted to having been part of this escort either witnessed such mistreatment or in effect participated in such mistreatment. However, the inmate also alleged similar mistreatment after being admitted to the detention unit on at the hands of other guards. Therefore, the above evidence as to the physical injuries apparent on the inmate is just as much in keeping with similar beatings at the hands of other guards in the detention unit as at the hands of his escorts. Although no conclusion can be drawn as to the identity of the guards responsible for these beatings, it can be concluded that the inmate in question was physically mistreated and that such mistreatment caused him physical injuries.

Given the above conclusion, it should be noted that Commissioner's Directive 245 and D.I. 714 in effect during the relevant period, together required written reports of any incident involving the use of force by a guard be made to the Warden or to the National headquarters of the Correctional

Service; evidently there was a failure to comply with these provisions.

In addition to the above conclusion, it is also concluded that inmates were physically harassed during their escorts to and from detention, the extent and seriousness of the harassment cannot be ascertained.

(c) Alleged Mistreatment in the
Cells or Range of the Detention Unit

Other than allegations as to the use of gas on inmates in detention set out above, serious physical mistreatment was alleged by inmates at the hands of the guards while in the detention unit.

Several inmates alleged physical mistreatment upon being admitted to the detention unit. The normal procedure in admitting an inmate to the unit consists in performing a strip search of the inmate in the corridor outside the ranges; his clothes and personal possessions are then stored in an individual locker and he is given underwear, pyjamas or trousers and socks. He is then taken to his cell. During this procedure, several inmates, as shown in Schedule 1, alleged that they were physically abused or threatened. Some inmates alleged that their

clothes were torn off their backs, others alleged that they suffered kicks, slaps and punches from guards and that they were beaten with riot sticks. Still others alleged they were shoved against walls and lockers. One inmate alleged he was threatened with a small knife with a yellow handle when being undressed; it should be noted that the evidence shows that a knife of this description is kept in the guards' office in the detention unit. Two inmates alleged that guards forced the nozzle of a fire extinguisher into their mouth but without its being activated; one inmate alleged that this incident caused him to bleed from the mouth. As mentioned in Part I of this report this treatment was administered on a guard by an inmate during the events of July 25, 1982.

While in the detention unit, inmates alleged the same type of beatings at the hands of guards, day and night as described above. Some inmates alleged that their testicles were squeezed during these beatings. In addition, some inmates alleged that a makeshift rope of bedsheets was placed around their neck and that guards threatened to hang them. Several inmates alleged they were forced to stand or sit on their beds or forced to crawl under their beds at night to prevent them from sleeping.

One inmate alleged that guards entered his cell and forced his head into his toilet. In addition, other inmates testified that from their cells, they witnessed inmate having his head forced into human excrement in his cell; these inmates could only assume that such was the case since evidently they could not see inside other cells from their own cells. However, it should be noted that one guard

confirmed that the toilet in this inmate's cell was blocked and that human excrement overflowed into the cell and the range; he also asserted that inmate had blocked his own toilet. This is further confirmed by a work order obtained from Institutional files dated which confirms that a toilet was blocked and repaired in a cell in the detention unit on that day.

Some inmates alleged that they were forced to submit to humiliating treatment such as kneeling before officers and Health Care Officers. In this respect, none of the Health Care Officers who testified indicated that such incidents had occurred in their presence. Some inmates testified that they witnessed inmate being forced to shine the shoes of a guard in the range while naked. Other inmates testified that they were forced to kneel in order to obtain food.

Two inmates alleged to have been sexually harassed while in detention. Some inmates testified that they observed inmate [redacted] in the range, naked, being forced to masturbate by guards and swallow his sperm. It should be noted that inmate [redacted] complained to [redacted] during a visit in August, 1982, that he was forced to masturbate "to the end", but did not identify any guard; inmate [redacted] was not available to testify during the investigation. Another inmate testified that he saw an inmate in the range, naked, forced to assume various sexual positions; it is noteworthy that the inmate who was alleged to have suffered this treatment, did not make any allegations in this respect during his testimony. One would think that such an incident would not have been omitted by this inmate during his testimony.

Lastly, two inmates alleged that a guard urinated on them in their cells while other guards forceably restrained them.

With reference to the inmates' allegations of beatings either by kicks, fists or riot sticks, no conclusions can be made as to the actual occurrence of any specific instances involving particular guards because of the denial of the guards accused and the lack of sufficient corroborative evidence with respect to any specific incident. In effect, other than evidence from inmates

who testified they witnessed other inmates being beaten, little evidence was found from other sources to corroborate to any degree that beatings did occur and if so, in what magnitude. In this respect, the inmate who by far alleged the most serious and severe beatings either in his cell and range or in the detention yard was seen on at least two occasions by lawyers in the beginning and middle of August; lawyers testified that they did not notice any physical injuries on this inmate, although he complained to them of being beaten in detention. He also did not draw their attention to any such injuries. In addition, the inmate himself admitted that he had no visible physical injuries as a result of any of the physical mistreatment which he had alleged while being escorted or when he was in detention. Two other inmates who alleged being beaten while in detention were also seen by lawyers during August of 1982; neither of these lawyers noticed any physical injuries consistent with such mistreatment. Still another inmate was visited by a relative in the beginning of September 1982, who similarly did not observe any physical injuries during the visit; in effect, the inmate himself confirmed during his testimony that he did not suffer any physical injuries as a result of such beatings. Other inmates indicated that they had suffered minor bruises as a result of being beaten but that they did not seek to receive medical treatment as a result. One inmate, however, was visited

by his lawyer in August, who noted some redness on the inmate's chin and lower lip and the fact that both of his thighs were swollen. However, the inmate did not indicate to him the cause of these injuries.

The question of the quality of medical care during the period in question will be discussed later in this report. However, it should be noted that none of the inmate medical files examined during this investigation revealed that an inmate had been treated for physical injuries in keeping with the above allegations of beatings. In this respect, these files recorded a significant number of visits by Health Care Officers to the detention unit to dispense various pills or treatment for such ailments as constipation, headaches and heartburns. In other instances, the inmates were seen by the institutional physician and the record of such visits did not indicate that any physical injuries were observed or that the inmate complained of any such injuries.

Further, two classification officers visited inmates in the detention unit during the relevant period. One such classification officer who visited one inmate in private, without any guards present, indicated that this inmate did not complain of any mistreatment. The second classification officer saw two

inmates in the detention unit, the first did not complain of any physical mistreatment. The second, however, did complain of being physically beaten but the classification officer did not observe any physical injuries on this inmate. He did bring these complaints to the attention of the guards in detention at the time but they denied such beatings.

There is one inmate who is an exception to the above observations, and he will be discussed in the next section which deals with physical mistreatment in the detention yard.

Lastly, in those instances where inmates were alleged to have been beaten at night in their cells, such allegations appear, on their face, to be somewhat impossible given the following circumstances. During the relevant period, the Institution operated on the basis of 3 shifts during a given 24-hour period, namely the day shift from 8:00 a.m. to 4:00 p.m., the evening shift from 4:00 p.m. to 12:00 a.m. and the morning shift (hereinafter referred to as the "night shift") from 12:00 a.m. to 8:00 a.m. During the evening and night shifts,

Hence, it is not likely that any cell

in the detention unit could have been opened during these shifts without at least the complicity of an officer at this level to obtain the necessary key. No evidence was obtained suggesting that any officer at these levels participated in or somehow were related to any allegations of physical mistreatment in detention during the relevant period.

With reference to the allegations of physical mistreatment such as humiliating treatment, sexual harassment and physical threats, any conclusion as to whether such mistreatment did or did not occur is even more difficult to draw due to the fact that by their very nature, they would not leave any physical evidence of their happening. Again, other than the testimony of other inmates who allege they witnessed such incidents with respect to some inmates, no evidence was obtained to corroborate whether these incidents did in fact occur.

Although no conclusion can be drawn as to whether or not the masturbation incident occurred, it is noted that according to information provided by the Institution, inmate apparently had been overheard by a guard during the events of July 25, 1982, saying that the sight of a guard's blood made him want to masturbate. As noted earlier inmate was not available to confirm or deny this allegation. In

addition, when one considers the incident described earlier, when the latter was ordered to kneel on two separate occasions, it certainly appears possible that other inmates were forced to kneel before other guards or forced to kneel for their food as alleged by other inmates. However, no conclusions can be drawn that such incidents did in fact occur.

(d) Alleged Mistreatment in the Yard of the Detention Unit

A significant number of inmates alleged serious physical mistreatment in the detention yard. These inmates not only alleged to have been beaten in the same manner as described previously, but alleged to have suffered particular types of physical mistreatment associated only with the detention yard. As to beatings, the conclusion is the same as that for beatings in the cells and range of the detention unit. However, other physical mistreatment particular to the detention yard will be discussed in this section.

The first type of physical mistreatment alleged to have been suffered by inmates is the "wet towel treatment" referred to in Part II of this report. inmates originally alleged to have suffered this type of mistreatment and as discussed in Part II, of these inmates subsequently withdrew this

allegation. The inmates alleged that they suffered this mistreatment as follows: while three or four guards held them immobilized on their back on the ground of the detention yard, another guard held a towel firmly on his face while water was poured into the towel. This caused the inmate to choke and gasp for air. The possibility of these incidents having ever occurred has been discussed in Part II and will not be repeated here.

The second type of physical mistreatment alleged by several inmates, consists in being forced to run barefoot on rocks in the detention yard. It should be first borne in mind that the detention yard was paved with asphalt at the time. When called upon to explain the presence and the type of rocks on such a surface in light of their allegations, some inmates described small piles of gravel or small rocks of varying shapes including sharply pointed rocks, apparently gathered for that purpose, while others simply described rock particles strewn about the yard in no particular pattern apparently originating from the concrete wall which surrounds the yard. It is noteworthy that when some of the inmates who did not make this type of allegation were asked if there were any rocks in the yard when they were present, they replied in the negative. All of the guards who admitted to having been assigned to the detention unit during the

day shift were also questioned on this matter and they denied the presence of any rocks in the detention yard. In addition, all of the inmates who were questioned as to whether they suffered any injuries such as cuts or bruises as a result of such treatment, replied that they had not. In effect, one such inmate who had alleged the existence of small piles of gravel or rocks in the detention yard and had alleged that he had been forced to run on such rocks on two or three occasions, stated that these incidents were essentially humiliating and a nuisance.

The third type of alleged mistreatment in the detention yard is particular to one inmate. He alleges that his face was held against the wall of the detention yard by a guard while others lifted both of his feet off the ground and away from the wall. This incident caused swelling and redness on one side of his face. In addition, he alleged he was lifted from the ground by either riot sticks or the thumbs of two guards applied to his throat immediately under each ear; this incident caused bruising under each ear. He also alleged that he suffered scratches to his legs. This inmate was visited in the first two weeks of August, 1982 on different occasions by _____ lawyers, one of whom observed bruising on the inmate's throat in the same location as described above by the inmate and redness on one side of his face; such redness was attributed to being beaten by

guards at the time. The lawyer did not observe any evidence of physical injury. However, evidence of physical injury was further corroborated by members of the inmate's family who visited him in late August and in September of 1982 who also observed bruises under each ear and scratches on his legs. There is no question that the above evidence of physical injury is in keeping with this inmate's allegations of mistreatment in the yard during the incidents described above and for that matter, by reason of being beaten either in the yard or inside the detention unit.

However, according to this inmate's medical file, he was seen several times in August of 1982 by a Health Care Officer to be given pills for either constipation or headaches. In addition, according to this same file, he was examined by the institutional physician for these same headaches on August 26, 1982. This report does not mention any indication of physical injuries. Further, this was the only inmate in detention at the time who was examined by an external physician at the request of his lawyers: he was examined between August 23 and August 27, 1982. The medical report by the external physician notes that the inmate suffered from the same type of headache noted by the institutional physician along with cervical pain and numbness in the right arm and hand. However, no observations were noted as

to any redness on one side of the inmate's face or bruises under each ear. Further, neither the institutional physician nor the external physician noted any allegations of mistreatment on the part of the inmate. One would have thought that the inmate would have shown these injuries and communicated such allegations to these physicians if only to assist them in diagnosing his medical state. However, when this inmate was re-called to testify and asked to explain this discrepancy, he merely asserted that he did complain of the above mistreatment to both physicians during these examinations. However, if these complaints had been made to these physicians, they would have undoubtedly seen such physical injuries during their examinations and such would have been noted in their reports.

Lastly, it is noted that when this inmate initially testified during this investigation, he did not mention the incident where guards were alleged to have applied riot sticks or thumbs to this throat; it was only when he was re-called to testify that he made this allegation but without identifying any guards. In this respect, he mentioned that the bruises to his throat and face had disappeared seven or eight days after these incidents. This may account for the fact that the physicians who examined him later that month, did not note any physical injuries on his person, but it also makes it impossible that these

injuries could have been observed by members of his family when they visited him late August and September.

Despite the above discrepancies and conflicts of evidence, it is clear that his injuries were observed by an independent witness, one of his lawyers in the first two weeks in August and that the testimony of this witness corroborates not only the inmate's allegation but also the existence of physical injuries in keeping with these complaints. Given such corroboration, it can be reasonably concluded that this inmate did suffer physical mistreatment of the type which he has alleged. It is also quite possible that the two guards who were served with a notice of charge with respect to the first incident did in effect participate in this incident given that these guards worked in the Institution during the first two weeks of August, albeit on different shifts. As to the second incident, no conclusion as to the involvement of any guards can be made because the inmate did not identify any guards as being responsible for this incident. Given the above conclusions, it is again noted that since no report of these incidents was made, there was a failure to comply with the provisions of Commissioner's Directive 245 and D.I. 714 in this respect.

The fourth type of allegation of physical mistreatment in the detention yard relates to the burning of the hand of three inmates with a cigarette butt and the singeing of the beard of another with a cigarette lighter. One guard who was alleged to have put out a cigarette in the hand of one inmate

he testified that he never went to the detention yard. The other guards identified by the remaining inmates also denied these incidents.

No corroborative evidence was obtained from any source to either confirm or deny these incidents other than to note the comments of Amnesty International in its above report (c.p. 14) relative to a scar shown by one inmate who had made such an allegation and noting that such scar was consistent with the inmate's story.

The fifth type of physical mistreatment alleged by inmates to have occurred in the detention yard, relates to an allegation by one inmate that he was dragged forward on his knees

by guards. He also alleged that as a result, he suffered several scratches to his knees and to the top of his toes and feet. Some of these injuries are corroborated to some extent by a note on this inmate's medical file by a Health Care Officer who visited him in the detention unit on _____ to the effect that there was a small scar on each foot. However, it should be noted that also according to this inmate's medical file, he was again visited by a Health Care Officer on _____ ; there is no mention of these injuries in the reports of these visits. In addition, it is noteworthy that this inmate's alleged scratches to his knees were not referred to in the reports of these visits and that the inmate himself testified that he did not complain of the above physical mistreatment during these visits. Given these circumstances, it is impossible to draw any conclusions as to this allegation.

The sixth and last type of physical mistreatment alleged to have occurred by inmates in the detention yard relates to various types of humiliating treatment. These allegations include being forced to kneel in the yard naked in the rain, being forced to wash and sand a steel door, having rocks thrown at one inmate and forcing some inmates to walk bent over while handcuffed through their legs.

As was the case with respect to similar allegations in the cells or the ranges of the detention unit, no conclusions can be drawn as to whether these incidents did in fact occur other than to say, as was said earlier, that such incidents could have been in keeping with the general tension which existed in the Institution between the guards and inmates at the time.

With reference to these allegations of physical mistreatment in the detention yard as a whole, the following points should be noted. First, most inmates testified that they were forced to take their walks in the detention yard while in the detention unit. They alleged that they were apprehensive that guards would physically abuse them once they were in the yard, and evidently did not wish to take their walks. The inmate referred to earlier in this report who alleged that all of these allegations were the result of a conspiracy among inmates to fabricate evidence was questioned on this point. He stated that the inmates chose to allege a significant number of incidents of physical mistreatment in the detention yard because once there, they were alone in the yard, and hence, could make these allegations without being contradicted. It should be noted however, that the same rationale would apply to guards seeking to physically mistreat inmates without any witnesses.

Secondly, the granting of walks to inmates in detention is in effect a right given to such inmates by S.O. 833 which provides for such walks, weather permitting. In addition, a guard who refuses to allow such an inmate to take his walk must provide written reasons therefore to his supervisors; a copy of S.O. 833 is attached as Appendix "10" to this report. The individual inmate detention logs contained in the inmate's files showed some instances where it was noted that particular inmates refused their walks on a given day.

Thirdly, although no written directive to this effect was found, the evidence of the guards as well as of their supervisors indicates that as a rule, guards were prohibited from entering the detention yard while an inmate was taking his walk. Whether or not this particular rule was observed on all occasions cannot be established.

3. ALLEGATIONS OF THREATS AND VERBAL ABUSE

Most of inmates who testified alleged having been verbally abused or threatened by guards while in the detention unit or during escorts to and from the unit. These allegations ranged from being called "salop", "cochon", "bagnard" to being threatened with a hangman's noose, a broken broom handle or being

taunted to fight by guards. Some guards were alleged to have threatened some inmates with hanging or beatings or to have attempted to drive them to suicide as a result of the events of July 25, 1982. In one incident, a guard was alleged to have passed the cell of an inmate, showing him a Bible with the phrase "In Memoriam"; in another, a guard allegedly waved a cut-out doll hanging by a thread in front of the door of the inmate's cell.

On the other hand, several guards who testified during the inquiry alleged similar verbal abuse on the part of inmates in the detention unit. According to this testimony, some inmates threatened them with "the same fate as the other guards who were killed" during the events of July 25, 1982. In other instances, guards were called "salops" and "cochons". In addition, some Health Care Officers indicated during their testimony that they heard such verbal abuse on the part of the inmates during their visits to the detention unit.

Given the significant tension which existed in the Institution at the time as described earlier, it is certainly likely that verbal abuse and even verbal threats did occur on the part of both guards and inmates during the relevant period, however, no further conclusions can be drawn on this type of allegation.

4. ALLEGATIONS RELATING TO FOOD AND TO THE SERVICE OF MEALS

This section deals with allegations by inmates in the detention unit during the relevant period of either the denial or adulteration of food or the improper service of meals by guards. Most inmates who testified during the inquiry complained of the fact that meals consisted of sandwiches as opposed to hot meals. In addition, most inmates who testified alleged that their meals were improperly served by guards during this period; in this respect, guards were alleged to have either intentionally thrown food into their cells through the food slot in their cell door or having placed food on the slot and intentionally closed the door of the slot on the food thereby causing it to spill into the cell. By either means, it was alleged that food was spilled on the floor or into the toilet of the cell, which is immediately adjacent to the cell door. These inmates alleged that such improper service persisted for several days and up to three weeks or more.

Five inmates alleged that they were deprived of food at one time or another for a period of a day to a number of days during their stay in the detention unit. In addition, thirteen inmates alleged that their food was adulterated in some fashion on one to several occasions by various foreign substances such as

urine, gas, salt in their milk and other substances which they could not identify.

Twelve inmates who testified as to the above allegations, identified nineteen guards and one kitchen helper as being responsible for some of these incidents. No guards were identified as to the remainder of these incidents.

Archambault Institution has no kitchen facilities. The inmates' meals are prepared in the kitchen facilities of a separate minimum security institution located nearby. The food is then brought by truck to the Institution. Following the events of July 25, 1982, the Warden and the Assistant Wardens decided that hot meals could no longer be served to inmates in the Institution and that sandwiches would be served in their place. The reasons for this decision were twofold. First, significant damage had been caused to those areas in the Institution where the inmates' meals were served. Secondly, a number of shells, keys and guns could not be found following the events of July 25, 1982, and consequently, inmates were kept under "dead-lock" as described earlier, until these articles were found. As indicated in Part I of this report, whether or not the above decision was justified will not be discussed in this report.

Hot meals were not resumed in the Institution until September 28, 1982, when the above repairs and modifications had been completed. It should be noted however, that an attempt was made to resume the service of hot meals in the Institution on September 7 and 8, 1982; this attempt was unsuccessful due to existing conditions in the Institution as the food could not be kept hot and consequently, the service of sandwiches and other items was resumed partially at the request of the representatives of the inmate committee; this was confirmed by members of the inmate committee at the time, who testified during the investigation.

According to information provided by the Institution, during the relevant period following the events of July 25, 1982, inmates in the Institution were served two meals totalling 4,000 calories per day. These meals included inter alia, sandwiches, cereals, beverages including milk, fruit juice and coffee, eggs and cheese, soup, vegetables and dessert. Sandwiches were wrapped in paper sandwich bags in the kitchen of the minimum security institution, and a quality control check of the food was done by the kitchen staff before it was taken from the kitchen.

The food was brought to the detention unit in carts by kitchen helpers who then apportioned the food for each inmate;

this was done outside the detention ranges, adjacent to the guards' office. Beverages and soup were served in styrofoam cups. As to the actual service of food, this was done by the guards themselves; some of the evidence showed that the kitchen helper did not accompany the guards into the ranges during the service of meals while many guards testified that the kitchen helper did assist them in the ranges. According to the evidence of the guards, the sandwich bags and styrofoam cups were then deposited on the food slot of the cell doors and the inmate was allowed to take this food; the food slot was then closed. According to the guards' testimony, no food was spilled during the service of meals through cell door slots. In addition, no food was adulterated by any of them prior to the service of meals and no inmate was deprived of food.

The evidence, however, does show that the inmates in detention did complain of the service of meals during this period. On one particular occasion, an inmate testified that inmates banged on their cell doors in protest of such service. When an officer at the CX-6 level came to the detention unit as a result, this inmate complained to him that food was thrown on the floor of the inmates' cells. This officer was identified by the inmate and when called upon to testify, he recalled the incident but could not remember whether the inmate had complained of the

improper service of meals at the time. It should be noted that this officer's recollection was very vague on this matter. According to the inmate in question, the incident occurred on August 25, 1982, and meals were properly served following this incident.

The evidence further shows that these complaints did reach the authorities of the Institution since on September 7, 1982, an order was given by the Warden and the Assistant Wardens to the senior officer of the week (a different Assistant Warden appointed to this position every week) to supervise the service of one meal a day in the detention unit. When questioned on the reason for this order, the Warden confirmed that it related to complaints by inmates as to the service of food in the Institution particularly in the detention unit. It is noted that the administration's response was rather belated since it did not occur until over seven weeks following the events of July 25, 1982, and at a time, according to some of the inmates' testimony, when the alleged improper service of meals had ceased.

The allegations of the spillage or denial of food by inmates in the detention unit are corroborated to some extent by the testimony of two witnesses. The first is a Health Care Officer who upon one visit to the detention unit noted that the

garbage can in the unit was half full of unopened sandwich bags. The second is a classification officer who visited an inmate in the detention unit during the period; the inmate complained to him that his food had been thrown on the floor and in the toilet in his cell. The classification officer returned with the inmate to the inmate's cell and observed a number of sandwiches on the floor of his cell around the toilet.

There is no question that food could have easily been refused or spilled by guards in the detention unit during the period and that such actions would have gone unnoticed. The significant tension between guards and inmates in the Institution at the time certainly increases this possibility. The above evidence also supports the likelihood that such incidents did occur. In light of these circumstances, it is concluded that it is very likely that food was either refused or spilled by guards in some instances in the detention unit during the period in question. However, neither the frequency of such occurrences nor any specific incidents can be ascertained.

5. ALLEGATIONS RELATING TO LACK OF SLEEP

All inmates who testified during the inquiry alleged that they were constantly prevented from sleeping at night. More

particularly, eleven inmates identified nine guards in this respect. According to these allegations, inmates were prevented from sleeping by guards who banged on or kicked their cell door regularly, kept the lights on their cells constantly or entered their cells and physically abused them. This latter allegation has been dealt with in a prior section and will not be discussed here. Some inmates also alleged that they were cold at night.

Each cell in detention has two lights on the ceiling. The first is a fluorescent light and the second is a small blue night light. Each of those lights is controlled separately for each cell by switches located in the guards' office in the detention unit. Each cell has a warm air vent and a cold air vent as set out in Part I.

According to the testimony of the guards who worked on the evening and night shifts during the period in question, the fluorescent lights in each cell were turned off every evening at approximately 10:00 to 10:30 p.m.; this is in accordance with S.O. 833. These lights were then turned on at approximately 6:00 to 6:30 a.m. The guard on duty during each shift did his rounds of the cells every 20 to 30 minutes, also in accordance with S.O. 833. The guard would turn on the blue night light in each cell and with the use of a flashlight would check each inmate through

the peep hole in each cell door to ensure that the inmate was alive and breathing. In instances where the guard could not observe any movement or breathing on the part of the inmate due to the inmate's position or the position of his blanket, the guards in question stated that they would tap the cell door with a pencil, coin or a ring in an effort to prompt the inmate to react and show some sign of life. If this method was unsuccessful in achieving the desired result after a few attempts, the guard would kick the door or hit it with an object in order to awaken the inmate. Given the nature of the detention unit, such action would be sufficient, according to the guards, to awaken other inmates as well. Some guards confirmed that they had taken such action on some occasions during the relevant period and had in effect awakened other inmates. They could not however, remember the frequency of such incidents during a given shift. All of the guards who testified as having been assigned to the detention unit during the evening or night shift in the period in question, denied having constantly or intentionally prevented inmates from sleeping at night as alleged.

Given the fact that a guard assigned to the evening or night shift in the detention unit was alone during most of the shift and in light of the significant tension which existed in the Institution at the time, it is certainly possible that

inmates were intentionally awakened or kept awake at night for reasons other than to check the inmates on rounds; the kicking or hitting of cell doors was left to the discretion of the guard in charge to be exercised for a specific purpose. This discretion certainly could have been abused. As to the question of lights, a guard on duty during the evening or night shift could have easily kept them on for some or all of the cells for all or part of the night without such action being discovered by his superiors. In this respect, rounds were made every evening and night shift by officers at the CX-6 and CX-8 levels. However, the evidence shows that a guard on duty in detention would be aware of anyone's approach since it was he who would have to open the door to the detention unit. In any event, the testimony of officers at the CX-6 and CX-8 levels indicated that they remained at the guards' office during their rounds and did not check each cell. In point of fact, one guard who testified during the investigation confirmed that during his shift on July 27, 1982, in the detention unit from 12:00 a.m. to 4:00 a.m., the fluorescent lights in each cell were on at the time he started his shift. Although he turned these lights off he did turn them on again for each of his rounds (of cells) on the half hour. He also confirmed that this was his own decision and not pursuant to any directive from his superiors. In addition a Health Care Officer and a classification officer who both visited different

inmates in the detention unit during the relevant period, confirmed that the inmate they visited complained to them of being kept awake at night by guards; neither reported these complaints to those in charge of the Institution.

Given the above evidence and circumstances, it can be concluded that inmates were prevented from sleeping in the manner alleged during the period in question. However, the extent to which this was the case cannot be ascertained.

Seventeen inmates alleged they were cold on some of the nights they were in the detention unit. Nine of these inmates also alleged that they were kept naked and were without mattresses or blankets for a number of days, while six inmates alleged they were deprived of mattresses and blankets for a number of days. It should be noted that three inmates who similarly alleged they were without mattresses or blankets for some days, did not allege they were cold at night. Lastly, of the two remaining inmates of the above total, one also alleged he was kept naked for some days while the last did not allege that he was either naked or without mattress or blankets.

The question of being "cold" is clearly subjective as is indicated in the above breakdown. Nevertheless, it is quite

apparent that the majority of inmates who alleged that they were "cold" at night also alleged that they had neither clothing nor a mattress or blankets. In effect, only one inmate who alleged he was "cold" at night did not allege that he was deprived of clothing or mattress and blankets.

According to meteorological records maintained by Environment Canada, the minimum temperatures for both July and August of 1982 were below normal by one to two degrees centigrade. More particularly, during the 37-day period from July 26 to August 31, 1982, the night temperatures dropped to below 15°C on 24 nights of which 3 nights were below 5°C. Attached as Appendix "17" to this report, are copies of the monthly meteorological summaries of Environment Canada at Dorval, Québec, for the months of July and August 1982, which set out the above information in more detail.

The Assistant Warden of Technical Services, acknowledged that the month of August 1982 was colder than normal in the Institution given that a great number of windows in the Institution had been broken and were not repaired. It was for this reason according to this witness, that the heating system was put into operation in the pavillions on August 24, 1982, and in the remainder of the Institution by September 1, 1982; the heating system is normally put into operation on September 15.

Given the above circumstances, it is quite likely that some inmates could have been "cold" in their cells at night especially if the allegations of being kept naked and/or without mattress or blankets are to be believed; these allegations will be discussed further in the next section.

Some of these inmates also alleged that they felt a noticeable amount of cold air coming from the air vents in their cell. The Assistant Warden of Technical Services, confirmed that there is no central air conditioning in the Institution and hence the air coming from the air vents in each cell in detention would have been the same as that in the remainder of the Institution. Moreover, these vents are controlled by automatic dampers which are operated mechanically by thermostats in the mechanical room of "S" Building which controls the air temperatures in all the building. It remains a matter of speculation, unsupported by any evidence, as to whether there was any tampering with these mechanisms.

It should also be mentioned that one inmate in particular testified that it was particularly cold while he was in the detention unit because guards purposely kept the door to the detention yard to his range open all night. In this respect, the evidence has established that the doors to the detention yard

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were kept locked every night and that the

PART VALLEGATIONS OF MISTREATMENT IN THE REGULAR POPULATION

This part deals with allegations of mistreatment of inmates in the regular population following the events of July 25, 1982. Most of the evidence with respect to these allegations was obtained from the testimony of the

during the relevant period.

these inmates stated they were directly involved in attempting to communicate complaints of mistreatment of inmates in both the regular population and in the detention unit to the Warden and other authorities of the Institution during the period in question.

Essentially, the complaints of inmates in the regular population following the events of July 25, 1982, were concentrated on matters relating to food and the service of meals, matters relating to the lack of and inadequacy of showers and walks and the harassment of inmates during the night.

As to the service of meals, inmates complained that their food was either thrown into their cell or stepped upon by the guards or that the food served was adulterated in some manner. The inmates who testified as to these matters indicated

that the service of meals was done in two ways. For approximately one to two weeks following July 25, 1982, the guards left the inmates' meals at the door of each range, each meal consisting in the same items as described earlier for inmates in the detention unit. Inmates were then let out of their cells, one at a time, in order to pick-up their meal at the door of the range. Then a change was made and meals were served by guards and kitchen helpers at the door of each cell on the ranges which prompted the inmates to complain that their food was either thrown onto the floor of the cells or left at the entrance of the cell and stepped upon before they were allowed to retrieve it.

The above complaints were brought to the attention of the authorities of the Institution, including the Warden by the Inmate Committee. As a result, officers at the CX-6 and CX-8 levels as well as Assistant Wardens were, according to their testimony, instructed by the Warden to make more frequent rounds of inspection of the pavillions especially at the times meals were served in an attempt to ensure that such incidents did not occur. According to these witnesses, they complied with these instructions and confirmed that meals were appropriately served, at least in their presence. In light of these circumstances, and given the tension in the Institution as previously described, it

is quite possible that the inmates' complaints were well founded to some extent, at least on those occasions when no officer in authority or Assistant Warden was present during the service of meals in the pavillions.

As to complaints relating to inmates' walks in the regular population following the events of July 25, 1982, inmates complained that they were not allowed out of their cells for almost two weeks following July 25, 1982; they also complained that when walks were resumed after this period, they were of short duration that is, approximately one half-hour. During his testimony, the Warden confirmed that no walks were permitted during the initial period; he, however, explained that during this same period, the first concern of the Institution was to search for and find a number of guns, and keys which were missing at the time. Until these articles were found, the Institution could ill-afford to permit inmate contact during walks for fear that such contraband could be exchanged between inmates. Following the completion of these searches, inmate walks were resumed but on a limited basis due to the constraints imposed by on-going repairs to those areas of the Institution which had been damaged during the events of July 25, 1982. It was not until these repairs and modifications were completed at the end of September, 1982, that normal walks and inmate movement were resumed.

As to the inmates' complaints concerning the lack or short duration of inmates' showers in the regular population, it would be convenient to deal with those matters together with the Institution's efforts to clean the three pavillions which were gassed on July 26 and 27, 1982. The requirements with respect to actions to be taken before and after the use of gas have already been set out earlier in this report and will not be reiterated here. First, the doctor who was replacing the Institution physician at the time confirmed in his testimony that he was not consulted prior to the use of gas on these occasions; however, according to the testimony of the Health Care Officers who testified during the investigation, most inmates in the regular population were visited by a member of the Health Care staff on July 26 and 27, 1982, including those in the pavillions which were gassed as set out above.

As to the procedures relating to actions to be taken by the Institution after the use of gas, evidence shows that the range in "J" pavillion was cleaned superficially on July 27, 1982, and that only the ranges in those pavillions which had been gassed, were cleaned as required by the applicable Directives and Standing Order on July 29, 1982. In this respect, it is interesting to note that one of the Health Care Officers who testified during the investigation indicated that during her

visits to inmates in the pavillions which had been gassed on the above occasions, due to the intensity of the gas and dust. In addition, the information provided by the Institution confirms that only the ranges of the pavillions which had been gassed were cleaned as described above, because the gas was not directed specifically into the cells. It is rather difficult to appreciate that on one hand gas was used in the ranges of these pavillions with the intent to subdue the inmates who were locked in their cells, while on the other, the clean-up was limited to the ranges and did not include the inmates' cells.

As to the matters of showers following the above gassing the evidence, including that of the inmates on the Inmate Committee who testified during the investigation, shows that inmates were allowed to shower immediately following the above incidents of gassing in the pavillions. However, regular showers were not resumed until approximately two weeks after July 25, 1982, and at that stage only one shower per week was permitted due to staffing problems. The time available for showers was also reduced for the same reasons although the time was extended two to three weeks later by a directive issued by the Assistant Warden, Security. Given the above circumstances, it is concluded that the above actions were not unreasonable.

As to the inmates' complaints of being kept awake by guards who banged or kicked their cell door at night, the same comments previously made with respect to these allegations by inmates in the detention unit apply.

PART VI

ALLEGATIONS RELATING TO THE DENIAL
OF INMATES' RIGHTS IN THE DETENTION UNIT

S.O. 833 (Appendix "10") provides for a number of rights and privileges of inmates in the detention unit. The rights and privileges relevant to this section are as follows:

- (a) the right to clothing consisting of underwear, socks and a pair of trousers;

- (b) the right to a mattress, sheets, blankets and a pillow; this right applies to inmates transferred to the detention unit for "administrative" reasons, which was the case for all inmates transferred to the detention unit during the period by reason of suspicion of having participated in the events of July 25, 1982; there were a small number of inmates during the relevant period who were already in detention on July 25, 1982 and they remained in the unit for a short time thereafter. One inmate was transferred to the detention unit for reasons of protective custody on August 2, 1982 and remained until August 20, 1982. By way of contrast, S.O.

833 also provides that the mattress and bedding are to be removed from an inmate during the day where that inmate has been found guilty of a disciplinary offence; in other cases, the inmates are entitled to such articles 24 hours a day.

- (c) the right to toiletry articles such as toilet paper, toothbrush, toothpaste and soap.
- (d) unless otherwise ordered, the right, inter alia, to correspondence privileges, which is interpreted to include the right to pencil and paper; and
- (e) the right to a shower and to shave on every Monday, Wednesday and Friday, "circumstances permitting."

In addition, since the cells in the detention unit, except those already described as "special cells", have a sink with taps and a toilet, it is assumed that the water to those fixtures should not be turned off without good reason. It should also be noted that S.O. 833 further provides that a guard is prohibited from administering any kind of punishment on an inmate at his own discretion.

Further, there are provisions in the Penitentiary Service Regulations which are pertinent to this section. These are as follows:

Section 15(1) Every inmate shall be

- (a) adequately fed and clothed according to the requirements of the season and the nature of his employment, and
- (b) provided with adequate bedding.

Section 17 Toilet articles and other articles necessary for personal health and cleanliness shall be issued to every inmate.

Section 40(2) An inmate who has been put in detention is not considered under punishment unless he has been sentenced as such and he shall not be deprived of any of his privileges and amenities by reason thereof, except those privileges and amenities that:

- (a) can only be enjoyed in association with other inmates, or

- (b) cannot reasonably be granted having regard to the limitations of the detention area and the necessity for the effective operation thereof.

It is within the framework of the above provisions that the inmates' allegations in this section will be discussed.

As to the matter of clothing and the provision of mattresses and bedding, a total of 10 inmates alleged not to have been given any clothing upon their admission to the detention unit for one to several days thereafter, while 18 inmates alleged that they were not given mattresses or bedding upon their admission for periods varying from one to two days to as much as two weeks or more. Some inmates alleged that the clothing they were given was either soiled or wet and that their mattresses and bedding were soiled or wet, in some cases with urine.

With reference to clothing, many of the guards who testified on this matter were rather vague in their answers: most simply assumed that inmates were given clothing according to

"normal procedure"; others affirmed positively that all inmates were adequately clothed during their shifts. However, three guards at the CX-2 level recalled seeing at least one inmate naked in his cell during their shift and one officer at the CX-8 level observed that one inmate was naked in his cell during his rounds; none took any action to establish why these inmates were naked or whether they were provided with any clothing. It should be noted, however, that according to these guards, it is not uncommon to see an inmate naked in his cell; any inmate who has clothing can remain in a state of undress if he so chooses. In addition, several lawyers and relatives who testified during the investigation as to their having visited the inmates in question during the period of August-September, 1982, indicated that these inmates complained of having been kept without clothing in their cells for certain periods.

Given the above testimony, it is concluded that at least those inmates who were admittedly seen naked in their cells were probably not given any clothing; it was incumbent on those guards or the above officer to make appropriate inquiries to ascertain whether these inmates did or did not have adequate clothing. Further, given the significant tension which existed between the guards and inmates in the Institution at the time, the rather vague testimony of some of the guards on this matter and the

rather casual attitude of these guards in ensuring that the above provisions in the Regulations and in S.O. 833 were observed, it is quite likely that some inmates were kept naked in their cells for some periods. This conclusion is even more apparent when it is considered that in most cases, these inmates also complained of being "cold" at night in their cells as described in the previous section.

As to the alleged failure on the part of the guards to provide a number of inmates with the required mattress and bedding, it should be noted that the evidence showed that some of the guards, including an officer at the CX-6 level assumed that no inmate in detention was entitled to a mattress or bedding during the day. In addition, some guards testified that they provided mattresses to some inmates only during the night. In this respect, it should be noted that with few exceptions, all inmates in the detention unit were there for administrative reasons and hence, were entitled to their mattresses and bedding 24 hours a day.

In addition, according to the testimony of the guards, a board listing all of the names of those inmates currently in the detention unit along with a notation of the reason for the transfer to detention of each inmate was posted in the guards'

office in the detention unit. Hence, it was very easy for any guard in detention to determine which inmates were entitled to a mattress and bedding throughout the day.

A number of guards who testified that they worked in the detention unit during the day shift confirmed that some inmates did not have a mattresses or bedding in their cell while a Health Care Officer also testified that on more than one occasion during her visits to the detention unit, she observed that several inmates were without mattress or bedding. Finally, a number of guards who testified as having been assigned to the detention unit during the evening and night shifts could not recall if all inmates did have these articles during their shift and in effect they assumed that they did as part of "normal procedure" as was the case in the matter of clothing. It was the duty of each guard assigned to the detention unit during any shift as well as any officer at the CX-6 or CX-8 level making rounds of the detention unit on any shift, to ensure that all inmates were provided with all of those articles to which they had a right, be it clothing or a mattress and bedding. Needless to say that ignorance on the part of some guards and an officer of the requirements in the Regulations and S.O. 833 cannot be justified; this ignorance, however, explains in part why some inmates were denied a mattress and bedding. It is further concluded that,

given the above circumstances, some inmates were improperly denied these articles.

As to the allegations by inmates of having been given soiled or wet clothing or mattress and bedding, no evidence to substantiate these allegations was obtained. However, given the laxness of guards as described above, these allegations may not be unfounded.

Most inmates alleged that they were not given appropriate toilet articles during their presence in detention, including toilet paper, toothbrush, toothpaste and soap; in some cases they alleged that they were continuously deprived of these articles while in others, the allegations related to short periods. However, one inmate testified that during his stay in the detention unit he had toilet paper in sufficient quantities to protect himself from the cold by wrapping himself up in toilet paper.

According to the guard's testimony, the normal procedure in this matter consisted in giving inmates such items as soap, toothbrush and toothpaste, shaving equipment and clean towels when the inmate was allowed to shower; further, inmates were entitled to soap and a towel in the cell with the exception of

those in the "special cells". As to toilet paper, most of the guards who testified assumed all inmates did have toilet paper because no inmate requested toilet paper during his shift in detention. A small number of guards specifically remembered giving toilet paper to inmates upon their request during their shifts in the detention unit. However, most guards could not positively assert that each inmate had toilet paper, soap or a towel in his cell at all times.

In light of the above evidence, it is quite likely that these allegations by inmates are exaggerated. It is quite possible, however, that some inmates were denied toiletry articles.

As to the right to pencil and paper, all but two inmates who testified alleged that they were deprived of these articles throughout their stay in the detention unit. The first exception is the inmate referred to earlier who was transferred to the detention unit on August 2, 1982, for his own protection and not due to suspected participation in the events of July 25, 1982; this inmate confirmed that he was provided with these articles upon his requests. The second inmate confirmed that during the second half of August, 1982, he was given what is known as his "canteen card" and that he could use this "card" to write.

messages. It is difficult to appreciate why this particular inmate was given such a "card" while others were not.

According to the testimony of the guards who admitted to having been assigned to the detention unit during the relevant period, various request and complaint forms were kept in the detention unit throughout the period; these consisted of requests for medical attention and formal grievance forms. They also affirmed that such forms were given to inmates upon their requests; some specifically recalled giving such forms to an inmate during this period.

In addition, the evidence showed that written requests and complaints are placed by inmates or guards at the request of inmates in a "mailbox" located in both ranges of the detention unit. According to those officers assigned solely to matters of correspondence within the Institution, who testified during the investigation, this internal "mailing" system was suspended during the first week immediately following July 25, 1982, but it was resumed during the balance of the period in question. Although the recollection of those officers was somewhat vague, one officer in particular recalled having picked up correspondence from the "mailboxes" in the detention unit during the period. One guard who testified recalls observing the guard

in charge of correspondence picking up written correspondence from one of the "mailboxes" in the detention unit during one of his shifts. In addition, another guard assigned in the detention unit during the period recalled being given letters by some inmates and depositing them in the "mailbox" in one of the ranges. Still another guard who testified as having been assigned to the detention unit during the relevant time, recalled giving paper to an inmate and identified this inmate.

It is, however, noteworthy that according to the Institution's files on inmate grievances, no grievances were received from any inmate in the Institution throughout this period and in effect until September 27, 1982; no explanation has been provided by the officials of the Institution for this significant gap. On the other hand, the inmates' medical files which were made available during the investigation showed a large number of visits of inmates in the detention unit during the relevant time, by Health Care Officers or the institutional physician; in the normal course, these visits were at the request of the inmate which could have been communicated either verbally when the Health Care Officer was present in the detention unit or by the guards themselves, or in written requests on the forms intended for that purpose. It is quite likely that at least some of these visits were prompted by written requests on the part of the inmates.

Given the evidence, it is reasonable to conclude that the inmates' allegations in this respect are exaggerated. However, it is certainly possible that some inmates were deprived of pencil and paper during the relevant period.

As to the matter of showers in the detention unit, only one inmate alleged that he was deprived of a shower during his entire stay in the detention unit; he was in the detention unit from August 8 to August 19, 1982. Two inmates alleged they were allowed to take only one shower throughout their stay in the detention unit; one such inmate alleged that he was allowed to shower only because he was to see his lawyer on that same day. Nine inmates alleged that the time allowed for their showers during their stay in the detention unit was insufficient. Lastly, eleven inmates alleged improper conduct on the part of guards while they were in the shower; this conduct included being scalded by hot water, being sprinkled with Spic & Span and being forced out of the shower while they were still covered with soap. One inmate in particular alleged that he was forced out of the shower with a type of electric stick prod. However, there is no evidence of such device in the Institution at the relevant time. This allegation is clearly an exaggeration on the part of this inmate. It is interesting to note that one of the above inmates who alleged that his showers were too short and that on

one occasion Spic & Span was sprinkled on him during his shower, had previously alleged that he was totally deprived of showers when interviewed by a member of the staff of the Correctional Investigator prior to testifying during the investigation. Another inmate also interviewed at that time had also alleged to have been deprived of any showers during his stay in the detention unit and yet he did not make this allegation when he testified during the investigation. Still another inmate who made the same allegation as part of the application to the Québec Superior Court attached as Appendix "2" to the Amnesty International Report referred to above, alleged during his testimony that he was forced out of the shower in detention while still covered with soap.

Further, classification officers who saw some of the inmates in question when they were escorted to be questioned by the Québec Provincial Police as well as some of the lawyers who testified as having visited some of these inmates during the first half of August 1982, confirmed that the inmates that they saw were noticeably dirty and unkept; some of the lawyers confirmed that these inmates smelled extremely foul. In addition, the detention logs of individual inmates which were obtained from the inmates' files and reviewed as part of this investigation, showed clearly that not all inmates were given

three showers a week as required. These logs show inter alia, all of the dates on which a given inmate was given a shower. In this respect, it should be noted that a significant number of these logs were not available because they were not contained in the relevant inmates' files; this is another example of lax record-keeping by the Institution.

According to the guards who testified during the investigation as having been assigned to the detention unit during the day shift in the relevant period, showers were given to inmates during a limited time in the day, that is from approximately 9:00 a.m. to lunch time and after lunch, to 3:30 p.m. The period for showers was further limited by the fact that other inmates in the same range were also given their walks. As indicated earlier, all the cells in the detention unit were occupied during most of the month of August, 1982, and hence there were eight inmates in each range to be given showers. In this respect, some of these guards testified that each inmate was allowed to shower for approximately 3 minutes, while others indicated approximately 7 minutes; evidently, these are short periods. All of these guards however denied that any inmate was forced out of the shower covered with soap or Spic & Span or that inmates were intentionally scalded with hot water.

It should also be noted that the shower head in each shower in the detention unit is activated by a button and the temperature of the water cannot be controlled or altered at this point; the water valves which control the flow of hot and cold water to the showers are located inside a panel in the guards' office and cannot be manipulated by hand without a tool. There is no evidence to suggest that such a tool was available in the detention unit during the relevant time. However, two sinks with their own hot and cold water taps are located close to each shower; according to the testimony of one guard, one of the sinks also had a short hose plugged into the tap and it could have been possible to spray water into the shower close to that sink.

In light of the above evidence, it is concluded that not all inmates were allowed to shower three times a week during the relevant period and that those who were allowed to shower were given a limited time. However, no evidence was obtained to confirm or deny that inmates were forced out of their shower with soap or Spic & Span on their bodies or that inmates were scalded with hot water during their showers.

As to the allegations of lack of water in the cells of the detention unit, nine inmates who testified during the investigation alleged that they were deprived of water for

various periods during their stay in the detention unit. One of these inmates was in a special cell which, as indicated earlier, has no sink or taps and has no toilet but a hole in the floor which can only be activated from outside the cell.

The water to each cell except the special cells is controlled by valves outside each cell, adjacent to the cell doors and these valves were accessible to the guards in the detention unit; in addition they could be turned on or off by hand. The guards who testified in this respect maintained that no cell was deprived of water during their shifts in the detention unit. It is noted that according to institutional records, there were four instances in August, 1982, when toilets in the detention unit were blocked; the necessary repairs could have required the water to a particular cell to be turned off during the course of repairs. In the above circumstances, although it is possible that water in some cells of the detention unit was turned off on occasions other than those noted to effect repairs, no evidence was obtained to corroborate these allegations.

As to the inmate in the special cell who alleged that he was deprived of water during his stay in detention, it is noted that a Health Care Officer did testify that this inmate had

complained to her during one of her visits to the detention unit that he was being refused water despite his requests. This Health Care Officer also testified that she instructed the guards who were then present to ensure that this inmate was given water; however, she did not follow-up to ensure that this was done. Given the significant tension between guards and inmates which has already been noted, as well as the above evidence, it is certainly likely that some guards might not have promptly responded to this particular inmate's requests for water and that they may not have responded at all in some cases.

PART VIICOMMENTS AS TO THE INMATES' TESTIMONY AS A WHOLE

Having reviewed in detail the evidence obtained during the investigation relating to allegations of mistreatment, it would be appropriate to make certain comments as to the evidence as a whole of inmates as well as that of the guards. This Part deals with the evidence of the inmates while Part VIII will deal with the evidence of the guards.

A number of comments have already been made as to the credibility of the evidence of the inmates earlier in this report and will not be repeated here. However, it should be noted that when called upon to testify as to the allegations of fabrication and conspiracy, three inmates refused to answer any questions on these matters despite being advised that their refusal to do so would be taken into account in assessing the credibility of the allegations which they made during their initial testimony. Further, a number of inmates clearly demonstrated a somewhat cavalier attitude with respect to the investigation and its mandate. These circumstances certainly raise the serious possibility that some of the inmates' evidence may not have been altogether accurate or that all the facts within the knowledge of the inmates who testified were not made available. These.

difficulties may partially account for the fact that no firm conclusions could be drawn with respect to the majority of the allegations made by the inmates.

It should also be noted that one inmate in particular who was admitted to the detention unit on July 27, 1982, testified that during the first four days that he was in detention, all was quiet and all inmates were given the articles to which they were entitled. This testimony evidently contradicts the evidence of some other inmates who alleged some form of mistreatment during this same period.

In addition, in a number of instances some inmates corroborated the evidence of other inmates as to the mistreatment which they alleged to have suffered. This corroboration was provided in part on the basis of these inmates' assertions that they could observe from their cells, actions taking place in the ranges of the detention unit. In this respect, it is noted that, when in their cells, the doors were closed and locked; moreover, the cell doors were made of solid steel with only two openings i.e. the peep hole and the food slot which were both covered by flaps or small doors and could be opened only from the outside. Thus, it would be prima facie impossible for any inmate to have observed any activity in the range from his cell. However, these

inmates maintained that they could observe part of the range in which their cell was located by peering through a crack which existed between the door and the door jamb. In this respect, it should be noted that the door to each cell was a sliding door which closed into the door jamb where it locked whereas the opposite side of the door rested on the door jamb evidently to allow the door to slide open. Hence, if such a crack existed between the door and the door jamb with respect to each door, the inmates' view of the range, on their own admission would have been very limited and in only one direction. We did attend at the detention unit of the Institution in order to verify these matters for ourselves; even if such verification occurred over a year after the events we were advised by the Institution that there had been no modifications to the cell doors in the detention unit during this interim period. Upon verification, it was ascertained that it was impossible to see directly into the range in this manner; in effect, there existed no "crack" between the cell doors and the doors and door jamb of any magnitude to permit any view of the range. These observations render the alleged visual corroboration of inmates of mistreatment of other inmates in the range highly suspect.

Moreover, two inmates who alleged they had personally observed the physical mistreatment of other named inmates in the

range, identified inmates, who, according to the evidence, were in a cell in the other range of the detention unit.

was the inmate referred to in Part II of this report who eventually denied that he had witnessed any mistreatment of inmates in the range of the detention unit.

In addition, it has already been noted that no inmates who testified during the investigation as having suffered mistreatment at the hands of guards, complained in writing or otherwise to the authorities of the Institution. There are two exceptions to this observation. The first, already referred to in a previous section, as having complained to an officer at the CX-6 level while in detention as to the service of food; it is difficult to account for the fact that having had such an opportunity, this inmate limited his complaints to the service of meals in light of the existence of much more serious physical mistreatment of inmates which was allegedly taking place at the time. The second exception also already referred to, relates to one inmate who complained of the service of meals to a classification officer. According to the testimony of this classification officer this inmate also complained of being physically abused by guards at the time. It is evident, that, given the severe mistreatment alleged by inmates during the investigation, these complaints were isolated occurrences.

The investigation does, however, take into account the fact that inmates who testified maintained that they had no pencil or paper in their cells. This fact, however, has not been established in light of the guards assertions to the contrary. It is also noted that inmates were visited on many occasions by a Health Care Officer or the institutional physician and no specific complaints of mistreatment were made by these inmates at the time. This lack of complaints by these inmates can however be explained by the fact that none of these medical visits were private; these visits took place in the presence of two or more guards and will be discussed later in this report.

We, however, have great difficulty in accounting for the fact that once these inmates were transferred out of the detention unit and either returned to the regular population or were transferred to the Correctional Development Centre, they did not file formal written grievances with the responsible authorities in the Correctional Service, in addition to pursuing their complaints through lawyers and various external organizations who were called upon to investigate these matters at the time. Although one inmate did file a formal grievance with authorities of the Institution, he did not do so until January of 1983.

Lastly, the evidence has shown that the majority of allegations of physical mistreatment related to a relatively small number of guards. It has already been noted in Part II of this report, that the inmate who alleged the existence of a conspiracy on the part of inmates to fabricate allegations, alleged that these inmates simply chose guards whom they particularly disliked. This is certainly a possibility, however, the fact that a small number of guards was identified by inmates is just as much in keeping with the possible conclusion that there existed such a small number of guards who were particularly involved in these alleged mistreatments. In two instances, one guard who was identified by an inmate was in all likelihood not in the detention unit during the relevant period and another was not even in the Institution at the time. Reference has already been made of the identification of a guard acting as admission officer who would not, in the normal course, have had any reason or for that matter, any authority to be present in the detention unit at the time. The second guard referred to above was not, according to the evidence, in the Institution at all during the relevant period; he produced adequate proof that he was on sick leave as of July 26, 1982,

Despite these exceptions, however, it should be noted that the remainder of the

guards who were identified by inmates were found to have been assigned to some post in the Institution during the periods in which these inmates alleged they suffered mistreatment and their shifts were generally consistent with whether the alleged mistreatment occurred during the night or during the day.

PART VIIICOMMENTS AS TO THE GUARDS' TESTIMONY AS A WHOLE

If the inmates' testimony during the investigation is questionable in some respects, then the same applies to that of the guards. This Part will deal with the reasons for this conclusion; these can be conveniently broken down into three categories: general demeanour and responses to questions, motive and opportunity.

1. General Demeanour and Responses to Questions

The most common response to questions put to those guards who testified during the investigation was that "everything was normal" in the detention unit at the relevant time or "I don't remember". The guards' denial of having participated in or witnessed any mistreatment of any kind in the detention unit, however, was very specific and categorical.

The fact that the guards were questioned on events which had occurred over one year prior to this investigation can serve to explain to some extent their lack of recall. However, it is also noted that an answer such as "I don't remember" can be a convenient way to avoid questions. In addition, it is clear that

on the evidence, including that of the guards who testified on the conditions in the Institution following the events of July 25, 1982, these conditions were far from normal. Parts of the Institution were in shambles and in the process of being repaired; all inmates were under "dead lock" in their cells; other than a major investigation by the Québec Provincial Police at the time, all inmate activities in the Institution had essentially come to a halt; as will be discussed in greater detail in this Part, there existed significant tension between guards and inmates. In addition, according to the evidence there was a significant number of guards in the detention unit at least during the day, due to the constant escorts of inmates to be questioned by the Québec Provincial Police. Lastly, as will be discussed later in this Part, the existing duty rosters of the guards were no longer observed during the relevant time by reason of a significant increase in guards' absenteeism due to medical reasons and a consequential increase in overtime. Given these circumstances, conditions in the Institution including the detention unit were far from being normal.

In addition, when guards were asked specific questions as to their or the inmates' activities in the detention unit or whether inmates were given the required articles, showers or walks, the answers usually elicited were simply that all of these

matters were carried out in accordance with applicable Standing Orders and Directives. In this respect, the guards' confusion as to the requirements for mattresses and blankets has already been noted.

Further, the impression left by the demeanour and responses of many guards who testified during the investigation, including those against whom no allegations had been made, was simply that they were not forthcoming in providing all of the information requested. For example, when initially testified during the investigation he made no mention of the incidents described earlier in this report. It was only through the subsequent testimony of the classification officers involved in one of these incidents, that this guard finally admitted to the occurrence of these incidents. In another example, an officer

initially asserted that during these shifts no inmate had been allowed out of his cell and that he had been the only guard in detention for all intents and purposes. It was only by confronting this guard with inmate detention logs which confirmed that at least some inmates had been given showers during these dates, thereby, requiring the presence of other guards in the detention unit, that he ultimately conceded that

some inmates were allowed out of their cells and there were other guards in the detention unit at the time; this guard had not been identified by any inmate with respect to alleged mistreatment during the period.

Still another guard who had been called upon by an officer at the CX-8 level to explain various complaints by inmates as to his use of his riot stick, denied that such incidents had occurred. However, he did admit to one incident in the regular population where he had subdued a recalcitrant inmate with his riot stick; he also admitted to not making out a written report of this incident as required by the Institution's Standing Orders and Directives.

Further, when some of the guards who admitted to having been assigned to the detention unit on one or more occasions during the relevant period were asked if they were aware that most of the inmates in the detention unit at the time were there by reason of being suspected of participating in some way in the events of July 25, 1982, they simply answered in the negative. These answers were simply not plausible given other evidence which clearly established that the identity of those inmates was common knowledge on the part of the guards at the time. In addition, most of the inmate detention logs maintained in the

detention unit at the time which were reviewed during the investigation clearly showed the reason for the inmates' transfer to the detention unit as being due to a suspected participation in the events of July 25, 1982. In any event, the evidence showed that any inmate escorted to be questioned by the Québec Provincial Police and transferred to the detention unit was so suspected. In effect, newspapers published during the relevant period had identified such inmates.

Given the above circumstances, it is concluded that the majority of the guards who testified during the investigation, whether or not they had been identified by inmates, were not entirely forthcoming in their testimony and in essence put forth a not altogether accurate account of the conditions which existed in the detention unit at the relevant time.

2. Motive

As has been often repeated in this report, it is clear that there existed during the relevant period, a significant degree of tension between the guards and the inmates in the Institution; this has been confirmed not only by guards who testified during the investigation but also by the Institutional authorities and the Commissioner of the Correctional Service.

Given that three guards and two inmates had met a violent death and that a number of guards had been injured during the events of July 25, 1982, and given the sheer violence and destruction which occurred, it is certainly reasonable to assume that most of the guards would be shocked and upset and that some would react with a certain degree of bitterness, aggressiveness and animosity towards the inmates. These reactions were reflected in various ways according to the guards' testimony. One guard in particular resigned from his position as a guard at the CX-2 level; many others required a significant amount of time away from the Institution in the form of sick leave as a result of these events. The psychological reaction of the guards was perceived to be sufficiently serious as to prompt the Assistant Warden of Socialization to instruct his classification officers to make every effort to speak to the guards in the Institution at the time in an effort to discuss their feelings, reactions and emotions with respect to the events of July 25, 1982.

In most cases, guards testified that they felt a great deal of shock and dismay and in some cases fear as a result of these events. They indicated that they attempted to minimize all contact with inmates, verbal or otherwise, during this period. Some of the guards who testified during the investigation confirmed their feelings of bitterness, animosity and vengeance

towards the inmates in general; they expressed their reactions in part as follows:

"Je pense que je leur aurais rendu le pareille.", or
"Moi, je vais vous dire bien franchement, moi, j'en
voulais à tous les détenus à cette époque-là.", or
"Bien, si on parle de moi personnellement, comme homme,
c'est bien simple, j'aurais passé là-dedans avec une
mitraillette, y a trois bonhommes qui sont morts là puis
y aurait pu en avoir d'autres... Bien revanche
naturelle, comment ça se fait que nous autres, on perd
trois bons hommes, des affaires de même, puis y a pas
personne apparemment les détenus qui s'est fait
blesser...".

One particular Health Care Officer noted the existence of a great deal of bitterness and aggressivity on the part of the guards in the detention unit during her visits, such as to cause her serious apprehension in obtaining access to inmates.

It should be noted that, in retaking control of the Institution, the guards exercised restraint in that no inmates were injured and/or killed.

Although it is safe to say that many guards, given the above emotions and psychological reactions to the events of July 25, 1982, coped with their feelings admirably, the existence of such emotions dramatically increases the possibility that some of the alleged mistreatment of inmates did occur in one form or another during the relevant period.

3. Opportunity

As described in Part I, the detention unit is physically isolated from the remainder of the Institution. It is situated at one end of the disciplinary court and requires the opening of two doors in order to gain access to the unit;

Moreover, any person wishing to gain access to the unit needs to pass at least one control point and in most cases, two control points before arriving at the first door to the disciplinary court thereby allowing for sufficient warning time should a guard wish to notify his colleagues in the detention unit of the approach of a visitor be it a member of the Health Care staff or any officer at the CX-6 or CX-8 levels during his rounds. The Warden and the Assistant Warden of Security said as much.

Moreover, it is clear that the inmates most likely to bear the brunt of the guards' emotions were those who were in the detention unit as being suspected of having participated in the events which had given rise to these reactions. As described earlier, it was common knowledge with respect to the guards in the Institution as to which inmates were suspected of having participated in the events of July 25, 1982, and that such inmates were being transferred to the detention unit. Mention has already been made of inmate detention logs in the detention unit and of inmate escorts to be questioned by the Québec Provincial Police. It should also be mentioned that in each pavillion of cells in the regular population there appeared a list of those inmates in that pavillion; in instances where a given inmate was transferred to the detention unit, a note to this effect appeared beside his name on such list.

In addition and quite significantly, although under normal circumstances no guard would be admitted to the detention unit without some reason, it has been impossible to conclude that such procedure was observed during the period in question. As indicated earlier, the duty rosters in existence at the time were not observed for the reasons already discussed. In addition, many of the assignments on these rosters were to postings within the Institution which had become unnecessary given the fact that

all normal inmate activities had been suspended. A brief description of the normal procedure of assigning guards to posts would be useful at this point.

According to the evidence, guards at the CX-2 and CX-4 levels were organized into teams under the supervision of a given officer at the CX-6 level. Although the number of guards in each team varied to some extent, there were approximately 15 guards at the CX-2 level and 4 guards at the CX-4 level per team. There were twelve such teams in existence at the time. Each team was assigned to a particular sector and shift on the basis of a 28-day rotation, which rotation was to commence on July 26, 1982. The Institution was divided into 5 sectors during the day shift, 4 sectors during the evening shift and 3 sectors during the night shift. Once a team had been assigned to a particular sector and shift for the relevant 28-day period of rotation, it was left to each CX-6 to assign particular guards in his team to specific posts within the sector; these assignments were usually posted anywhere between one week to a month ahead of time.

The above assignments for the 28-day rotation commencing on July 26, 1982, were in large part rendered inoperative following the events of July 25, 1982. First, as indicated earlier, many posts were not operative during the period i.e.:

those in shops, recreation activities, inmate searches at "N" control. This resulted in many guards who would have otherwise been assigned to one of these posts, becoming available for other duties. These duties were largely related to additional guards for inmate escorts, and guards assigned to cell searches during the beginning of August 1982. Further, the unusually high degree of absenteeism of guards following the events of July 25, 1982, prompted a consequent rise in the number of guards required to work overtime. Lastly, many guards who may have been assigned to a particular post during their shift were re-assigned regularly to other posts as required by the exigencies of the circumstances.

All of the above circumstances rendered any attempt to reconstruct the assignment of guards to posts during the relevant periods, virtually impossible. The official duty rosters of the Institution as confirmed by the officers at the CX-6 and CX-8 levels, did not reflect the actual assignments of the guards in question. In this respect, these rosters were described as virtual time sheets which the guards were required to sign at the beginning of each shift. However, upon reviewing these rosters, it became apparent that guards' signatures did not appear beside their assignments but rather the names were simply inserted in block letters or signatures other than the guards assigned were present. Further, guards who were assigned to work overtime at a

particular post did not sign such rosters but rather signed a separate overtime sheet which did not indicate where these guards were posted during the shifts in question.

As to detention in particular, during the normal course, the day shift consisted of one guard at the CX-4 level in charge of a guard at the CX-2 level plus two other such guards who although they acted on escorts of inmates within the Institution, were based in the detention unit and assisted in the giving of showers and walks and the service of meals to inmates during the shift. During the period in question, this situation changed due to the requirements of the circumstances as described above in particular with respect to escorts. In this respect, due to the many escorts to and from detention, there could have been as many as 10 guards in the detention unit at any given time according to the testimony of the guards themselves.

The above rather chaotic assignment and re-assignments of guards was described as follows by three different guards:

"...Parce que les CX-8 ils pouvaient prendre les escortes puis les envoyer ailleurs, puis prendre deux (2) autres gens qui étaient autour du bureau depuis dire "vous deux allez dans le trou." comme ça. Ca marchait pas mal pêle mèle à cette époque-là."

"Je ne peux pas me souvenir à quelle place que j'allais contrôle P..... Parce que là, à ces dates-là, tout était viré à l'envers, tout le monde allait à gauche puis à droite, puis il n'y avait pratiquement plus rien qui était respecté."

"Habituellement c'est indiqué si vous seriez dans un temps normal, que chaque officier est cédulé pour faire sa journée. Mais dans ce temps-là, il y avait des postes qui étaient fermés, il en avait d'autres qui n'avaient pas besoin d'être couverts comme les ateliers ou quoi que ce soit. Alors ils prenaient des gars puis ils les promenaient. Alors on ne pouvait pas savoir quasiment dix (10) minutes à l'avance où on allait."

According to the testimony of some of the officers at the CX-6 or CX-8 level who testified during the investigation all of the above re-assignments of guards to posts other than those appearing on the official duty rosters, were noted on bits of paper by these officers and then discarded. It is therefore clear that many of the guards in the Institution during the relevant period were re-assigned on an ad hoc basis and that no adequate records of such re-assignments were kept by those in charge who, in light of these circumstances, could not account for the presence of guards at various posts at any given time.

Given the above circumstances, it is concluded that there was confusion as to the assignment of guards to postings during the relevant period. Such confusion provided a significant opportunity for guards to enter the detention unit during the day shift without any authority to do so and without being necessarily detected by their supervisors. Although evidence was obtained that this was in fact the case, there is no evidence to the contrary since there is no accurate record of the actual assignments of guards for the period. This fact coupled with the disappearance of the detention logs and daily reports has seriously hampered this investigation in gathering all of the facts in this matter.

It is therefore concluded, that the guards in the Institution during the relevant period not only had sufficient motive to physically mistreat or harass inmates in the detention unit but also had the opportunity to do so, which opportunity would not have existed in normal times. The fact that the Institution's authorities cannot adequately account for the movement and activities of the guards coupled with the above comments as to the demeanour and answers of a significant number of guards while being questioned during the investigation certainly have raised a persistent and serious suspicion as to the guards' participation in the mistreatment alleged by the inmates in this matter.

PART IXRESPONSE BY THOSE IN AUTHORITY AT THE INSTITUTION

In order to arrive at any conclusion on this question, the evidence as to knowledge of allegations of mistreatment of inmates at relevant times, on the part of the authorities in charge of the Institution including officers at the CX-6 and CX-8 levels, Assistant Wardens and the Warden himself, the Deputy Commissioner of the Québec Regional and the Commissioner of Corrections, must first be examined. Secondly, their response and the actions which they took in light of this knowledge must be considered. Detailed consideration has already been given in the previous Part to the lack of control over the assignment and movement of guards by their superiors and will not be repeated here.

First, documented information provided by sources external to the Institution must be considered. In this respect, various lawyers who had visited a number of inmates in the Institution on August 4, 1982, issued a press release on August 5, 1982, under the auspices of the "Ligue des droits et

libertés" with respect to their observations during these visits. In this press release, it was stated as follows:

"Un certain nombre de détenus ont été amenés au "trou" où ils sont l'objet de traitements particulièrement cruels. Les lumières fluorescentes brûlent toute la nuit, on les empêche de dormir. Nous sommes informés qu'un détenu en particulier, conduit au trou mardi le 27, n'a rien reçu ni nourriture, ni eau, ni médicaments et qu'il a été gasé 2 ou 3 fois par jour pendant 5 jours."

According to one of the authors of this press release, no copy was sent to the Warden of the Institution; in addition, the Commissioner of Corrections did not recall it being brought to his attention at the time. One would have thought that such a press release would have been brought to the attention of these persons by their administrators. In any event, there were newspaper and other media reports of alleged mistreatment of inmates during the relevant period which should have alerted these persons that all was not well in the Institution at the time.

In addition, a telex was sent by Georges Lebel dated August 21, 1982, to the Warden of the Institution, with copies to the Commissioner of Corrections and the Solicitor General; this telex read in part as follows:

"Ayant rencontré maintenant une dizaine de détenus, j'ai recueillis des récits précis et concordants sur les traitements que reçoivent actuellement les détenus principalement ceux détenus en ségrégation. Ces traitements sont inhumains et confirment à la torture morale et physique en violation grave des garanties constitutionnelles contre les traitements cruels et inusités."

Mr. Lebel was associated with the Association des Juristes Québécois at the time and was one of the signatories of the press release of August 5, 1982, referred to earlier.

Although the Warden acknowledged having received this telex, he did not take any action thereon and did not remember communicating with its author to obtain additional particulars of these allegations. The Commissioner of Corrections testified that he did recall seeing this telex at the time and that his staff communicated with the Warden's office and was advised that the Warden's secretary had communicated with its author and indicated

that the Warden would be pleased to meet with him; the author did not communicate further with the Warden. This testimony should be viewed in light of the above testimony of the Warden himself and with the assertion of the author of this telex that no one from the Correctional Service communicated with him following this telex. In any event, this telex was, according to the Warden's testimony, received by him but he could not remember any action on his part with respect to it. Further, the Commissioner himself flatly asserted that he had little faith in the credibility of statements issued by the lawyers associated with the Ligue des droits et libertés at the time, and as a result, took no action.

Secondly, the _____ at the time who testified during the investigation, as well as the Warden himself, confirmed that, as of mid-August, the representatives of the Inmate Committee met on a weekly basis with the Warden to communicate complaints of mistreatment in the regular population as well as in the detention unit. During these meetings,

_____ confirmed having discussed complaints of inmates who had their meals thrown on the floor of their cells and one who had his food adulterated on one occasion. In addition, although according to these inmates, they had advised the Warden of two specific cases of physical mistreatment of inmates, including the inmate _____ which they had observed earlier whose face clearly showed signs of physical beatings (this inmate was referred to in Part VII of this

report), the Warden did not recall any such complaints being brought to his attention during these meetings. However, the Warden did recall having permitted another inmate to be examined by his own physician following these complaints; such examination did not reveal any specific physical injury in keeping with the complaint.

Thirdly, a lawyer who visited one of the inmates who had been transferred to the detention unit, testified that after this visit, which took place in the beginning of August, he communicated with the Warden shortly thereafter and advised him that his client had complained of being mistreated and had shown him evidence of physical injury as a result. Although the Warden acknowledged speaking to an inmate's lawyer around this general time, he could not recall the lawyer or inmate involved or the particulars of the conversation other than to say that the lawyer had mentioned his client's complaints as to the effect that he was being mistreated. In this respect, it should be mentioned that other lawyers who visited inmates during the same period, testified that although they sought to speak to the Warden following these visits, they were not allowed access to him. In addition, the sister of one of the inmates who had been transferred to the detention unit and had visited him, testified that she spoke to the Warden by telephone and advised him

inter alia that her brother was being mistreated in the detention unit; this conversation took place in the second half of August 1982. The Warden recalled a telephone conversation with a member of a inmate's family around this general time and that the person had complained of her brother's mistreatment. According to the Warden, this inmate was examined by his own physician and no evidence of physical injury on the inmate was found.

Fourthly, the Warden and the Assistant Warden of Socialization at the time, Michel Gilbert, did acknowledge to some of the external investigators who interviewed them after the period in question, that they were aware of certain complaints of inmate mistreatment at the relevant time. Both were questioned during the investigation as to these admissions. The Warden acknowledged that some inmates had been harassed by a minority of guards during the relevant period and in one case in particular, one inmate had been forced to kneel. The Warden acknowledged that these admissions only related to the incident described earlier in this report and to various complaints as to one guard keeping inmates awake at night by banging on their cell doors; this guard was admonished. As to the testimony of Michel Gilbert, he confirmed in substance the

following statement attributed to him in the MacDonald Report referred to in Part I (see p. 19 of that Report):

"Questions were also asked of Mr. Gilbert with regard to 'the hole'. Unfortunately, isolating the inmates responsible for the riot by sending them in the hole, those guards seeking revenge had free access to the 'guilty ones'." 'I was never' he affirmed, 'ashamed of what went on in the hole until the period between July 25 and several weeks ago. The inmates probably had a rough time in the hole'. He went on to indicate his opinion. "They were probably badly harassed, but it has been calm for the last two or three weeks. I cannot however verify any of these hypotheses. If I approach an area, guards 'warn' other guards of my whereabouts as I approach."

Mr. Gilbert also confirmed during his testimony, that he was referring only to the incident as harassment occurring in the detention unit; he also admitted to knowing of complaints relative to three other guards with respect to their activities in the regular population in preventing inmates from sleeping by banging on their cell door. In this respect, all three guards had been admonished verbally by either an officer at the CX-8 level or by Mr. Gilbert himself.

As to the Deputy Commissioner of the Québec Region he acknowledged that at the Regional level, they had some knowledge of inmate complaints relative to matters such as service of meals but had no knowledge of any specific complaints.

In short, according to the above evidence, the authorities of the Institution as well as the Deputy Commissioner of the Québec Region and the Commissioner himself maintained that they had no knowledge of any specific complaints of mistreatment at the relevant time other than the isolated incidents referred to above. In essence, this position was summarized by the Commissioner in his evidence when he stated that they did not believe there were any problems in the Institution at the time and they had no reason to believe that any such problems existed.

In this respect, he also relied on the fact that no allegations of mistreatment had been reported by two Members of Parliament who visited the Institution at the end of August 1982. However, it should be noted that, as indicated earlier, this was at a time when the alleged mistreatment had abated. According to the Warden's testimony, he was aware of general complaints relative to the service of meals and to inmates being prevented from sleeping at night but he was not aware of any specific complaints of any particular incident.

In order to keep matters in perspective, the observations of A.F. Wrenshall in his report on the events of July 25, 1982 are useful. In this respect, after referring to the destruction of certain inmate property by guards immediately following these events, he stated as follows (c.p.48)

"While the Board cannot condone the actions of some staff members in the hours following the incident and find that these are totally unacceptable on a professional level, it finds that such reactions are understandable given the circumstances. The most troubling ramification of this is that staff may continue to react to stress in a violent manner which will only serve to reinforce the inmates' predisposition to violence and thus lead to an escalation in prison violence."

Given the events of July 25, 1982 and the tension which existed in the Institution following these events, as described earlier, the evidence shows that at least the possibility of abuse of authority and mistreatment of inmates on the part of guards did exist or should have existed in the minds of the authorities of the Institution. It is clear that although, according to the evidence of the Warden, he did receive general complaints of mistreatment from such sources as the inmate committee, inmates' lawyers and even an inmate's relative, he did not take action to investigate these complaints at the time, because they did not set out sufficient particulars. In addition, some of the officers at the CX-8 level who testified

during the investigation indicated that, given the circumstances, they were concerned as to the possibility of harassment of inmates by guards during this period although none of them had any knowledge of any specific incidents. It is interesting to note that an officer at the CX-8 level at the time testified that he was ordered by the Assistant Warden of Security during the second or third week in August, 1982, to examine all inmates in the detention unit at the time; he did so and found no evidence of physical injury on these inmates. It is also interesting to note that the Assistant Warden in question did not mention ever having given such an order at the time. In effect, he testified that he was to a large extent relieved of his usual duties during this time in order to deal with demands by the representatives of the guards' union.

Lastly, the officers at the CX-6 and CX-8 levels testified for the most part that they were not aware of any inmate complaints of mistreatment at the time, not even those general complaints acknowledged by the Warden. Further none of these officers were advised that a number of guards had been orally reprimanded for some of their actions.

It is apparent from the above evidence that there existed a great deal of confusion as to precisely what was

occurring in the Institution at the time. This is especially so when the testimony of some of the classification officers, Health Care Officers and even one Assistant Warden in particular as to the rumours of mistreatment which existed in the Institution at the time. One classification officer who testified as having witnessed the _____ incident indicated that given the rumours of mistreatment in the Institution at the time he was tempted to investigate such rumours but did not do so since it was the responsibility of other people. In effect, he said, concerning these rumours:

"Oui, mais a un moment donné c'était rendu tellement ridicule, on s'en faisait tellement dire, qu'on savait plus où était la vérité là-dedans. Moi je suis conscient qu'il y a des chose qui sont exagérées puis il y a des chose qui a quand même certaine probabilité qui soient arrivés également. C'est qu'à un moment donné, c'était rendu quelque chose de "steady" qu'on se faisait dire en détention "Il est arrivé, telle affaire, telle affaire", ça fait qu'à un moment donné on prenait ça un peu au ridicule."

For example, some classification officers heard of incidents where an inmate was forced to masturbate, some witnessed or were told of the _____ incident, others heard of food being thrown on the floor or that an inmate had had the clothes torn off his back or that an inmate was forced to walk on all fours. Mention has already been made of some Health Care Officers having smelled gas in detention and having been told by

guards that in effect some inmates had been gassed. Mention has also been made of a classification officer being advised by an inmate in the detention unit that he had been physically mistreated by guards, during an interview in August, 1982. The Assistant Warden of Security at the time stressed the importance of investigating rumours in an Institution such as Archambault Institution in effectively maintaining security; he added that rumours should not be ignored. On the other hand, most of the officers at the CX-6 and CX-8 levels who testified during the investigation maintained that they were not aware of any rumours of mistreatment of any inmates in the Institution at the time. It is rather odd that the personnel in the Institution at the time which were the least concerned with matters of security in the Institution, were aware of numerous rumours of mistreatment of inmates while those that were in charge of security were not.

The above evidence, at the very least, indicates that there existed not only confusion among the authorities in the Institution as noted above, but also a lack of communication at this level as well as with respect to other personnel such as the classification officers and the Health Care Officers. The above evidence taken as a whole indicates clearly that specific action should have been taken by the authorities of the Institution and those at the Regional and National Headquarters level, to either

confirm or deny the complaints of mistreatment being made and the many rumours as to such mistreatment which were admittedly running rampant in parts of the Institution.

What was in fact done by the authorities of the Institution? According to evidence of the Warden and of the officers at the CX-6 and CX-8 level, they increased the number of rounds of inspection of the Institution, including the detention unit; these rounds, according to the evidence, were generally from one or two per shift to approximately four per shift. This measure was sanctioned at the Regional level. These rounds were intended to both supervise the guards more closely as well as to reassure and encourage the guards in general, who were admittedly coping with a very difficult situation. According to some of the evidence, regular briefings were held by officers at the CX-8 level of officers at the CX-6 level and so on for these same purposes: according to other evidence, such briefings rarely occurred.

According to the evidence of the Warden, the complaints of mistreatment did not decrease as a result of these actions. In fact, when the authorities of the Institution were asked, they confirmed that obviously no mistreatment would occur in their presence during their rounds. In effect, when asked whether he

had considered assigning an officer at the CX-6 or CX-8 level to the detention unit during each shift given the above fact, the Warden indicated that he had not. However, as indicated earlier, an Assistant Warden was ordered to supervise the service of at least one meal per day in the detention unit by an order dated September 7, 1982, precisely because of the on-going complaints with respect to the service of meals which were emanating from the detention unit; this action was taken too late.

Although the action on the part of the authorities of the Institution could have been reasonable following a minor disturbance, the events of July 25, 1982, cannot be qualified as a minor disturbance. In effect, as discussed earlier, these events directly resulted in a serious disruption of the operation of the Institution and a significant deterioration in the attitude of the guards towards their work and towards the inmates as a whole. Given those circumstances, it was incumbent on the Warden and the officers in charge of the Institution as well as their own superiors to ensure the safety and security of inmates in the Institution and not to await specific complaints by specific inmates as was said by the Warden during his testimony. Quite the contrary, measures should have been taken at the time to investigate these complaints of mistreatment and to maintain a stricter control of the guards in order to ensure that such

mistreatment would not occur in the future. Had these measures been effectively carried out at the time, most of the questions now before us would have been answered immediately. It should be borne in mind that the Correctional Service, as the keeper of these inmates in the Institution must be in a position to account for the use of all the means at its disposal to maintain control over these inmates, including the actions of the guards in the performance of their duties. It is clear from the conclusions drawn throughout this report, that these authorities cannot account adequately for the behaviour of the guards in the face of the allegations that have been made by the inmates, thereby leaving the administration of the Institution during the relevant time, open to serious question. It should be stressed that this is not a matter in which the onus should be placed entirely on the inmates to prove their allegations as they would be required to do in a court of law, it is rather a matter where the administration of the Institution has been seriously questioned on one hand and the authorities of the Institution responsible for such administration have failed to adequately put to rest any suspicion cast by the allegations. The fact remains that the guards in the Institution have had to face serious allegations of mistreatment and the Institution either through its records or through the testimony of its staff, cannot account fully for the actions of its staff during this period. As a result, most of

these allegations cannot be confirmed or denied, leaving the administration of the Institution and the actions of its staff open to question. Whether or not these allegations, particularly those against specific guards, can be proven or disproven in a court of law is a question which cannot be decided as a result of this investigation. It can however be concluded that those in charge of the Institution have failed to rebut any of these allegations by failing to properly account for the actions of their staff.

PART XTHE HEALTH CARE UNIT

The Health Care unit of the Institution consists in eight Health Care Officers who are all registered nurses, one Senior Health Care Officer, also a registered nurse and the institutional physician. As mentioned in Part I, the institutional physician was Dr. Michel Morin although he was replaced by Dr. Jean-Guy McFadden during the first week following July 25, 1982. Two of the eight Health Care Officers resigned their position in July of 1982 and were replaced by two other Health Care Officers, the first on July 19, 1982 and the second on August 2, 1982, both of whom stated that they were sent on a training course of approximately one week during mid-August, 1982. The Health Care unit staff work on three shifts per day which coincide with those of the guards, that is 7:30-8:00 a.m. to 3:30-4:00 p.m., 3:30-4:00 p.m. to 12:00 a.m. and 12:00 a.m. to 7:30-8:00 a.m. There are normally 3 to 4 Health Care Officers on duty during the day shift and there are 2 Health Care Officers on duty during the evening and night shifts.

During the period in question, the duties and responsibilities of the Health Care unit with respect to inmates in the detention unit, were found in various sources. The first

was Section 16 of the Penitentiary Service Regulations referred to earlier in this Report, which prescribed as follows:

Section 16: Every inmate shall be provided, in accordance with directives, with the essential medical and dental care that he requires."

Secondly, a number of functions were prescribed by a Policy and Procedures Manual originally published in 1978 which, according to information provided by the Correctional Service, was intended to be followed by the Service's Health Care Units; in effect, this manual was given official sanction by Divisional Instruction 700-1-1 on November 30, 1982 as an "internal regulatory document". Part 2 of the Manual entitled "Health Care Operational Procedures" provided in part as follows:

"Procedure No. 17:

SUBJECT: DAILY VISITS TO THE DETENTION
UNIT BY HEALTH CARE CENTRE STAFF

1. In conjunction with the Institutional Director, Assistant Director (Security) and institutional physician, the Senior Health Care Officer shall arrange for a member of the Health Care Centre staff to visit the detention unit each day.
2. These visits shall be conducted at least every two weeks by the institutional physician and on all other days by a Health Care Officer.
3. During these visits all inmates in the detention unit shall be made available on an individual basis to the visiting

medical or nursing staff in order that an assessment may be made of the inmate's physical and mental state.

4. The visiting Health Care Centre staff must ensure that a full view of the inmate is obtained and that they communicate with the inmate in as confidential a manner as good security will permit.
5. The Senior Health Care Officer or his/her deputy performing this function shall report any medical condition to the institutional physician for investigation or provide treatment from the Health Care Clinical Orders.
6. Referrals to the Institutional Psychiatrist shall be made as deemed necessary.
7. Inmates requesting medical attention shall complete a Request for Medical Attention form and the usual appointment routine followed.
8. Reports shall be made in the inmate's medical record on all abnormal findings, treatment given or referrals made or recommendation given.
9. Records also must be kept in the Health Care Centre daily log book of visits to the detention unit indicating, when necessary, why the visits were unable to be made."

Thirdly, S.O. 700 of the Institution provided as follows:

"14. Tout détenu placé en cellule d'isolation doit être référé au Centre de Soins de Santé pour évaluation et approbation. Il est examiné par l'agent de soins de santé dans les plus brefs délais et référé au médecin si jugé nécessaire. Par la suite, l'infirmier doit visiter les détenus en isolation une fois par jour.

15. Si le médecin constate que l'isolation risque de nuire à la santé d'un détenu, il doit alors aviser immédiatement le Directeur ou le président du Comité disciplinaire qui trouvera la solution de rechange la plus appropriée, compte tenu des circonstances entourant chaque cas particulier. Le détenu ne devra pas être renvoyé en détention avant qu'une décision n'ait été prise suite à un rapport écrit du médecin."

It should be noted that the above provisions were obtained from the existing Standing Order of the Institution because its precursor, in effect in August of 1982, was not available. However, assurance was given by the Assistant Warden of Administration that the Institutional Standing Orders in effect during the relevant period contained the above provisions as written.

According to these provisions, an inmate transferred to the detention unit must be referred to the Health Care unit to be examined by an Health Care Officer in order to ascertain whether he is fit for detention and if necessary, he must be referred to the institutional physician. The evidence of the Health Care Officers showed that in practice, an inmate was examined in the

institutional hospital prior to being admitted to the detention unit. However, due to the circumstances existing during the relevant period, the inmates were in most cases examined by an Health Care Officer in detention after their admission. Although in one instance an inmate was examined naked by an Health Care Officer in the corridor outside the detention ranges, inmates were usually examined by an Health Care Officer in their cell through either the peep hole or the food slot in the cell door. These examinations were also carried out in the presence of several guards, thereby rendering any private consultation between the inmate and the Health Care Officer virtually impossible. The inmate was then asked to sign a form declaring he was fit for detention; if he refused to sign such a form, the Health Care Officer would note the refusal on the form and have it witnessed by a guard. No instances were found where an inmate admitted to the detention unit during the relevant period was not deemed fit for detention or was referred to the institutional physician for further consultation for this purpose. In any event, although the above provisions do not indicate how the examination is to be conducted, it is difficult to appreciate how such an examination could be adequately conducted through the peep hole or the food slot of a closed cell door in the close proximity of guards who could overhear any conversation between the inmate and the Health Care Officer especially if the inmate

had just suffered some physical mistreatment at the hands of the same guards. In effect, some inmates insisted during their testimony, that they did not complain to any Health Care Officer when examined, precisely because of the presence of guards. In addition, although all of the medical files of the inmates transferred to the detention unit were requested, a number were not produced. However, those files which were obtained, in some instances failed to record any such examination upon admission for certain inmates, whereas in other cases, the examination was noted. In this respect, the only conclusion possible is that the required examination was not carried out in every case.

The procedures in the Policy Manual also require that each inmate be visited by an Health Care Officer on a daily basis for an assessment of his physical and mental state. These provisions also require that a full view of the inmate be obtained and that any communication with the inmate be as confidential as "good security" will permit. It is clear from the testimony of the Health Care Officers, that these daily visits of each inmate were not carried out; in effect, most of the Health Care Officers who testified during the investigation were ignorant of these requirements. According to their testimony, a Health Care Officer visited the detention unit at the beginning of each day and during the evening shift for the

purpose of either distributing medication which had already been prescribed to a specific inmate or to visit an inmate pursuant to his request. Such requests were communicated verbally to the Health Care Officer by the guards; in addition, after three weeks following July 25, 1982, written medical requests forms were resumed. In any event, during the normal times such requests could either be verbal or in writing. While in the detention unit, the Health Care Officer could be asked directly by an inmate for medical attention. Therefore, the inmates examined during these regular visits were limited to those who had some form of request and did not include any other inmate in the detention unit at the time. In addition, it is clear that such requests had to be made through the guards thereby raising the possibility, as was alleged in fact by some inmates that certain requests would not have been transmitted to the Health Care unit. During the examination, for the most part, the inmate would simply be observed through the peep hole or the food slot of the inmate's cell door. On those occasions when the Health Care Officer was allowed to enter the cell of an inmate, he or she was accompanied by three or as many as six guards in one instance rendering any confidentiality impossible. Similarly, on some occasions, the inmate was brought to the hospital to be examined by the institutional physician and again the inmate was examined in the presence of guards. As to the night shift, the

evidence of the Health Care Officers indicates that although the Health Care Officer did visit the detention unit once during these shifts, if there were no request for medical attention from any inmate, he or she would simply limit the visit to the guards' office in the detention unit. In addition, one Health Care Officer recalled visiting an inmate with the institutional physician in the disciplinary court area, again in the presence of two guards.

According to the testimony of the Senior Health Care Officer, the purpose of the visits by an Health Care Officer was also to inspect the cleanliness of the detention unit: however, the Health Care Officers who testified indicated that this was not done during their visits.

It is clear that the above provisions were not complied with as to each inmate in detention being seen once a day by a Health Care Officer and as to proceeding with the examination in a manner intended to preserve the confidentiality of any conversation that may have taken place. If such visits had been carried out as required, then information would be available that would either confirm or deny the existence of physical injury.

The above provisions also required that the institutional physician carry out the above visits to the detention unit every two weeks. It is interesting to note that while the institutional physician testified that he regularly visited the detention unit every 15 days, one Health Care Officer testified that it was only on rare occasions that the institutional physician visited the detention unit and the Senior Health Care Officer asserted that the institutional physician visited the detention unit at least once a month during the relevant period. The Senior Health Care Officer also recalled visiting the detention unit twice during August, 1982 to check the cleanliness of the area, however, he did not visit each cell in the unit. Given the above evidence, it is very likely that the above provisions were not complied with during the relevant period.

It is also clear from the evidence of the Health Care Officers that most of them had never read the applicable provisions relative to the Health Care unit and the detention unit, although a copy of the above manual was available in the Health Care Officer's office or the institutional physician's office. In effect, most of the Health Care Officers were ignorant of the above provisions. In addition, the doctor who replaced the institutional physician during his absence in the

week after the events of July 25, 1982 had not, on his own admission, been briefed as to any of the above requirements.

It is clear that the purpose of the above provisions was to protect the health and safety of inmates while in the detention unit. Given the allegations of mistreatment by inmates in detention during the above period, compliance with these requirements would have reduced the many difficulties in ascertaining whether these allegations were well founded.

In addition, it will be remembered that some of the Health Care Officers who testified during the investigation, indicated that they smelled gas or were advised that gas had been used in detention during the relevant period; these incidents or observations were not reported to the institutional physician or to the authorities of the Institution. One would have thought that these incidents would have been reported given the requirements already described in this report, that the inmates in question be examined by an Health Care Officer subsequent to the use of gas. This failure allowed these incidents to go unnoticed.

PART XI

CONCLUSIONS AND RECOMMENDATIONS

I. CONCLUSIONS

That some agreement did exist between at least some of the inmates in dissociation to fabricate or at least exaggerate allegations of mistreatment.

That some mistreatment of inmates in dissociation did take place, however, the extent or magnitude of this cannot be established.

That some correctional officers were less than forthcoming with their evidence.

That no reports on the use of force, whether reasonable or not, were filed by officers during the period July 25 - August 31, 1982.

That gas was used on inmates in detention but the number of occasions and the officers involved cannot be ascertained.

That the directives and procedures on gassing were not complied with by the correctional officers.

That there was a clear lack of control of the gas inventories.

That on August 18 or 19, 1982, one inmate was ordered by the guard in charge of the detention unit to kneel before institutional staff on two separate occasions in the detention unit and was obliged to repeat humiliating statements.

That at least one inmate was physically mistreated by officers either on escort or in detention causing him physical injuries and that no report on the use of force was made.

That inmates were physically harassed during escorts to and from detention but the extent and seriousness of the harassment cannot be ascertained.

That another inmate was physically mistreated by officers in the detention unit causing him physical injuries and that no report on the use of force was made.

That some food was either refused or spilled by officers in the detention unit but neither the frequency of such occurrences nor any actual incidents involving specific guards could be ascertained.

That inmates were prevented from sleeping due to banging on cell doors and lights being turned on but the extent to which this happened cannot be ascertained.

That some inmates were denied adequate clothing at some time during their stay in detention contrary to their rights.

That some inmates were denied mattress and bedding at some time during their stay in detention contrary to their rights.

That certain documentation with respect to inmate activity in detention was not prepared or filed as required.

That not all inmates in detention were allowed three showers per week and that the time available per shower was shortened.

That at least one inmate, who was held in a special cell with no plumbing, was deprived of water on occasion.

That the examination by Health Care Staff required on admission of an inmate to dissociation was not carried out in every case.

That daily visits of Health Care Staff to each inmate in dissociation were not made and in fact most Health Care Officers were not aware of this requirement.

That other procedures to ensure the health and well-being of inmates in dissociation were not carried out by the Health Care personnel.

2. RECOMMENDATIONS

The recommendations that follow are intended to correct the shortcomings that we found and to prevent or reduce the likelihood of mistreatment in the aftermath of future incidents. It is recognized, however, that these recommendations by themselves will be of limited value and will only become part and parcel of the present myriad of rules and regulations unless the basic problem is addressed and corrective action taken.

It is essential that there be meaningful attitudinal changes and improvements that come from the administration and

filter down to all levels. If the correctional officers and other staff are not motivated and if they are not adequately supervised and instructed in procedures or if they fail to comply with those procedures, then the Service will find itself again and again facing the same problems.

1. That the use of cells without a supply of water and proper toilet facilities be discontinued.
2. That all inmates in dissociation be supplied with a mattress and bedding on a 24 hour a day basis regardless of the reason for that detention.
3. That video equipment be installed in all maximum security dissociation areas and be monitored by a senior officer.
4. That in an emergency situation, an officer of the rank of at least a CX-6 shall be posted in dissociation at all times.
5. That inmates suspected of being involved in serious incidents be removed to other institutions as quickly as possible.
6. That during an emergency situation, an accurate record of work assignments be kept.

7. That dissociation logs and other original documentation be secured at all times.
8. That accurate and intelligible gas inventories be kept and that every withdrawal of gas from the armory be signed for by the recipient who must indicate in writing the purpose and the place of use.
9. That a Classification Officer visit dissociation with complaint forms on a regular basis and speak to each inmate without a Correctional Officer being present.
10. That any disciplinary charge against a Correctional Officer found to be valid be permanently recorded on the file of the Officer involved.
11. That the Senior Health Care Officer make regular unannounced visits to dissociation to inspect food and food service and file a written report with the Warden.
12. That the institutional Doctor or his replacement visit dissociation at least once a week and file a written report with the Warden concerning the condition there.

13. That a Health Care Officer visit each occupied cell in dissociation on a daily basis and speak with each inmate without a guard being present. If the inmate complains of mistreatment or if in the judgment of the Health Care Officer, the inmate may have been mistreated, he be taken to the hospital and given a physical examination.
14. That Health Care Officers be thoroughly instructed concerning post gassing procedures and instructed that they must submit a written report whenever it comes to their attention that gas had been used.

Although, as previously mentioned, it is an admitted fact that some inmates were not allowed access to counsel prior to being interrogated by the police and although this is one of the incidents that at the direction of the Solicitor General need not be investigated, it was felt that this was such an important denial that we find it necessary to recommend:

that in those instances where an inmate is suspected of being involved in any incident being investigated by the police and which may lead to criminal charges, he be allowed to consult with counsel prior to being questioned by the police and that he be allowed to have counsel present during such questioning.

APPENDICES

Copie certifiée conforme au
procès-verbal d'une réunion du Comité
du Conseil privé, approuvé par Son Excellence le Gouverneur
général le 15 novembre 1977

Vu le rapport du Solliciteur général du Canada exposant:

Qu'à la suite de la démission de Mlle Inger Hansen du poste d'enquêteur correctionnel, au 1^{er} octobre 1977, M. Brian McNally d'Ottawa a été nommé à ce poste à titre temporaire par le décret C.P. 1977-2801 du 29 septembre 1977; et

Qu'afin de satisfaire aux exigences du Bureau de l'enquêteur correctionnel, ce poste doit être comblé à titre permanent aussitôt que possible.

A ces causes, sur avis conforme du Solliciteur général du Canada, le Comité du Conseil privé recommande que la nomination temporaire de M. Brian McNally au poste d'enquêteur correctionnel prenne fin, et qu'en vertu de la Partie II de la Loi sur les enquêtes, M. Ronald L. Stewart d'Ottawa soit nommé commissaire, appelé enquêteur correctionnel, pour faire enquête, de sa propre initiative, à la demande du Solliciteur général du Canada, ou encore sur les plaintes reçues des détenus ou présentées en leur nom, au sens où l'entend la Loi sur les pénitenciers, et faire rapport sur les problèmes des détenus qui ressortissent à la compétence du Solliciteur général du Canada, sauf sur ceux qui sont soulevés dans une plainte

- a) portant sur une question ou un état de choses qui a cessé d'exister ou d'être le sujet d'une plainte plus d'un an avant le dépôt de la plainte auprès du commissaire,
- b) dont l'auteur n'a pas, de l'avis du commissaire, pris toutes les mesures nécessaires pour épuiser les recours juridiques ou administratifs possibles, ou
- c) portant sur une question ou un état de choses ressortissant à la compétence du Solliciteur général du Canada, y compris la préparation de documents à soumettre à la Commission nationale des libérations conditionnelles,

et le commissaire n'est pas obligé de faire enquête

- d) s'il y a déjà eu enquête sur le sujet de la plainte, ou
- e) si, de l'avis du commissaire, l'auteur de la plainte n'a aucun intérêt valable dans la question.

Le Comité recommande en outre qu'une commission soit délivrée audit commissaire et que ce dernier

1. soit nommé à titre amovible;
2. reçoive le traitement établi dans l'annexe ci-après;
3. soit autorisé à retenir, avec l'assentiment du Solliciteur général du Canada, les services d'experts et d'autres personnes dont il est fait mention à l'article 11 de la Loi sur les enquêtes, lesquels recevront les traitements et remboursements de frais que pourra approuver le Conseil du Trésor; et
4. soumettre un rapport annuel au Solliciteur général du Canada au sujet des problèmes qui ont fait l'objet d'enquêtes, et des mesures prises à leur égard.

Copie certifiée conforme

Le Greffier de conseil privé

Certified to be a true copy of a Meeting of the
Committee of the Privy Council, approved by
His Excellency the Governor General on
the 15 November, 1977

WHEREAS the Solicitor General of Canada reports as follows:

That, as a result of the resignation of Miss Inger Hansen from the position of Correctional Investigator as of October 1, 1977, the temporary appointment of Mr. Brian McNally of Ottawa to the position of Correctional Investigator was made by Order in Council P.C. 1977-2801 of 29th September, 1977, and

That, in order to meet the demands of the Office of the Correctional Investigator, it is advisable to proceed to make a permanent appointment to the position as quickly as possible.

Therefore, the Committee of the Privy Council, on the recommendation of the Solicitor General of Canada advise that the temporary appointment of Mr. Brian McNally to the position of Correctional Investigator be terminated and pursuant to Part II of the Inquiries Act, Mr. Ronald L. Stewart of the City of Ottawa be appointed as a Commissioner, to be known as the Correctional Investigator to investigate, on his own initiative, on request from the Solicitor General of Canada, or on complaint from or on behalf of inmates as defined in the Penitentiary Act, and report upon problems of inmates that come within the responsibility of the Solicitor General of Canada, other than problems raised on complaint

- a) concerning any subject matter or condition that ceased to exist or to be the subject of complaint more than one year before the lodging of the complaint with the Commissioner,
- b) where the person complaining has not, in the opinion of the Commissioner, taken all reasonable steps to exhaust available legal or administrative remedies, or
- c) concerning any subject matters or conditions falling under the responsibility of the Solicitor General of Canada that extend to and encompass the preparation of material for consideration of the National Parole Board,

and the Commissioner need not investigate if

- d) the subject matter of a complaint has previously been investigated, or
- e) in the opinion of the Commissioner, a person complaining has no valid interest in the matter.

The Committee further advise that a Commission do issue to the said Commissioner, and

1. that the Commissioner be appointed at pleasure;
2. that the Commissioner be paid at the salary set out in the schedule hereto;
3. that the Commissioner be authorized to engage, with the concurrence of the Solicitor General of Canada, the services of such experts and other persons as are referred to in section 11 of the Inquiries Act, who shall receive such remuneration and reimbursement as may be approved by the Treasury Board; and
4. that the Commissioner shall submit an annual report to the Solicitor General of Canada regarding problems investigated and action taken.

Certified to be a true copy

Clerk of the Privy Council

4



23 June, 1983

Mr. Pon Stewart
Correctional Investigator
Journal Building
Tower North
Room 520
Ottawa, Ontario
K1P 6A6

Dear Mr. Stewart:

As you know, following the incident at Archambault Institution on July 25, 1982, in which three guards were killed by inmates and two prisoners died, there were allegations of mistreatment of several inmates, particularly those who were placed in segregation as a result of the incident.

These allegations are now the subject of the Amnesty International Memorandum to the Government of Canada dated June 1983. The Memorandum and appendices thereto describe the allegations in greater detail than has been provided previously and, in addition, provide for the first time documentation from some of the inmates. The Memorandum concludes that, on the basis of the evidence gathered, a full, independent and impartial investigation should be undertaken of the allegations. I would like to request that you carry out such an investigation, in accordance with your mandate as Correctional Investigator.

I draw your attention to a number of regrettable incidents which occurred and which are acknowledged. These are being reviewed by me with particular attention to the response of Correctional Service of Canada. These need not be investigated or dealt with in your report.

Although I have no wish to further constrain you in the way in which you conduct the investigation, I would ask that you:



- concentrate on the treatment experienced by inmates transferred to the segregation unit;
- interview inmates who were held in the unit during the period following the riot, and members of their families, lawyers or others who visited them during this period;
- interview relevant staff of the segregation unit and other staff of the institution, where this appears warranted, including medical staff;
- examine all relevant records;
- examine all previous reports on this incident and its aftermath;
- examine and assess the adequacy of policies and directives pertaining to the handling of inmates and the control of the institution in the aftermath of major incidents.

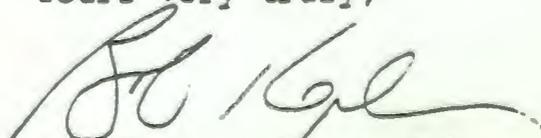
In particular, I would like you to report any specific incidents of mistreatment, including, wherever possible, details of the identity of inmates, staff, date, time and place of the incident.

In addition, I would like to know whether, in your judgement:

- a) there is evidence to substantiate a conclusion as to whether or not individual or general mistreatment of inmates took place during this period;
- b) there is evidence to warrant disciplinary action against any individual member of staff;
- c) there is evidence of inmate mistreatment which should be referred to the Attorney General of Quebec for his further investigation and/or consideration of prosecution;
- d) there are any recommendations you would make to prevent or reduce the likelihood of mistreatment in the aftermath of future incidents.

I would like to receive your report of the investigation by August 31 in a form that will permit me to make it public (save for the deletion of specific names where this is deemed appropriate). If feasible, I would appreciate receiving an interim report no later than July 15.

Yours very truly,



Bob Kaplan, P.C., M.P.



The Correctional Investigator
Canada

L'Enquêteur correctionnel
Canada

P.O. Box 2324, Station D
Ottawa, Ontario
K1P 5W5

C.P. 2324, Station D
Ottawa (Ontario)
K1P 5W5

TD NO. NO D.T.	31530
FILE NO. NO. DOSSIER	122-2-1
B.P. A.R.	28/7/83

July 6, 1983

The Honourable Robert Kaplan
Solicitor General of Canada
340 Laurier Ave., West
Ottawa, Ontario

Dear Mr. Minister:

I have reviewed your letter of June 23, 1983 pertaining to an investigation into allegations of inmate mistreatment following an incident at Archambault on July 25, 1982 and wish to make the following comments.

Over the years I have been concerned, as was my predecessor, about maintaining an independent stance for the Office of the Correctional Investigator and have worked toward that end. A key element in this struggle has been the attempts by ourselves and others to change the reporting function of the position from the Solicitor General to Parliament.

By way of background the first Correctional Investigator, Miss Inger Hansen, informed me that when the office was established in 1973 the Solicitor General of the day indicated that after an initial operating period the proposal was that she would be reporting to Parliament as a true ombudsman. In the report of the Committee on the Concept of the Ombudsman July 1977 it was suggested that the Office of the Correctional Investigator should be integrated into that of a true ombudsman. Again in the MacGuigan Report on Penitentiaries, recommendation number 37 called for the Correctional Investigator to report directly to Parliament and in my report to you of 1980-81 I reiterated that recommendation. To date as far as I am aware there has been no movement towards implementation of that change.

...2

2.

These initiatives were not to suggest that there had been in the past any interference nor any attempt to direct the manner in which the office carried out its duties but rather it had to do with the way the office was perceived by the inmates and others especially those interested in prisoner's rights.

Some basic concepts are that ombudsmen do not deal with broad affairs of state but deal with a host of administrative complaints and injustices and usually investigations are carried out in private. True ombudsmen are non-partisan, impartial and independent of the executive arm of government and the powers they have are restricted to reporting their findings. I have in the past and intend to continue to operate in this way.

In the second paragraph of your letter referred to above you request that I carry out a full, independent and impartial investigation in accordance with my mandate as Correctional Investigator. Consequently, I have commenced such an investigation and will proceed with it as expeditiously as circumstances permit. It will generally follow along the lines indicated in paragraph 4 with a view to drawing possible conclusions of mistreatment as set out in paragraph 5 and 6(a). My report will no doubt include appropriate recommendations with respect to policies and directives. However, conclusions with respect to any further actions that might be taken on the basis of the facts obtained during my investigation, be they disciplinary civil or criminal as mentioned in paragraph 6(b) and (c) are matters that exceed the terms of my mandate.

Finally, I note your request regarding the timing of my report and of an interim report if feasible. I do not regard the provision of an interim report to you by July 15, 1983 as feasible. As indicated above, I will proceed with my work as expeditiously as possible. Based upon progress to date, I do not anticipate that I will be in a position to provide you with a final report by the date of August 31, 1983 as indicated in your letter. However, I will be pleased to remain in contact with you in this matter and to indicate to you in an informal way progress from time to time.

Yours respectfully,



R.L. Stewart
Correctional Investigator.



Solicitor General
of Canada

Solliciteur général
du Canada

The Honourable
Bob Kaplan

L'honorable
Bob Kaplan

Ottawa,
K1A 0P8
July 8, 1983

Mr. Pon Stewart
Correctional Investigator
Journal Building
Room 520
Ottawa, Ontario
K1P 6A6

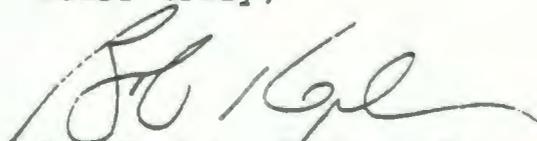
Dear Mr. Stewart:

Thank you for your response of
July 6, 1983, advising me that you are conducting an
investigation into allegations arising during the period
following the tragic events at Archambault Institution.

I recognize and respect your concern about
preserving your independent and impartial status in the
course of discharging your responsibilities as outlined in
your mandate. I also acknowledge your notice about the
difficulty of meeting the reporting dates mentioned in my
earlier letter. I wish to reiterate my hope that you will
endeavour to complete your investigation at the earliest
feasible date and to this end, I am prepared to make
available to you whatever additional resources may be
required to facilitate your work.

I look forward to meeting you soon to
discuss the findings of your progress reports.

Yours truly,


Bob Kaplan, P.C., M.P.

Canada



Le 23 juin 1983

Monsieur Ron Stewart
Enquêteur correctionnel
Immeuble Journal
Pièce 520
Ottawa (Ontario)
K1P 6A6

Monsieur,

Comme vous le savez, à la suite de l'incident survenu le 25 juillet 1982 à l'établissement Archambault, au cours duquel trois gardiens ont perdu la vie aux mains de détenus et deux prisonniers ont été tués, des personnes ont affirmé que plusieurs détenus, notamment ceux qui ont été placés en isolement, ont subi de mauvais traitements.

Ces allégations font maintenant l'objet d'un mémoire qu'Amnistie Internationale a adressé au gouvernement du Canada en juin 1983. Le mémoire et ses annexes décrivent plus en détail qu'auparavant les allégations et, pour la première fois, fournissent de la documentation provenant de certains des détenus. Les auteurs du mémoire concluent en disant que, à la lumière des renseignements recueillis, il y aurait lieu de faire mener une enquête complète et impartiale par une personne de l'extérieur. Je vous demanderais donc d'effectuer cette enquête, conformément à votre mandat d'Enquêteur correctionnel.

Je tiens à vous signaler qu'un certain nombre d'incidents regrettables ont déjà été reconnus. J'ai d'ailleurs examiné les faits entourant ces incidents, en prêtant une attention particulière à la réponse fournie par le Service correctionnel du Canada à leur égard. Il est donc inutile que vous fassiez enquête sur ces incidents ou que vous en traitiez dans votre rapport.

Bien que je ne désire aucunement limiter davantage le champ de votre enquête, je vous demanderai:

- de vous attacher au traitement subi par les détenus transférés dans l'aire d'isolement;
- d'interroger les détenus qui y ont été gardés durant la période qui a suivi l'émeute ainsi que les membres de leur famille, leurs avocats et leurs autres visiteurs;
- d'interroger le personnel concerné de l'aire d'isolement et d'autres employés de l'établissement, s'il y a lieu, y compris des membres du personnel médical;
- d'examiner tous les documents pertinents;

- d'étudier tous les rapports pertinents sur l'incident et sur ses suites;
- d'évaluer dans quelle mesure sont adéquates les lignes de conduite et les directives concernant le traitement des détenus et le contrôle de l'établissement à la suite d'incidents graves.

Je tiens particulièrement à ce que vous fassiez rapport de tout cas précis de mauvais traitements, en donnant, si possible, l'identité des détenus et des employés concernés ainsi que la date, l'heure et le lieu de l'incident.

En outre, j'aimerais savoir:

- a) s'il existe des preuves permettant de dire si, oui ou non, des sévices ont été exercés sur un ou plusieurs détenus au cours de cette période;
- b) s'il existe des preuves justifiant des mesures disciplinaires à l'endroit d'un membre du personnel;
- c) s'il existe, au sujet de mauvais traitements exercés sur des détenus, des preuves qui devraient être transmises au Procureur général du Québec afin qu'il puisse mener une enquête plus approfondie ou envisager d'intenter des poursuites;
- d) si vous avez des recommandations à faire afin d'éviter que des mauvais traitements soient exercés à la suite d'incidents futurs.

Je vous saurais gré de me faire parvenir votre rapport d'ici au 31 août prochain, sous une forme qui me permettra de le rendre public, après suppression, s'il y a lieu, des noms qui y sont mentionnés. Par ailleurs, je vous serais reconnaissant de me transmettre un rapport provisoire au plus tard le 15 juillet.

Bob Kaplan, CP, député

le 6 juillet 1983

L'honorable Robert Kaplan
Solliciteur général du Canada
340 ouest, avenue Laurier
Ottawa (Ontario)

Monsieur le Ministre,

J'ai pris connaissance de votre lettre du 23 juin 1983 ayant trait à une enquête sur les présumés mauvais traitements qui auraient été infligés aux détenus à la suite d'un incident survenu à Archambault le 25 juillet 1982 et, par la présente, vous fais part des observations suivantes.

Au cours des années, tout comme mon prédécesseur, je me suis efforcé de défendre l'autonomie du Bureau de l'Enquêteur correctionnel. Des éléments-clé de cette lutte ont été nos initiatives et celles de quelques autres personnes, visant à ce que ce Bureau relève, non pas du Solliciteur général, mais bien du Parlement.

Le premier Enquêteur correctionnel, M^{lle} Inger Hansen, m'a appris, à titre historique, qu'au moment de la création du Bureau, en 1973, le Solliciteur général de l'époque avait précisé qu'après une première étape de fonctionnement M^{lle} Hansen relèverait directement du Parlement, comme tout véritable ombudsman. Le rapport du Comité sur le concept de l'ombudsman, déposé en juillet 1977, propose que le Bureau de l'Enquêteur correctionnel soit celui d'un véritable ombudsman. De même, dans le Rapport MacGuigan sur le régime d'institutions pénitentiaires au Canada, la recommandation n^o 37 propose que l'Enquêteur correctionnel relève directement du Parlement. J'ai d'ailleurs repris cette recommandation dans le rapport que je vous ai adressé en 1980-1981. Jusqu'ici, pour autant que je sache, aucune mesure n'a été prise pour la mise en oeuvre de cette modification.

Ces initiatives ne devaient pas laisser entendre qu'il y aurait eu, par le passé, soit de l'ingérence dans l'exécution des fonctions de notre bureau, soit des tentatives de diriger l'exécution de ces mêmes fonctions. Il s'agissait plutôt de l'impression que créait notre bureau, tant chez les détenus que chez d'autres personnes, notamment celles qui se préoccupent des droits des détenus.

Il y a lieu de faire appel à quelques principes de base, notamment le principe voulant que l'ombudsman s'occupe non pas des grandes questions auxquelles doivent faire face les pouvoirs publics, mais plutôt d'une foule de plaintes et d'injustices sur le plan administratif, faisant habituellement l'objet d'enquêtes de caractère confidentiel. Le véritable ombudsman est sans parti pris et ne relève nullement du pouvoir exécutif. Il n'est habilité qu'à rendre compte de ses constatations. C'est ainsi que j'ai exercé mes fonctions par le passé; j'entends procéder de même dans l'avenir.

Au deuxième paragraphe de votre lettre dont il est fait mention ci-dessus, vous me demandez de procéder à une enquête approfondie, autonome et impartiale et ce, conformément à mon mandat d'Enquêteur correctionnel. C'est pourquoi j'ai institué une telle enquête et je la mènerai aussi promptement qu'il est possible. Celle-ci se conformera aux lignes directrices énoncées au paragraphe 4, dans l'hypothèse où il y aurait lieu de conclure à des mauvais traitements aux termes des paragraphes 5 et 6 a). On trouvera sans doute dans mon rapport les recommandations voulues en matière de politiques et de directives. Toutefois, ce serait aller au-delà de mon mandat que de tirer des conclusions quant aux mesures qu'il y aurait lieu de prendre à la lumière des faits établis au cours de mon enquête, qu'il s'agisse de questions intéressant le secteur disciplinaire, le secteur civil ou le secteur pénal, tel que prévu aux paragraphes 6 b) et c).

Enfin, je prends acte de votre demande relative à la date d'échéance de mon rapport et à celle, si possible, d'un rapport provisoire. J'estime qu'il me serait impossible de vous présenter un rapport provisoire d'ici le 15 juillet 1983. Comme je l'ai laissé entendre ci-dessus, je me propose de m'acquitter de cette tâche aussi rapidement que possible. En me fondant sur les travaux réalisés jusqu'ici, je ne prévois pas être en mesure de vous présenter un rapport définitif le 31 août 1983 comme l'indique votre lettre. Toutefois, je serais heureux de continuer de communiquer avec vous et de vous informer officieusement, à l'occasion, des étapes que j'aurai franchies.

Veillez agréer, Monsieur le Ministre, l'expression de ma considération distinguée.

L'enquêteur correctionnel,

R.L. Stewart

Ottawa, K1A 0P8

Le 8 juillet 1983

Monsieur Ron Stewart
Enquêteur correctionnel
Immeuble Journal
Pièce 520
Ottawa (Ontario)
K1A 6A6

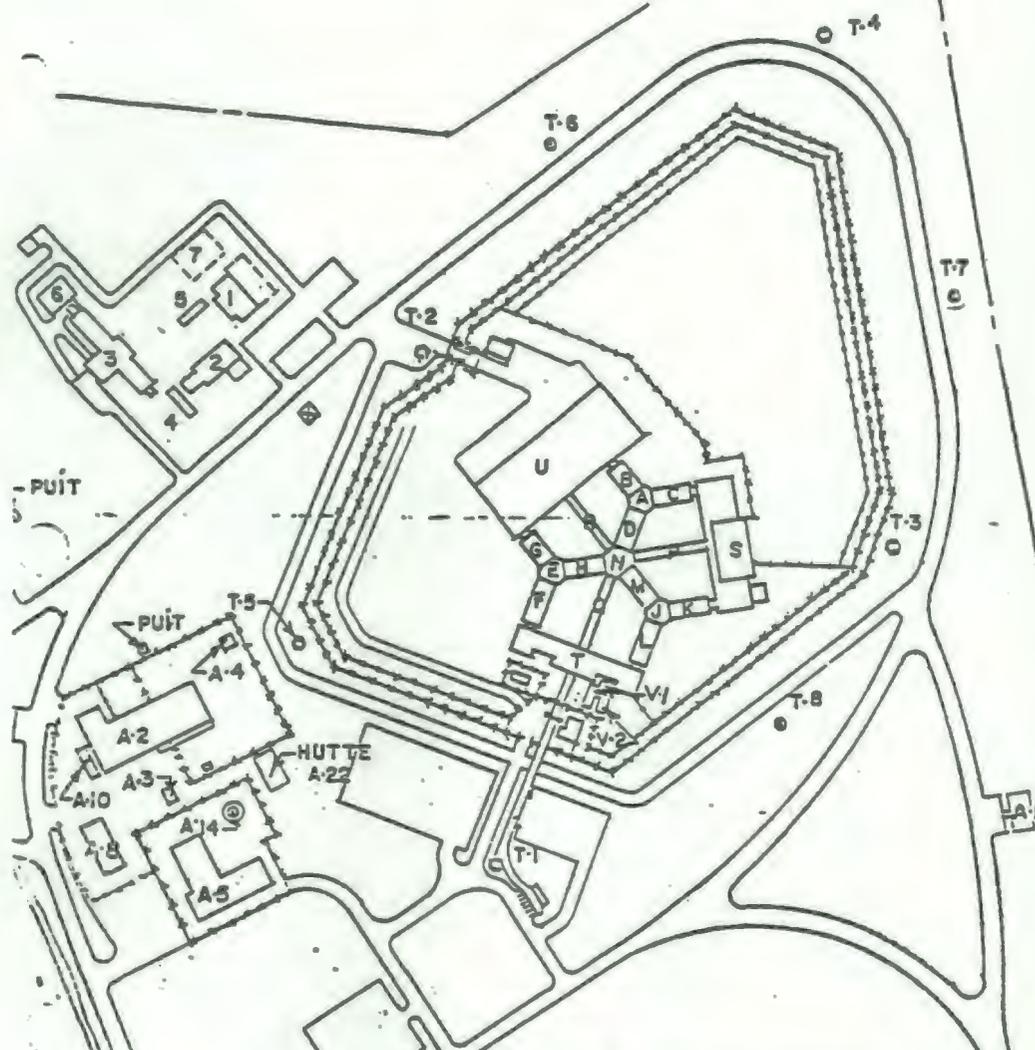
Monsieur,

J'ai bien reçu votre lettre du 6 juillet 1983 dans laquelle vous m'informiez que vous menez enquête sur les allégations formulées durant la période qui a suivi les tragiques événements survenus à l'établissement Archambault.

Je respecte votre souci de préserver votre indépendance et votre impartialité dans l'exercice des responsabilités découlant de votre mandat. J'ai également pris connaissance de votre note au sujet de la difficulté que vous éprouvez à établir les rapports pour les dates mentionnées dans ma lettre précédente. J'espère toujours que vous vous efforcerez de terminer votre enquête dans les meilleurs délais possibles et j'aimerais vous rappeler que je suis prêt, pour vous y aider, à mettre à votre disposition toutes les ressources additionnelles dont vous pourrez avoir besoin.

J'espère avoir bientôt le plaisir de vous rencontrer afin de discuter des conclusions de vos rapports provisoires et vous prie d'agréer, Monsieur, mes salutations distinguées.

Bob Kaplan, CP, député



—INSTITUTION ARCHAMBAULT—

- | | |
|-------------------------|-------------------------------|
| A - CONTROLE CELLULAIRE | N - CONTROLE CENTRALE |
| B - PAVILLON | P - PASSAGE |
| C - PAVILLON | Q - PASSAGE |
| D - PAVILLON | R - PASSAGE |
| E - CONTROLE CELLULAIRE | S - TRAITEMENT SPECIAUX |
| F - PAVILLON | T - ADMINISTRATION |
| G - PAVILLON | U - INDUSTRIE |
| J - CONTROLE CELLULAIRE | V-1 - BOULOTTE ADMINISTRATION |
| K - PAVILLON | V-2 - BOULOTTE ADMINISTRATION |
| L - PAVILLON | H - PAVILLON |
| M - PAVILLON | |
| T-1 - TOUR | T-5 - COURTOYER |
| T-2 - TOUR | T-6 - COURTOYER |
| T-3 - TOUR | T-7 - COURTOYER |
| T-4 - TOUR | T-8 - COURTOYER |

STE ANNE DES PLAINES

- ARCHAMBAULT INSTITUTION -

A - CELL CONTROL
B - PAVILION
C - PAVILION
D - PAVILION
E - CELL CONTROL
F - PAVILION
G - PAVILION
J - CELL CONTROL
K - PAVILION
L - PAVILION
M - PAVILION
T-1 - TOWER
T-2 - TOWER
T-3 - TOWER
T-4 - TOWER

N - CENTRAL CONTROL
P - CORRIDOR
Q - CORRIDOR
R - CORRIDOR
S - SPECIAL HANDLING
T - ADMINISTRATION
U - INDUSTRIES
V-1 - ADMINISTRATION TRAILER
V-2 - ADMINISTRATION TRAILER
H - PAVILION
T-5 - GUARD POST
T-6 - GUARD POST
T-7 - GUARD POST
T-8 - GUARD POST

WELL
A-22 HUT

APPENDIX NO. 2

Cher	Organigramme
PEN-10871	Sous-Commissaire
Department	Ministère
S.C.C.	
Région	Région
Québec	
District/Inst.	District/Étab.
ARCHAMBAULT	
Division/Secl.	Division/Secl.
Other	Autre

A. LEMARIER
 REMPLACÉ PAR
 P. LAU

Directeur, Archanbault	(2)
PEN-10873	EX-1 D

Effective date	d'effet	Nº of do	de
JUIN 1983		1	11
Reviewed by		Revu par	
<i>LAU</i>	(1)	<i>LAU</i>	
Title		Titre	Date
Directeur	(4)		
Approved by		Approuvé par	
Title		Titre	Date
Sous-Commissaire			

Secrétaire	(3)
-6171	ST-SCY-3 B

Directeur-Adjoint, Socialisation	(5)
-6181	MP-5 B

M. GILBERT
 REMPLACÉ PAR
 L. ST-MARTIN

-6181 P. 2 & 3

Directeur-Adjoint, Services Techniques	(6)
-4841	AS-4 B

-4841 P. 4 & 5

Directeur-Adjoint, Finances	(7)
-4504	FI-4 B

-4504 P. 6

Directeur-Adjoint, Santé	(8)
-10874	* MD-NOF-2 B

-10874 P. 7

Directeur-Adjoint, Administration	(9)
-6180	AS-4 B

-6180 P. 8

L. MANTHA
 REMPLACÉ PAR
 R. PLANTIER

Directeur-Adjoint, Sécurité	(10)
-6141	AS-6 B

-6141 P. 9

L. LEMAZ
 REMPLACÉ PAR
 M. GILBERT

Directeur-Adjoint, Industries	(11)
6214	GL-COI-12, C4, D3 B

-6214 P. 10

Directeur-Adjoint, Formation & Emploi	(12)
-4177	ED-EST-4 B

-4177 P. 11

R. CHARBONNEAU
 REMPLACÉ PAR
 P. SEGUIN INT
 ET
 M. DESLAURIERS

(13) Agit aussi comme D/A, Santé à l'établissement Ste-Anne-des-Plaines.

APPENDIX NO 5

- 1 - PEN-10871 Deputy Commissioner
CSC
Quebec
ARCHAMBAULT
- 2 - Warden, Archambault (A Lemarier replaced by P Viau)
- 3 - Secretary
- 4 - June 1983
Pierre Viau
Warden
Deputy Commissioner
- 5 - Assistant Warden, Socialization (M Gilbert replaced by
L St-Martin)
- 6 - Assistant Warden, Technical Services
- 7 - Assistant Warden, Finance
- 8 - Assistant Warden, Health
- 9 - Assistant Warden, Administration (L Mantha replaced by
D Cloutier)
- 10 - Assistant Warden, Security (L Lemay replaced by M Gilbert)
- 11 - Assistant Warden, Industries
- 12 - Assistant Warden, Training and Employment (R Charbonneau
replaced by P Seguin (acting) and M Deslauriers)
- 13 - * Also acts as Assistant Warden, Health, at
Ste-Anne-des-Plaines Institution

DATES ET LIEUX DES AUDIENCES

Pénitencier de Kingston:	le 25 août 1983 le 1er mai 1984
Etablissement de Millhaven:	le 25 août 1983 le 1er mai 1984
Centre de développement correctionnel:	le 31 août 1983 les 1er, 2, 7, 8 et 9 septembre 1983 les 25 et 26 avril 1984
Hôtel Sheraton Laval:	du 26 au 30 septembre 1983 du 3 au 7 octobre 1983 les 19, 20 et 21 octobre 1983 du 24 au 28 octobre 1983 les 14 et 15 novembre 1983 du 12 au 15 décembre 1983
Etablissement Leclerc:	le 9 novembre 1983
Etablissement Archambault:	les 9 et 10 novembre 1983
Ottawa:	les 18 et 23 janvier 1984
Pénitencier de Prince-Albert:	le 18 avril 1984

DATES AND LOCATIONS OF HEARINGS

Kingston Penitentiary: 25 August 1983
1 May 1984

Millhaven Penitentiary: 25 August 1983
1 May 1984

Correctional Development Centre: 31 August 1983
1 September 1983
2 September 1983
7 September 1983
8 September 1983
9 September 1983
25 April 1984
26 April 1984

Sheraton Laval: 26 September 1983
27 September 1983
28 September 1983
29 September 1983
30 September 1983
3 October 1983
4 October 1983
5 October 1983
6 October 1983
7 October 1983
19 October 1983
20 October 1983
21 October 1983
24 October 1983
25 October 1983
26 October/1983
27 October 1983
28 October 1983
14 November 1983
15 November 1983
12 December 1983
13 December 1983
14 December 1983
15 December 1983

Leclerc Institution:	9 November 1983
Archambault Institution:	9 November 1983 10 November 1983
Ottawa:	18 January 1984 23 January 1984
Prince Albert Penitentiary:	18 April 1984

PIECE À CONVICTION No

12. Note du directeur de l'établissement Archambault à datée du 30 juillet 1982
13. Note du directeur de l'établissement Archambault à datée du 17 août 1982
14. Note du directeur de l'établissement Archambault à datée du 17 août 1982
15. Note du directeur de l'établissement Archambault à datée du 4 août 1982
16. Note du directeur de l'établissement Archambault à datée du 8 septembre 1982
17. Croquis: Etablissement Archambault
18. Croquis: Système de ventilation
19. Croquis: M-12 - Poste de contrôle central "N" du sous-sol
20. Croquis: M-31 - Unité spéciale de détention "S" - Sous-sol
21. Croquis: M-32 - Unité spéciale de détention "S"
22. Croquis: M-34 - Unité spéciale de détention "S" - Salle des ventilateurs au 1er étage
23. Liste des plaintes des détenus
24. Rapports quotidiens des agents supérieurs portant sur la période du 26 juillet à la fin de septembre 1982
25. Photos des dommages à l'établissement
26. Message téléx de J.R. Héneault à J. Vermette, daté du 26 octobre 1982
27. Menus de l'établissement Archambault, du 28 août au 27 septembre 1982
28. Demandes de réparations: Aire d'isolement
29. Rapports de contrôle - Cuisine, datés du 25 juillet au 8 août 1982
30. Demandes de services: Chauffage

PIECE A CONVICTION No

31. Demandes de services: Fenêtres
32. Rapports sur les réparations
33. Croquis: Aire d'isolement
34. Registres quotidiens du Centre de santé, du 25 juillet au 29 août 1982
35. Notes d'un témoin concernant l'affectation des gardiens de l'établissement Archambault du 16 août au 15 novembre 1982
36. Note de R. Lussier à Michel Lavoie datée du 13 août 1982
37. Lettre de R. Mercier à M. Lavoie datée du 28 mars 1983
38. Lettre de J.P. Dugas à M. Lavoie datée du 8 décembre 1983
39. Croquis: Plan de masse de l'établissement Archambault
40. Note de P. Dumouchel à M.A. Marsan datée du 6 août 1982
41. Lettre de J.P. Dugas à M.A. Marsan datée du 6 août 1982
42. Croquis de l'aire d'isolement et de l'infirmierie par A. Marsan
43. Plan d'aménagement du bâtiment "S" - Infirmierie et aire d'isolement
44. Spécimen de signature fourni par un témoin
45. Spécimen de signature fourni par un témoin
46. Lettre de J.P. Dugas à V. Perreault datée du 5 août 1982
47. Spécimen de signature fourni par un témoin
48. Spécimen de signature fourni par un témoin
49. Formule vierge: "Journal de dissociation"

PIECE A CONVICTION NO

50. Extraits d'un agenda personnel, mois de juillet, d'août et de septembre 1982
51. Note de P. Viau à G. Millette datée du 5 août 1983
52. Rapport d'enquête sur un accident établi par un surveillant, daté du 4 août 1982
53. Note de Jacques Mérineau à S. Tremblay datée du 5 août 1982
54. Facture no 292134, datée du 3 août 1982
55. Bon de ramassage no 2117880, daté du 17 août 1982
56. Bon de ramassage no 785218, daté du 28 juillet 1982
57. Facture no 292131, datée du 28 juillet 1982
58. Note de L. Lemay au CRSP, datée du 5 mars 1983 et accompagnée d'un inventaire
59. Fiche d'inventaire: "Petits adjoints" (Vaporisateurs de gaz lacrymogènes)
60. Rapport quotidien: Inventaire de l'établissement Archambault (Formule)
61. Formule de griefs d'un détenu, datée du 22 novembre 1982
62. Procès-verbaux des réunions des directeurs tenues de juillet à septembre 1982
63. Appréciation de rendement pour l'année 1982-1983
64. Tableau de service préparé par R. Robitaille pour la période de juillet à septembre 1982
65. "Appel nominal" de l'équipe de nuit no 8, le 22 août 1982
66. Spécimen de signature fourni par un témoin
67. Lettre du CSSTQ à "À qui de droit", datée du 24 février 1983
68. Certificat médical: Incapacité de travail, daté du 6 août 1982

PIECE A CONVICTION No

69. Spécimen de signature fourni par un témoin
70. Grief de détenu no 341-177P/82, daté du 22 novembre 1982
71. Lettre de la Commission de la santé et de la sécurité du travail du Québec, datée du 1er mars 1983
72. Registre d'aire d'isolement concernant
mois de juillet et d'août 1982
73. Registre d'aire d'isolement concernant
mois de juillet et d'août 1982
74. Affidavit de Nicole Daigneault du 29 décembre 1982
75. Liste manuscrite des gardiens de service en août 1982
76. Requête à la Cour supérieure du Québec, datée du 20 janvier 1983
77. Description de poste: CX-6
78. Description de poste: CX-8
79. Rapport de la Commission d'enquête concernant la disparition des registres, daté du 10 août 1983.
80. Note de Lemay à l'Enquêteur correctionnel, datée du 26 octobre 1982
81. Description de poste: coordonnateur de la sécurité
82. Description de poste: agent de sécurité préventive
83. Message télex de Georges Lebel au directeur de l'établissement Archambault, daté du 21 août 1983
84. Message télex de Nicole Daigneault au Commissaire Yeomans
85. Déclaration sous serment de Georges A. Lebel, datée du 17 janvier 1983
86. Rapport de conférence de presse datée du 5 août 1982
87. Rapport d'enquête établi par G. Lebel, septembre 1982

PIÈCE À CONVICTION No

- 87.1 Note de service de D. Yeomans à J.P. Dugas, datée du 27 juillet 1982
88. Note de service de l'Inspecteur général au sous-commissaire principal des Services correctionnels concernant le rapport de Charles E.M. Kolb, représentant du Groupe international de défense des droits de l'homme (cc. Commissaire), datée du 18 octobre 1982
89. Communiqué du 1er septembre 1982
90. Note de service du chef des Enquêtes spéciales à A.F. Wrenshall, Inspecteur général, concernant la visite du président de l'Eglise unie du Canada à l'établissement Archambault, datée du 22 novembre 1982
91. Note de service de D.R. Yeomans au Dr D. Craigen, directeur général des Services médicaux et de santé, concernant les brutalités commises par le personnel, datée du 1er novembre 1982
92. Note de service de l'Inspecteur général à D.R. Yeomans, Commissaire du Service correctionnel, concernant le rapport de Thierry Maleville, datée du 24 janvier 1983
93. Note de service du Commissaire au sous-commissaire des Régions concernant les lignes directrices provisoires portant sur les mesures disciplinaires à prendre dans le cas d'inconduite des employés à l'endroit des détenus, datée du 29 décembre 1983
94. Note de service du Commissaire au sous-commissaire des Régions concernant les mesures disciplinaires à prendre à l'endroit des employés qui ont maltraité les détenus, datée du 19 septembre 1983
- 94A. Affidavit manuscrit de _____ daté du 4 août 1982
- 94A-1. Message télex de Georges Lebel, avocat, au directeur de l'établissement Archambault, au Commissaire du Service correctionnel et au Solliciteur général
- 94B. Formule d'affidavit
95. Lettre manuscrite d'un détenu à l'Enquêteur correctionnel,
96. Lettre manuscrite d'un détenu à l'Enquêteur correctionnel,
97. Lettre manuscrite d'un détenu au Solliciteur général,
98. Formule de griefs d'un détenu:
datée du 6 janvier 1983

LIST OF EXHIBITS

EXHIBIT NO.

1. News Release from the Solicitor General, dated August 8, 1983.

Letter from the Solicitor General to the Correctional Investigator, dated June 23, 1983.

Letter from the Correctional Investigator to the Solicitor General, dated July 6, 1983.

Letter from the Solicitor General to the Correctional Investigator, dated July 8, 1983.
2. Subpoena to Witness/Supboena pour Témoigner.
3. Photo Album of guards present at Archambault Institution at the relevant time (names of guards deleted).
4. Order-in-Council P.C. 1977-3209, appointing R.L. Stewart as Correctional Investigator.
- 4A. Memorandum from the Warden at Archambault Institution to dated July 30, 1982.
5. Memorandum from the Warden at Archambault Institution to dated August 5, 1982.
6. Memorandum from the Warden at Archambault Institution to dated August 5, 1982.
7. Memorandum from the Warden at Archambault Institution to dated July 30, 1982.
8. Letter from the Solicitor General to dated August 4, 1983, with handwritten notations.
9. Handwritten note signed by dated September 1, 1983, and given to Jean Bonhomme.
10. Memorandum from the Warden at Archambault Institution to dated August 11, 1982.
11. Memorandum from the Warden at Archambault Institution to dated August 11, 1982.

EXHIBIT NO.

12. Memorandum from the Warden at Archambault Institution to dated July 30, 1982.
13. Memorandum from the Warden at Archambault Institution to dated August 17, 1982.
14. Memorandum from the Warden at Archambault Insitution to dated August 17, 1982.
15. Memorandum from the Warden at Archambault Insitution to dated August 4, 1982
16. Memorandum from the Warden at Archambault Institution to dated September 8, 1982.
17. Drawing: Archambault Institution.
18. Drawing: Ventilation System.
19. Drawing: M-12 - Basement Central Control Unit 'N'.
20. Drawing: M-31 - Special Handling Unit 'S' - Basement.
21. Drawing: M-32 - Special Handling Unit 'S'.
22. Drawing: M-34 - Special Handling Unit 'S' - Fan Room
2nd Floor.
23. List of Inmate Grievances.
24. Daily Reports (Principal Agents) from July 26 to end of September 1982.
25. Photographs showing damages in the Institution.
26. Telex from J.R. Henault to J. Vermette, dated October 26, 1982.
27. Menus at Archambault Institution from August 28, 1982 to September 27, 1982.
28. Requests for Repairs: Detention Unit.
29. Control Reports: Kitchen, dated July 25 to August 8, 1982.
30. Requests for Services: Heating.

EXHIBIT NO.

31. Requests for Services: Windows.
32. Repair Reports.
33. Drawing: Detention Unit.
34. Daily Journals of the Health Care Unit from July 25 to August 29, 1982.
35. Witness' notes re: Assignment to posts at Archambault Institution from August 16 to November 15, 1982.
36. Memorandum from R. Lussier to Michel Lavoie, dated August 13, 1982.
37. Letter from R. Mercier to M. Lavoie, dated March 28, 1983.
38. Letter from J.P. Dugas to M. Lavoie, dated December 8, 1983.
39. Drawing: Site Plan - Archambault Institution.
40. Memorandum from P. Dumouchel to M.A. Marsan, dated August 6, 1982.
41. Letter from J.P. Dugas to M.A. Marsan, dated August 6, 1982.
42. Sketch of the Detention Unit and the Hospital by A. Marsan.
43. Floor Plan: Building 'S' - Hospital and Detention Unit.
44. Specimen signature provided by a witness.
45. Specimen signature provided by a witness.
46. Letter from J. P. Dugas to V. Perreault, dated August 5, 1982.
47. Specimen signature provided by a witness.
48. Specimen signature provided by a witness.
49. Blank Form: Journal de Dissociation.

EXHIBIT NO.

50. Excerpts from personal calendar for July, August and September 1982.
51. Memorandum from Viau to G. Millette, dated August 5, 1983.
52. Supervisor's Accident Investigation Report, dated August 4, 1982.
53. Memorandum from Jacques Mérineau to S. Tremblay, dated August 5, 1982.
54. Invoice Number 292134, dated August 3, 1982.
55. Pick-up Order Number 2117880, dated August 17, 1982.
56. Pick-up Order Number 785218, dated July 28, 1982.
57. Invoice Number 292131, dated July 28, 1982.
58. Memorandum from L. Lemay to CRSP, dated March 5, 1983, with attached inventory.
59. Inventory Card: 'Deputy'
60. Daily Report: Archambault Inventory (Form).
61. Inmate Complaint Form dated November 22, 1982.
62. 'Minutes' of Directors' Meetings - July to September 1982.
63. Performance Appraisal for the year 1982-83.
64. Calendar prepared by R. Robitaille from July to September 1982.
65. 'Appel Nominal' - Night Shift #8 - August 22, 1982.
66. Specimen signature provided by a witness.
67. Letter from CSSTQ to 'To Whom It May Concern' dated February 24, 1983.
68. Medical Certificate: Incapacity to Work - August 6, 1982.

EXHIBIT NO.

69. Specimen of signature provided by a witness.
70. Inmate Complaint #341-177P/82, dated November 22, 1982.
71. Letter from Commission de la santé et de la sécurité du travail du Québec, dated March 1, 1983.
72. Isolation Journal re: Inmate - July
and August 1982.
73. Isolation Journal re: Inmate - July
and August 1982.
74. Affidavit of Nicole Daigneault, dated December 29, 1982.
75. List of Guards for August 1982 - Handwritten.
76. Application to Québec Superior Court dated January 20,
1983.
77. Job Description: CX-6.
78. Job Description: CX-8.
79. Report of Board of Inquiry with respect to the disappearance
of Logs, dated August 10, 1983.
80. Memorandum from Lemay to Correctional Investigator, dated
October 26, 1982.
81. Job Description: Coordinator - Security.
82. Job Description: Preventive Security Agent.
83. Telex from Georges Lebel to the Warden at Archambault Insti-
tution, dated August 21, 1983.
84. Telex from Nicole Daigneault to Commissioner Yeomans.
85. Affidavit sworn by Georges A. Lebel, dated January 17,
1983.
86. Press Conference Report, dated August 5, 1982.
87. Rapport de Mission d'enquête, G. Lebel, dated September
1982.

EXHIBIT NO.

- 87.1 Memorandum from D. Yeomans to J.P. Dugas, dated July 27, 1982.
- 88. Memorandum from the Inspector General to D.C.C. Re: Report by Charles E.M. Kolb, Representative of the International Human Rights Law Group, (cc. Commissioner), dated October 18, 1982.
- 89. Press Release, dated September 1, 1982.
- 90. Memorandum from: Head, Special Inquiries to A.F. Wrenshall Inspector General, Re: Moderator's Visit to Archambault Institution, dated November 22, 1982.
- 91. Memorandum from D.R. Yeomans to Dr. D. Craigen, DGMS, Re: Staff Brutality, dated November 1, 1982.
- 92. Memorandum from the Inspector General to D.R. Yeomans, Commissioner of Corrections, Re: Thierry Maleville's Report dated January 24, 1983.
- 93. Memorandum from the Commissioner to the Deputy Commissioner Regions, Re: Interim Guidelines - Misconduct of Employees towards Inmates - Disciplinary Measures, dated December 29, 1983.
- 94. Memorandum from the Commissioner to the Deputy Commissioner Regions, Re: Mistreatment of Inmates by Personnel - Disciplinary Measures, dated September 19, 1983.
- 94A. Handwritten Affidavit of dated August 4, 1982.
- 94A-1. Telex from Georges Lebel, Solicitor, to the Warden at Archambault Institution, the Commissioner of Corrections and the Solicitor General.
- 94B. Form Affidavit.
- 95. Handwritten letter from an inmate to the Correctional Investigator,
- 96. Handwritten letter from an inmate to the Correctional Investigator,
- 97. Handwritten letter from an inmate to the Solicitor General, dated
- 98. Inmate Complaint Forms: dated January 6, 1983.

DANS L'AFFAIRE D'UNE ENQUETE EN VERTU
DE LA LOI SUR LES ENQUETES
S.R.C. 1970, CHAPITRE I-13

SUBPOENA POUR TEMOIGNER

A:

CONSIDERANT QUE l'Enquêteur correctionnel est un Commissaire nommé en vertu des dispositions de la Partie II de la Loi sur les enquêtes, et en vertu de l'Ordre-en-Conseil CP 1977-3209 en date du 12 novembre 1977;

ET CONSIDERANT QUE ledit Commissaire a été nommé par l'honorable Solliciteur général de faire enquête sur les circonstances suite à l'incident survenu à l'Etablissement Archambault le 25 juillet 1982 au cours duquel trois officiers furent tués par des détenus et deux détenus moururent. Une telle enquête à être menée d'une façon complète, indépendante et équitable sur

- (1) les allégations de sévices envers plusieurs détenus et particulièrement ceux qui furent placés en ségrégation suite audit incident;

et de

- (2) faire rapport sur tout incident spécifique de sévices, y compris, dans la mesure du possible, tous détails pertinents à l'identité des détenus et du personnel, dates, heures et lieux desdits incidents;

et de

- (3) aviser si preuve conclusive existe démontrant que ces détenus furent maltraités, individuellement ou collectivement, durant cette période;

et de

- (4) faire des recommandations afin de prévenir ou réduire toute possibilité de sévices futurs suite à des incidents similaires à l'avenir.

ET CONSIDERANT QU'il nous est apparent que vous êtes en toute probabilité un témoin important pour déposer de ce que vous savez à l'audition de cette enquête,

CECI DONC vous ordonne de comparaître devant ledit Commissaire lors d'une audition qui aura lieu à l'Etablissement du Centre de Développement Correctionnel situé dans la Ville de Laval, Province de Québec, le jour de 1983 à 9:30 heures du matin et par la suite, comme l'exigera le Commissaire afin de déposer de ce que vous savez qui peut être pertinent dans cette enquête et d'apporter tout document en votre possession ou sous votre contrôle ayant trait à cette affaire,

ET DE PLUS SOYEZ AVISE qu'en vertu de la Loi sur les enquêtes, ledit Commissaire vous permettra d'être représenté par un avocat, si vous le désirez.

DATE A OTTAWA, DANS LA PROVINCE D'ONTARIO, CE
DE 1983.

JOUR

LE COMMISSAIRE

IN THE MATTER OF AN INVESTIGATION
UNDER THE INQUIRIES ACT
R.S.C. 1970, CHAPTER I-13

SUBPOENA TO WITNESS

TO:

WHEREAS the Correctional Investigator is a Commissioner duly appointed pursuant to Part II of the Inquiries Act and Order-in-Council P.C. 1977-3209 dated November 12, 1977;

AND WHEREAS the said Commissioner has been requested by the Honourable the Solicitor General, following the incident at Archambault Institution on July 25th, 1982 in which three guards were killed by inmates and two prisoners died, to conduct a full, independent and impartial investigation into

- (1) allegations of mistreatment of several inmates, particularly those who were placed in segregation as a result of the incident,

and to

- (2) report any specific incidents of mistreatment, including wherever possible, details of the identity of the inmates, staff, date, time and place of incidents,

and to

- (3) advise whether there is evidence to substantiate a conclusion as to whether or not individual or general mistreatment of inmates took place during this period,

... Page 2

and to

- (4) make recommendations to prevent or reduce the likelihood of mistreatment in the aftermath of future incidents.

AND WHEREAS it has been made to appear that you are likely to be a material witness to give evidence at the hearing of the said investigation,

THIS IS THEREFORE to command you to attend before the said investigation at Millhaven Institution, Village of Bath, Province of Ontario, on the 25th day of August A.D. 1983 at the hour of 9:30 o'clock in the forenoon and thereafter as the said Commissioner may require, to testify as to matters relevant to the said investigation and to bring with you all relevant documents in your possession or under your control relating to the said investigation,

AND FURTHER TAKE NOTICE that pursuant to the Inquiries Act the said Commissioner will allow you to be represented by counsel if you wish.

DATED AT OTTAWA, IN THE PROVINCE OF ONTARIO, THIS DAY OF AUGUST, 1983.

COMMISSIONER

Case 9

INSTITUTION ARCHAMBAULT



Dossier:
C/410-2-77
N. Joo

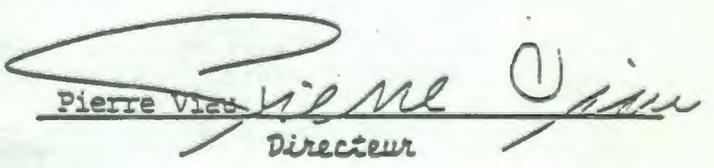
Un comité d'enquête est convoqué pour étudier les circonstances entourant la disparition des registres de détention (log book) du 25 juillet 1982 au 22 décembre 1982.

Le comité devra entendre les témoins, voir les évidences, contrôler les preuves, tirer les conclusions et faire les recommandations ainsi que me soumettre un rapport en conséquence, en 4 copies.

Président Jean Courtemanche,
Directeur-adjoint, Services techn

Membre André Corbeil,
Directeur-adjoint, Finances

Membre _____


Pierre Viau
Directeur

DATE: Le lundi 8 août 1983

TO
A

Director
Etablissement Archambault

FROM
DE

Sous-commissaire
Région du Québec

SECURITY - CLASSIFICATION - DE SÉCURITÉ CONFIDENTIEL
OUR FILE/NOTRE RÉFÉRENCE 3180-1 C1410-2-77 Soc
YOUR FILE/VOTRE RÉFÉRENCE
DATE Le 9 août 1983

SUBJECT
OBJET

INCIDENTS SURVENUS A L'ETABLISSEMENT
ARCHAMBAULT LE 25/07/83.

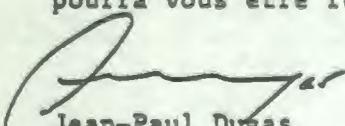
La présente fait suite à notre conversation téléphonique du 6 courant et a pour but de vous demander de prendre les actions requises dans le but de retrouver le journal "Log book" qui a servi à enregistrer, entre autres, les actions ou gestes posés par les détenus dans le secteur de détention (ségrégation) dans les deux (2) mois qui ont suivi l'incident précité, et les correctifs apportés par le personnel.

Si ce document ne pouvait être retracé dans les prochains jours, vous devrez:

- a) effectuer un relevé du personnel en devoir dans ce secteur durant la période des deux (2) mois mentionnés,
- b) questionner le plus grand nombre possible de ces employés (une trentaine et plus),
- c) m'indiquer la procédure suivie concernant le contrôle et la vérification de ce journal,
- d) me soumettre un rapport sommaire des témoignages recueillis de même vos conclusions et recommandations s'il y a lieu,
- e) produire des photocopies, pour les besoins de l'Enquêteur correctionnel, du "Journal d'isolement" des détenus placés à cet endroit durant la période mentionnée plus haut, obtenir les copies des autres établissements si des transferts y ont été effectués.

J'apprécierais recevoir ce rapport pour le 19 août au plus tard.

Si nécessaire, de l'aide de la division sécurité de l'administration régionale pourra vous être fournie. Vous devrez à ce sujet communiquer avec M. G. Marineau.


Jean-Paul Dugas
/pm

c.c. DER
AR Sécurité

13/8/83

13/8/83

Directeur
Établissement Archambault



Sous-commissaire
Région du Québec

SECURITY CLASSIFICATION OF REPORT
CONFIDENTIEL
NUMÉRO NOTRE RÉFÉRENCE
3180-1
VOTRE FILE NUMÉRO RÉFÉRENCE
<i>1410-2-79 Jcc</i>
DATE
Le 9 août 1983

INCIDENTS SURVENUS A L'ETABLISSEMENT
ARCHAMBAULT LE 25/07/82.

La présente fait suite à notre conversation téléphonique du 6 courant et a pour but de vous demander de prendre les actions requises dans le but de retrouver le journal "log book" qui a servi à enregistrer, entre autres, les actions ou gestes posés par les détenus dans le secteur de ségrégation (ségrégation) dans les deux (2) mois qui ont suivi l'incident précité, et les correctifs apportés par le personnel.

Si ce document ne pouvait être retracé dans les prochains jours, vous devrez:

- a) effectuer un relevé du personnel en devoir dans ce secteur durant la période des deux (2) mois mentionnés,
- b) questionner le plus grand nombre possible de ces employés (une trentaine et plus),
- c) m'indiquer la procédure suivie concernant le contrôle et la vérification de ce journal,
- d) me soumettre un rapport sommaire des témoignages recueillis de même vos conclusions et recommandations s'il y a lieu,
- e) produire des photocopies, pour les besoins de l'enquêteur correctionnel, du "journal d'isolement" des détenus placés à cet endroit durant la période mentionnée plus haut, obtenir les copies des autres établissements si des transferts y ont été effectués.

J'apprécierais recevoir ce rapport pour le 19 août au plus tard.

Si nécessaire, de l'aide de la division sécurité de l'administration régionale pourra vous être fournie. Vous devrez à ce sujet communiquer avec M. C. Marneau.

J. P. Dupes
Jean-Paul Dupes
/pr.

c.c. DEK
AR Sécurité



TO
À

Ar, Planification et Administration int.
Administration régionale, Québec

FROM
DE

Directeur
Etablissement Archambault

SECURITY - CLASSIFICATION - DE SÉCURITÉ
CONFIDENTIEL
OUR FILE/NOTRE RÉFÉRENCE 2170-1 C1410-2-77 ^{JOC}
YOUR FILE/VOTRE RÉFÉRENCE
DATE 1983-08-19

SUBJECT
OBJET

Disparition des registres de détention
«log book» du 26 avril 81 au 12 décembre 82.

1. Je vous transmets, ci-joint, le rapport d'enquête préparé par Messieurs Jean Courtemanche & André Corbail, relativement à l'incident précité.
2. Tout nous porte à croire que ces documents ont été détruits par inadvertance, étant donné qu'il nous est impossible d'attribuer la responsabilité directement à l'un ou l'autre de nos employés.
3. Je suis entièrement d'accord avec les recommandations des agents enquêteurs. Par copie de cette lettre je demande au Directeur adjoint Sécurité de prendre action pour les recommandations NO 1 et au Directeur adjoint Administration de prendre action pour les No. 2 & 3.

Pierre Viau
 Pierre Viau

FV/lc

CC: Directeur adjoint Sécurité
A S P
Directeur adjoint Administration

Directeur

Directeur-adjoint
Services Techniques

SECURITY - CLASSIFICATION - DE SECURITE
<u>CONFIDENTIELLE</u>
OUR FILE/NOTRE REFERENCE
YOUR FILE/NOTRE REFERENCE
2190-1-341
DATE
1983-08-10

SUBJECT
OBJET

ENQUETE ADMINISTRATIVE

Veillez trouver ci-joint l'enquête administrative concernant la disparition des registres de détention (log book) du 26 avril 81 au 12 décembre 82.


 Jean Courtemanche
 Président du comité d'enquête.
 JC/cb

p.j.



ENQUETE ADMINISTRATIVE
Disparition des registres de détention
"log book" du 26 avril 81 au 12 décembre 82.

Dossier: 2190-1-341
83-08-11

-1-

EXPOSE DES FAITS

Un comité d'enquête, formé par MM. Jean Courtemanche (D.A. S/T) et André Corbeil (D.A. Finance), a été convoqué pour étudier les circonstances entourant la disparition de certains registres de détention "log book".

L'enquête s'est tenue les 8 et 9 août 1983, à l'établissement Archambault.

ENQUETE ADMINISTRATIVE

08-08-83 - 10.15h

Le comité s'est tout d'abord rendu à la détention pour s'assurer que les activités journalières étaient bien inscrites au "log book"; M. Lafleur, agent de sécurité en poste, démontre que la procédure à ce jour était suivie: enregistrement des présences, visiteurs, etc...

08-08-83 - 10.25h

Le comité téléphonait à M. Bertrand Robichaud, ex-coordonnateur à la sécurité, afin de se faire expliquer quelle était la procédure pour l'émission des nouveaux registres "log book", lorsqu'il était en poste; la procédure décrite est la suivante:

ENQUETE ADMINISTRATIVE
Disparition des registres de détention
"log book" du 26 avril 81 au 12 décembre 82

Dossier: 2190-1-341
83-08-11

-2-

08-08-83

Le comité s'est tout de suite rendu dans

Les manuels trouvés sont les suivants:

"log book" - 16 mai au 17 août 80 incl.
8 octobre 80 au 26 avril 81 incl.

"log book" - 12 décembre 82 au 17 mai 83 incl.

Les manuels toujours manquants sont les suivants:

"log book" 17 août 80 au 8 octobre 80.
26 avril 81 au 12 décembre 82.

08-08-83 - 10.55h

Une rencontre avait lieu avec

Celui-ci indiqua que les "log book"
n'était aucunement de sa responsabilité.

Après vérification: Il appert qu'il a en sa possession les rapports du 16 décembre 81 au 5 juin 82 et du 4 janvier 83 à aujourd'hui.

ENQUETE ADMINISTRATIVE
Disparition des registres de détention
"log book" du 26 avril 81 au 12 décembre 82.

Dossier: 2190-1-
83-08-1

-3-

La période du 3 juin 82 au 4 janvier 83 est donc manquante.

étant trop préoccupé par l'enquête et le procès relatifs aux événements du 25 juillet 82, nous dit avoir délaissé quelque peu les tâches journalières lui incombant.

Lorsqu'il s'est aperçu que les feuilles de détention ne parvenaient plus à son bureau, il en a avisé et ce, à maintes reprises,
sans résultats positifs.

08-08-83 - 11.20h

Une vérification auprès du fichier central a été opérée.
nous dit ne pas trouver trace de ces documents.

confirmait dans le même sens en après-midi, en indiquant que ces livres avaient toujours été en possession de la division sécurité.

08-08-83 - En après-midi.

Les membres du comité procédaient à quelques appels téléphoniques.

08-08-83 - 13:54h

a été rejoint afin de s'assurer qu'il ne détenait pas les documents suite aux enquêtes survenues lors des événements du 25 juillet.

4/...

ENQUETE ADMINISTRATIVE
Disparition des registres de détention
"log book" du 26 avril 81 au 12 décembre 82.

Dossier: 2190-1-341
83-08-11

-4-

Sa réponse a été négative: Il n'avait pas eu à référer à ce genre de documents lors de l'enquête. Pour plus de sûreté, il demanda tout de même à ce que l'on confirme ses dires auprès de M. Richard Lamontagne, de la sécurité préventive à l'administration régionale, avec qui il avait eu à travailler lors des enquêtes relatives aux événements du 25 juillet.

08-08-83 - 14:05h

a été rejoint à son bureau de l'administration régionale.

Celui-ci est formel: Les enquêteurs n'ont jamais référé aux documents de la détention.

08-08-83 - 14:30h

Une liste de travail des chefs de secteurs (CX-8 et 6) nous a été remis par M. pour la période suivant les événements du 25 juillet. Dès lors, nous avons débuté l'enquête auprès de

en poste depuis le 16 mai 83, est le présent coordonnateur à la sécurité.

Il nous indique qu'il ne croit pas avoir émis de "log book" depuis sa nomination à ce poste.

5/...

ENQUETE ADMINISTRATIVE
Disparition des registres de détention
"log book" du 26 avril 81 au 12 décembre 82

Dossier: 2190-1-34
83-08-11

-5-

Il nous explique tout de même la procédure qui devrait être suivie dans ce cas:

La procédure "d'accusé de réception" étant inexistante, il n'y a donc aucun contrôle concernant la réception des "log book" complétés.

Concernant l'hypothèse possible de destruction des dits documents, nous indique que c'aurait pu se faire, mais alors-là,

Les membres du comité ont donc décidé de rencontrer tous les agents de correction de grade CX-4, CX-6 et CX-8 qui auraient pu être en contact avec les documents recherchés, pour la période suivant les événements du 25 juillet 1982.

N.B. Afin de garder une certaine homogénéité, un consensus des entrevues et appels téléphoniques effectués auprès de ces gens vous est soumis en un seul bloc.

6/...

ENQUETE ADMINISTRATIVE
Disparition des registres de détention
"log book" du 26 avril 81 au 12 décembre 82

Dossier: 2190-1-34:
83-08-11

-6-

Tous les agents de correction énumérés ci-haut ont indiqués que les "log book" leur sont remis lorsque complétés. Ceux-ci n'agissant qu'à titre intermédiaire, les acheminent directement aux CX-6 ou CX-8. Ils ne connaissent pas la procédure à suivre passé ce niveau.

Ils nous indiquent de plus, n'avoir jamais été sommés de détruire les "log book" ni été témoins de la destruction de ceux-ci.

Toutes les personnes énumérées ci-haut sont unanimes à dire que les livres en question se retrouvaient dans
Ils n'ont jamais
été sommés de détruire les "log book" ni été témoins de la destruction de ceux-ci.

1983-08-08 - 15.50h

Nous avons rencontré qui avait eu,
au mois de décembre dernier, le mandat de prendre
l'inventaire des documents disponibles dans toutes les divisions.

Lors de sa rencontre avec
celui-ci l'avisa, en lui montrant
quelques boîtes pleines, qu'il procédait à une épuration
de dossiers; lesquelles boîtes il ferait parvenir à
l'administration pour destruction dans la déchiqueteuse.

7/...

-7-

09-08-83 - 9:05H

Une rencontre avait lieu avec

Il nous indique se rappeler clairement qu'au cours du mois de mars 83, il a eu à détruire certains "log book" dans la déchiqueteuse; le tri des documents ayant été au préalable effectué par

Nous avons par la suite approché afin de vérifier le registre d'inventaire qui avait été soumis par lors de sa tournée d'inspection du mois de décembre 82.

Le registre démontre que les rapports journaliers de détention de août 82 à février 83 étaient existants, à ce moment-là.

09-08-83 - En après-midi.

Les membres du comité ont procédé à plusieurs appels téléphoniques supplémentaires.

09-09-83 - 13.50h

Les membres du comité ont téléphoné à M. Conabree de la sécurité préventive (région) afin de vérifier s'il n'avait pas référé, lors d'enquête concernant la cantine, aux documents des "log book".

(M. Laverdière nous avait précisé, lors d'une rencontre antérieure, que M. Conabree lui avait demandé s'il était possible de vérifier le va et vient dans le secteur de la détention. M. Laverdière lui aurait alors suggéré de référer au registre du "log book").

M. Conabree nous indique ne pas avoir finalement eu à y référer.

ENQUETE ADMINISTRATIVE
Disparition des registres de détention
"log book" du 26 avril 81 au 12 décembre 82

Dossier: 2190-1-34
83-08-11

-8-

Nous avons alors communiqué avec _____ à son domicile

Celui-ci, suite à notre appel s'est présenté à l'établissement Archambault.

A la question à savoir s'il avait ou non détruit les log book, celui-ci nous a répondu de façon très vague.

Il se souvient que le Directeur du temps (M. André Le Marier) avait donné ordre à la sécurité, de faire une épuration des dossiers en général.

Il dit avoir procédé à un tri de documents en compagnie de CX-8 et 6 dont il ne se souvient plus les noms.

Il dit de plus, ne pas se rappeler qu'il ait jamais donné ordre de détruire quelque "log book" que ce soit.

Il prétend qu'à son départ, tous les registres étaient

N.B.: Les membres du comité indiquent que les réponses émises par _____ étaient très évasives.

Nous avons alors communiqué avec _____

Celui-ci est convaincu que tous les registres étaient en institution lors de son départ; il confirme de plus qu'il n'a jamais été impliqué dans aucune destruction de ce genre.

9/...

ENQUETE ADMINISTRATIVE
Disparition des registres de détention
"log book" du 26 avril 81 au 12 décembre 82

Dossier: 2190-1-341
83-08-11

-9-

09-08-83 - 14:35h

de la sécurité préventive institutionnelle a été rencontré par les membres du comité.

De ce qu'il se souvient: Celui-ci nous indique qu'il n'y avait que deux cartables dans le département de la sécurité préventive. (Du 16-12-81 au 03-06-82 et du 04-01-83 au 06-08-83).

Il dit aussi ne jamais avoir vu les documents qui auraient été inventoriés dans son département par
au mois de

(Ses dires sont corroborés par

09-08-83 - 15:10h

Nous avons alors rencontré
lequel nous indique ne jamais avoir vu
les "log book" en question.

Il dit aussi ne pas s'être aperçu à sa nomination
au poste de au mois de septembre dernier,
qu'il y avait eu au préalable épuration de dossier.

09-08-83 - 16:00h

Les membres ont effectué un dernier appel téléphonique.

10/...

ENQUETE ADMINISTRATIVE
Disparition des registres de détention
"log book" du 26 avril 81 au 12 décembre 82

Dossier: 2190-1-
83-08-1.

-10-

Il nous indique qu'effectivement, suite au projet de loi C-43, des ordres auraient été donnés à la division Sécurité, comme à toutes les autres divisions, de voir à détruire les dossiers parallèles. (Voir lettre du coord. des documents 82-08-10 /420-13).

Il précise toutefois que la destruction des documents était laissée à l'entière discrétion des divisions concernés.

CONCLUSION

Après toutes ces recherches, nous confirmons que les "log book" pour la période du 26-04-81 au 12-12-82 demeurent introuvables et que les rapports journaliers de la détention pour la période du 03-06-82 au 04-01-83 sont aussi manquants.

Tout porte à croire que ces documents auraient été détruits par inadvertance, ceci en ne tenant pas compte de la valeur que de tels documents auraient pu avoir un jour, lors d'enquête subséquente.

RECOMMANDATIONS

1. Nous recommandons un contrôle sur l'émission et réception des "log book" pour les secteurs de la détention et de l'hôpital, par la division sécurité.

2. Nous conseillons aussi que soit créé un ordre permanent traitant de la marche à suivre pour l'échange de "log book" afin de s'assurer qu'une procédure uniforme soit respectée de tous les fonctionnaires susceptibles d'être attitrés à cette fonction.

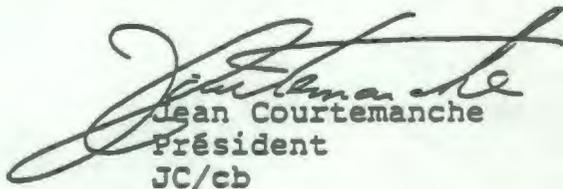
ENQUETE ADMINISTRATIVE
Disparition des registres de détention
"log book" du 26 avril 81 au 12 décembre 82

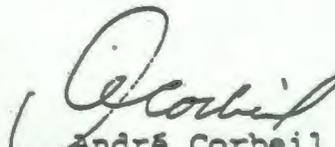
Dossier: 2190-1-3
83-08-11

-12-

3. Comme dernière recommandation, nous demandons à ce que soit respectée la directive sur l'élimination de documents. Si un doute il y a, le coordonnateur des documents pourra être rejoint afin de se procurer les renseignements nécessaires, conformément aux procédures de dotation et élimination de documents. (Référence: Dossier 428-1, 82-11-19).

POUR APPROBATION


Jean Courtemanche
Président
JC/cb


André Corbeil
Membre



PAR FAC SIMILE

Directeur
Etablissement Archambault

Sous-Commissaire
Région du Québec

SECURITY CLASSIFICATION OF MESSAGE
CONFIDENTIELLE
CHARACTER OF INFORMATION
1410-1-141 C1410-2-77
YOUR FILE NUMBER REFERENCE
2170-1 ✓
DATE
Le 22 août 1983

SUBJECT / OBJET: DISPARITION DES REGISTRES DE DETENTION (LAK BOND)
COUVRANT LA PERIODE DU 26 AVRIL 81 au 12 DECEMBRE 82

1. J'ai reçu le rapport d'enquête au sujet de l'incident précité. Les points suivants demeurent obscurs et j'aimerais que vous les expliquiez dans un rapport subséquent:

Page 3: Faudra expliquer avec plus de précisions les occupations particulières qui lui ont fait délaissier les tâches journalières qui lui incombait. n'aurait-il pu s'apercevoir et s'occuper de l'arrêt dans la réception des formules des rapports journaliers de la détention.

Page 3: A où vers quelle date s'est-il aperçu que les feuilles de rapport journalier de la détention ne parvenaient plus à son bureau? Quel est le nom et le no de formule officiel du document en question et quelle est la responsabilité officielle à ce sujet? Cette responsabilité est-elle couverte par les Ordres Permanents ou autre document?

Page 7: On parle de "de la sécurité préventive institutionnelle". A notre connaissance il n'existe qu'un poste d'ASP et il est détenu par monsieur L. St-Pierre. Faudrait expliquer la situation.

Page 10: Veuillez soumettre copie de la lettre du Coordonnateur des documents 82-08-10 / 420-13.

2. J'aimerais que les réponses à ces questions me soient transmises sous votre signature dans les meilleurs délais.

J.P. Dugas

CH/BR

ENVOYE PAR FAC SIMILE LE 22/08/83

230
23/8/83

présences dét. :

Total:

Sous-Commissaire
Administration régionale, Québec

Directeur
Etablissement Archambault

SECURITY - CLASSIFICATION - DE SÉCURITÉ

~~CONFIDENTIEL~~

OUR FILE/VOTRE RÉFÉRENCE

~~2170-1~~ C1410-2-77

YOUR FILE/VOTRE RÉFÉRENCE

~~1410-1-141~~

DATE

Le 83/08/25

SUBJECT
OBJET

Disparition des registres de détention (log book) couvrant la période du
26 avril 1981 au 12 décembre 1982

1. La présente fait suite à la vôtre du 22 courant relativement au sujet cité en rubrique.

2. Après les événements du 25 juillet 1982, l'occupation principale de l'agent de Sécurité préventive était l'enquête policière. A cette fin, il devait rencontrer, de concert avec les agents de la Sûreté du Québec, le personnel impliqué, les informateurs, les détenus qui ont participé à l'incident selon les informations reçues, les procureurs et les enquêteurs correctionnels. Les recherches relatives à l'enquête occupaient à plein temps l'agent de Sécurité préventive.

Je porte à votre attention le fait que Monsieur Roger Gauthier, CX-COF-4, a été prêté à l'A.S.P. à compter de décembre 1982 à août 1983 afin de l'assister dans le surplus de travail occasionné par les enquêtes. Monsieur Y. Marmen, CX-COF-4, était assigné avec l'A.S.P. lors des événements du 25 juillet 1982.

a sensibilisé à plusieurs reprises à l'effet que les rapports journaliers n'arrivaient pas à son bureau. faisait des pressions auprès du sans pour autant obtenir d'actions positives.

3. fut rencontré hier vers 14h45 et affirmait que lorsque les rapports journaliers n'arrivaient pas à son bureau, il en avisait sans qu'aucune suite ne fut donnée.

se souvient d'avoir reçu des rapports mais souligne, qu'à l'occasion, certains d'entre eux étaient manquants. Il affirme également que ces documents n'ont pas été remis aux enquêteurs.

ne peut avancer de date définie à laquelle les rapports ont cessé de parvenir à son bureau; toutefois, occasionnellement, ces rapports étaient manquants. Il se souvient avoir avisé le
à maintes reprises de ces absences.

Il n'existe aucun ordre permanent ou document couvrant une telle responsabilité. Ce rapport était complété dans un seul but de prévention. La collecte et la conservation de ces documents fut convenue par une entente verbale entre le Directeur-adjoint, Sécurité, Monsieur Louis Lemay, et l'agent de Sécurité préventive.

4. Il n'existe effectivement qu'un poste d'agent de Sécurité préventive à notre établissement, lequel est détenu par Monsieur Edmond St-Pierre. Monsieur Marmen fut remplacé par Monsieur Gauthier suite à une décision administrative. Sachant que le poste de l'agent de Sécurité préventive comporte des surcharges de travail surtout lors d'événements tels que ceux connus à notre établissement au cours des dernières années, la direction avait décidé de prêter un agent de correction afin de pallier aux surcharges de la sécurité préventive étant donné que l'A.S.P., de par sa responsabilité, devait s'absenter fréquemment de l'établissement pour fin d'enquête, témoignages à la cour, etc., etc.

5. Vous trouverez, ci-joint, la copie de la lettre du Coordonnateur des documents datée du 10 août 1982 et portant la référence 420-13.

6. Nous sommes à votre disposition pour tout renseignement supplémentaire.


Pierre Viau

AC/JC/csp

c.c.: A.S.P.

p.-j. 3

M. Donald R. Yeomans,
Commissaire,
Administration Centrale

Sous-commissaire int.
Région du Québec

SECURITY - CLASSIFICATION - DE SÉCURITÉ

CONFIDENTIEL

OUR FILE/NOTRE RÉFÉRENCE

1410-1-341

YOUR FILE/VOTRE RÉFÉRENCE

DATE Le 29 août 1983

SUBJECT
OBJET

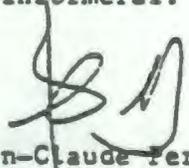
- Disparition des registres de détention "Log Book"
du 26 avril 1981 au 12 décembre 1982 - Archambault

Je vous transmets avec la présente le rapport d'enquête commandée concernant l'incident précité. Je transmets aussi copie de la lettre de demande d'explications additionnelles que j'adressais au Directeur, sa réponse, ainsi qu'une note de service subséquente à cette dernière.

Comme vous le noterez, cette enquête n'a pu permettre de retrouver les registres en question ni de savoir dans quelles circonstances ils ont disparu.

Je partage les conclusions des enquêteurs et je suis d'accord à ces que les recommandations soient appliquées sans délai.

Si d'autres développements surviennent dans les jours qui suivent, je vous en informerai.


Jean-Claude Ferron

DR/dt

c.c. Directeur - Etablissement Archambault



Government of Canada

Gouvernement du Canada

MEMORANDUM

NOTE DE SERVICE



M. Pierre Viau,
Directeur,
Etablissement Archambault

Sous-commissaire int.
Région du Québec

SUBJECT
OBJET

- Disparition des registres de détention "Log Book"
- couvrant la période du 26 avril 1981 au 12 décembre 1982

Noté
13-09-1
AA D
From [Signature]
viair

SECURITY - CLASSIFICATION - DE SÉCURITÉ
CONFIDENTIEL
OUR FILE / NOTRE RÉFÉRENCE 1410-1-341 <i>Joe</i> <i>C1410-2-77</i>
YOUR FILE / VOTRE RÉFÉRENCE
DATE Le 29 août 1983

C'est avec attention que j'ai lu votre note de service du 25 août dernier en rapport avec l'objet cité en rubrique.

Bien qu'il n'existe aucun ordre permanent ou document couvrant une telle responsabilité et que ces rapports journaliers étaient complétés dans un seul but de prévention, je comprends mal que le Coordonnateur de la Sécurité Opérationnelle, ne donnait pas suite aux représentations faites par l'agent de Sécurité Préventive ou par son assistant. Cette situation m'apparaît d'autant plus sérieuse si je considère le contexte de l'établissement Archambault à ce moment-là. La disparition des registres en question demeure pour moi encore obscure.

Dans l'éventualité où ces derniers seraient retrouvés, j'apprécierais que vous m'en informiez.

JCP

Jean-Claude Perron

DR/dt

JCP
03-9-2

ARCHAMBAULT INSTITUTION

File: C1410-2-77
Joce

A board of inquiry is convened to investigate the circumstances surrounding the disappearance of detention log books for July 25, 1982 to December 12, 1982.

The board will hear witnesses, receive and verify evidence, draw conclusions, make recommendations and submit its report to me in quadruplicate.

Chairman: Jean Courtemanche
Assistant Warden
Technical Services

Member: André Corbeil
Assistant Warden
Finance

Member:

(signed)
Pierre Viau
Warden

Date: Monday, August 8, 1983

MEMORANDUM

TO Warden
Archambault Institution

CONFIDENTIAL

FROM Deputy Commissioner
Quebec Region

C1410-2-77 Joce

August 9, 1983

SUBJECT INCIDENTS AT ARCHAMBAULT
INSTITUTION, 25/07/83

Further to our telephone conversation of August 6, I am hereby requesting that you take the necessary action to recover the log book that was used to record, among other things, the actions of inmates in the detention (segregation) sector during the two (2) months following the above-mentioned incident and the corrective action taken by staff.

If this document cannot be recovered within the next few days, you should:

- a) make a list of personnel on duty in this sector during the two-month period in question;
- b) question as many of these employees as possible (thirty or more);
- c) inform me of the procedure followed with regard to the control and checking of this log;
- d) provide me with a brief report on the evidence collected along with your conclusions and recommendations, if necessary;
- e) make photocopies, for the use of the Correctional Investigator, of the "Isolation Log" of inmates placed in this unit during the above-mentioned period and obtain copies from other institutions if inmates were transferred.

I would appreciate receiving this report by August 19 at the latest.

The Security Division at Regional Headquarters may assist you, if necessary. The person to call is Mr G Marineau.

(signed)
Jean-Paul Dugas
/pm

cc: REO
RM Security

MEMORANDUM

TO Acting RM, Planning and Administration CONFIDENTIAL
Regional Headquarters, Quebec
C1410-2-77 Joce

FROM Warden
Archambault Institution
1983-08-19

SUBJECT Disappearance of detention log books
for April 26, 1981 to December 12, 1982

1. Attached please find the report prepared by Jean Courtemanche and André Corbeil following their inquiry into the above incident.
2. We have every reason to believe that these documents were destroyed inadvertently, for it is impossible to say that any of our employees was directly responsible.
3. I fully agree with the recommendations made by the investigating officers. Upon receipt of a copy of this memo, the Assistant Warden, Security is requested to act on recommendation No 1 and the Assistant Warden, Administration to act on recommendations No 2 and 3.

(signed)
Pierre Viau

PV/lc

cc: Assistant Warden, Security
PSO
Assistant Warden, Administration

MEMORANDUM

TO Warden

CONFIDENTIAL

FROM Assistant Warden
Technical Services

2190-1-341

1983-08-10

SUBJECT ADMINISTRATIVE INQUIRY

Attached please find the administrative inquiry into the disappearance of the detention log books for April 26, 1981 to December 12, 1982.

(signed)
Jean Courtemanche
Chairman, Board of Inquiry
JC/cb

Encl

ADMINISTRATIVE INQUIRY
Disappearance of detention log books
for April 26, 1981 to December 12, 1982

File: 2190-1-341
83-08-11

- 1 -

A board of inquiry, made up of Jean Courtemanche (AW TS) and André Corbeil (AW Finance), was convened to investigate the circumstances surrounding the disappearance of certain detention log books.

The investigation took place on August 8 and 9, 1983 at Archambault Institution.

ADMINISTRATIVE INQUIRY

08-08-83 - 10:15 h

The committee went first to the detention unit to ensure that daily activities were indeed recorded in the log book; Mr Lafleur, the security officer on duty, demonstrated that the procedure to date was being followed: record of attendance, visitors, and so on.

08-08-83 - 10:25 am

The committee phoned Bertrand Robichaud, the former security co-ordinator, to get an explanation of the procedure used for issuing new log books at the time he was working there; the procedure was described as follows:

08-08-83

The committee immediately went to

2/...

ADMINISTRATIVE INQUIRY
Disappearance of detention log books
for April 26, 1981 to December 12, 1982

File: 2190-1-341
83-08-11

- 2 -

08-08-83

The following books were found:

log books - May 16 to August 17, 1980, inclusive
October 8, 1980 to April 26, 1981, inclusive

log books - December 12, 1982 to May 17, 1983, inclusive

The following books are still missing:

log books - August 17, 1980 to October 8, 1980
April 26, 1981 to December 12, 1982

08-08-83 - 10:55 h

A meeting took place with

He indicated that he had no

responsibility for the log books.

A check revealed that he had in his possession the reports for
December 16, 1981 to June 5, 1982 and January 4, 1983 to the
present.

Thus, the log books for the period from June 3, 1982 to January
4, 1983 are missing.

3/...

ADMINISTRATIVE INQUIRY
Disappearance of detention log books
for April 26, 1981 to December 12, 1982

File: 2190-1-341
83-08-11

- 4 -

08-08-83 - 14:05 h

 was contacted at his office at Regional
Headquarters.

He replied categorically that the investigators had never
referred to detention documents.

08-08-83 - 14:30 h

 provided us with a duty roster of sector
chiefs (CX-8 and 6) for the period following the incidents of
July 25. We then began questioning

 is the current security co-ordinator; he has held this
position since May 16, 1983.

He told us that he did not think he had issued any log books
since his appointment.

5/...

ADMINISTRATIVE INQUIRY
Disappearance of detention log books
for April 26, 1981 to December 12, 1982

File: 2190-1-341
83-08-11

- 5 -

However, he explained the procedure to be followed in such cases:

Since there is no procedure for acknowledging receipt, there is no control over receipt of full log books.

When asked about the possibility that these documents might have been destroyed, said that they could have been, but

The committee members then decided to interview all correctional officers at the CX-4, CX-6 and CX-8 levels who might have been in contact with the documents in question during the period following the incidents of July 25, 1982.

NB: In order to maintain a certain continuity, we will give a consensus of the information obtained in our interviews and phone conversations with these people.

6/...

ADMINISTRATIVE INQUIRY
Disappearance of detention log books
for April 26, 1981 to December 12, 1982

File: 2190-1-341
83-08-11

- 7 -

09-08-83 - 9:05 h

A meeting was held with

He said he clearly remembered putting some log books in the shredder in March 1983; had sorted through the documents before they were destroyed.

We then approached to check the inventory that was prepared by on inspection tour in December 1982.

The inventory shows that the daily detention reports for August 1982 to February 1983 existed at that time.

09-08-83 - Afternoon

The committee members made several more telephone calls.

09-08-83 - 13:05 h

The committee members phoned Mr Conabree of Preventive Security (Region) to check whether he had ever referred to the log book documents during an investigation on the canteen. (Mr Laverdière told us earlier that Mr Conabree had asked him if it was possible to check the comings and goings in the detention sector. Mr Laverdière had suggested that he refer to the log book.)

Mr Conabree told us that, in the end, he had not needed to refer to the log book.

8/...

ADMINISTRATIVE INQUIRY
Disappearance of detention log books
for April 26, 1981 to December 12, 1982

File: 2190-1-341
83-08-11

- 8 -

We then contacted _____ at his home

Following our call, he came to Archambault.

When asked whether or not he had destroyed the log books, he gave a very vague reply.

He remembered that the warden at that time (André Le Marier) had ordered Security to go through and weed out files in general.

He said that he had sorted through the documents in the company of CX-8s and 6s whose names he did not recall.

He also said that he did not remember ever having ordered the destruction of any log books.

He claimed that all the log books were _____
when he left.

NB: The committee members noted that _____ answers were
Very evasive.

We then contacted _____

He is convinced that all the log books were in the institution when he left; he also confirmed that he had never been involved in the destruction of any documents of this kind.

9/...

ADMINISTRATIVE INQUIRY
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09-08-83 - 14:35 h

of institutional preventive security was interviewed by the committee members.

As far as he remembers, there were only two file folders in the preventive security department (from 16/12/81 to 03/06/82 and from 04/01/83 to 06/08/83).

He also said that he never saw the documents that recorded as having been in his department in

(His statements were corroborated by

09-08-83 - 15:10 h

We then met with never seen the log books in question.

who told us he had

He also said that when he was appointed last September he did not notice that there had been any previous weeding out of the files.

09-08-83 - 16:00 h

The members made one final phone call to

10/...

ADMINISTRATIVE INQUIRY
Disappearance of detention log books
for April 26, 1981 to December 12, 1982

File: 2190-1-341
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- 10 -

He told us that, following Bill C-43, the Security Division, like all other divisions, had been given orders to destroy parallel files. (See letter from records co-ordinator 82-08-10 /420-13).

He noted, however, that the destruction of documents was left entirely to the discretion of the division concerned.

CONCLUSION

All this research confirms that the log books for the period from 26/04/81 to 12/12/82 cannot be found and that the daily detention reports for the period from 03/06/82 to 04/01/83 are also missing.

We have every reason to believe that these documents were destroyed inadvertently, without any thought being given to the value such documents might one day have for subsequent investigations.

RECOMMENDATIONS

1. We recommend that the Security Division establish some control over the issuing and receipt of log books for the detention and hospital sectors.
2. We also recommend that a standing order on the procedure for exchanging log books be issued to ensure that a standard procedure is followed by all employees who may be assigned to this duty.

11/...

ADMINISTRATIVE INQUIRY
Disappearance of detention log books
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3. Finally, we recommend that the directive on the destruction of documents be followed. If any doubt exists, the records co-ordinator may be called to obtain the necessary information in accordance with the procedures for assignment and document destruction. (Reference: File 428-1, 82-11-19).

FOR YOUR APPROVAL

(signed)
Jean Courtemanche
Chairman
JC/cb

(signed)
André Corbeil
Member

Warden
Archambault Institution

CONFIDENTIAL
CI410-2-77

Deputy Commissioner
Quebec Region

August 22, 1983

DISAPPEARANCE OF DETENTION LOG BOOKS
COVERING THE PERIOD FROM APRIL 26, 1981 TO DECEMBER 12, 1982

1. I have received the Inquiry Report concerning the above incident. The following points remain unclear and I should like you to explain them in a subsequent report:

Page 3: More details are needed concerning the special duties of the [redacted] which led him to neglect his regular work. Could [redacted] not have noticed that daily detention reports were no longer being received and taken appropriate action?

Page 3: On or about what date did [redacted] notice that his office was no longer receiving the daily detention reports? What is the title and number of the official form used for these reports and what are the official responsibilities of [redacted] in this respect? Are these responsibilities covered in the Standing Orders or some other document?

Page 9: Mention is made of [redacted] "of Institutional Preventive Security". To our knowledge, there is only one PSO position, and it is filled by Mr L St-Pierre. The situation should be clarified.

Page 10: Please forward a copy of the letter from the Records Co-ordinator dated 82-08-10 / 420-13.

2. I would ask you to let me have the answers to these questions as soon as possible.

J P Dugas

Deputy Commissioner
Regional Headquarters, Quebec

CONFIDENTIAL
CT410-2-77

Warden
Archambault Institution

August 25, 1983

Disappearance of Detention Log Books covering the period
from April 26, 1981 to December 12, 1982

1. I am replying to your letter of the 22nd of this month concerning the matter mentioned above.
2. Following the incidents of July 25, 1982, the Preventive Security Officer worked primarily on the police investigation. Together with officers of the Quebec Police, he met with the employees involved, informers, inmates who, according to information received, had taken part in the incident, prosecutors and correctional investigators. He was fully occupied with research related to the investigation.

I call your attention to the fact that Roger Gauthier, CX-COF-4, was assigned to the PSO from December 1982 to August 1983, in order to help him handle the extra work created by the investigations. Mr Y Marmen, CX-COF-4, was assigned to work with the PSO when the incidents of July 25, 1982 took place.

informed the several times that his office was not receiving the daily reports. The then put pressure on the without, however, obtaining any results.

3. A meeting took place with yesterday at about 14:45 h. said that he informed the when daily reports did not reach his office, but no action was taken.

remembered receiving reports but added that sometimes some of them were missing. He also stated that these documents were not handed over to the investigators.

The cannot give a definite date when he stopped receiving these reports. However, he says that some were occasionally missing. He remembers informing the of this time and again.

There is no Standing Order or other document covering these responsibilities. This report was kept strictly for preventive security purposes. The collection and keeping of these records was decided upon by verbal agreement between the Assistant Warden, Security, Louis Lemay, and the Preventive Security Officer.

4. There is in fact only one Preventive Security Officer position in our institution, and that is filled by Edmond St-Pierre. Mr Marmen was replaced by Mr Gauthier following a management decision. Knowing that the Preventive Security Officer is often called upon to do extra work, particularly in the case of incidents such as those which have occurred in our institution over the past few years, management decided to assign a correctional officer to help him with the extra preventive security work, since the PSO, in the course of his duties, was often absent from the institution in order to work on investigations, testify in court, etc.

5. Please find enclosed a copy of the letter from the Records Co-ordinator dated August 10, 1982 and bearing the file number 420-13.

6. Please do not hesitate to contact us should you require additional information.

(signed)

Pierre Viau

cc: PSO

Encl:3

Donald R. Yeomans,
Commissioner

CONFIDENTIAL
1410-1-341

A/Deputy Commissioner
Quebec Region

August 29, 1983

- Disappearance of Detention Log Books
covering the period from April 26, 1981, to December 12, 1982
- Archambault

Please find attached the Report on the inquiry into the above incident. Also attached are a copy of the request for additional information I sent to the Warden, his reply, and a subsequent memo.

As you will note, the inquiry did not enable us either to locate these log books or determine under what circumstances they disappeared.

I concur with the findings of the investigators and I agree that the recommendations should be implemented without delay.

If there are any new developments within the next few days, I will let you know.

(signed)

Jean-Claude Perron

cc: Warden - Archambault Institution

Pierre Viau
Warden

CONFIDENTIAL
C1410-2-77

Archambault Institution

A/Deputy Commissioner
Quebec Region

August 29, 1983

- Disappearance of Detention Log Books
covering the period from April 26, 1981, to December 12, 1982

I have carefully read your memo of last August 25 on the above subject. Although there is no Standing Order or document covering such a responsibility and these daily reports were completed solely for preventive purposes, I find it hard to understand why the Operational Security Co-ordinator did not take action when notified by the Preventive Security Officer or his assistant. This situation is all the more serious if I consider the conditions which prevailed at Archambault at that time. The circumstances surrounding the disappearance of these log books remain obscure.

Should these log books be located, I would appreciate your letting me know.

(signed)

Jean-Claude Perron

ETABLISSEMENT ARCHAMSAULTORDRE PERMANENT 833LISTE DE DETENTION1. Visiteurs autorisés

Les visiteurs autorisés sont:

- a) Directeur, tous les directeurs-adjoints, CX-COF-8.
- b) Médecin, infirmier, fonctionnaire senior de la semaine, aumônier.
- c) Fonctionnaire E/C de l'institution, chef de secteur.
- d) Fonctionnaire en devoir sur le poste, ainsi qu'en devoir commandé.

Aucun autre fonctionnaire ne doit être admis à cet endroit sans l'autorisation du Directeur ou du Directeur Adjoint-Socialisation ou du Directeur Adjoint-Sécurité.

2. Enregistrement

Chaque fonctionnaire en devoir à ce poste, doit tenir un registre comme suit:

- a) S'enregistrer au commencement et à la fin de son tour de devoir.
- b) Indiquer le numéro et le nom de chaque détenu présent au commencement de son tour de devoir. Par la suite, veir à enregistrer le numéro, le nom, l'heure et la date de chaque détenu admis; faire signer le ou les fonctionnaires-escortes.
- c) Enregistrer la libération de chaque détenu durant son tour de devoir.
- d) S'assurer que chaque visiteur ou fonctionnaire-escorte, signe et indique la raison de cette visite, ainsi que l'heure d'entrée et de sortie.
- e) Dans un espace réservé aux REMARQUES, on doit indiquer:
 - i) Les événements importants survenus durant son devoir,
 - ii) Indiquer si les détenus ont eu une période d'exercices réglementaires au grand air, l'heure et la durée de ces exercices,
 - iii) Souligner le nom des détenus qui refusent de prendre leurs repas.

4) Tenir à date le journal d'isolement de chaque détenu et ce, sur la formule réglementaire - PEN-1320, révisée le 03-07-78.

5. Sécurité - Inspection

a) En commençant son devoir, prendre les informations nécessaires à son poste de fonctionnaire qui termine, prendre connaissance des notes du jour au registre, s'enregistrer, faire le compte.

b)

c) S'assurer qu'en tout temps les portes et barrières sont verrouillées.

d) Avertir le Directeur Adjoint-Sécurité ou son remplaçant en cas d'urgence ou de mauvaise conduite de la part d'un détenu. Ne jamais ouvrir la porte d'une cellule occupée par un détenu sans être accompagné d'un autre surveillant et avoir vérifié la cellule et le détenu par le guichet.

e)

f) Le CX-04 e/c devra s'assurer d'avoir les fonctionnaires nécessaires pour la période de marche et la toilette des détenus, ainsi que pour les entrevues autorisées. À moins d'autorisation spéciale du surveillant principal ou du coordonnateur de la sécurité, il ne devra pas y avoir de douche durant la marche des détenus ou vice-versa (seulement une activité à la fois) et toujours sous surveillance constante.

g)

h) On doit observer attentivement tout comportement ou manière des détenus. En cas d'anomalie, avertir le bureau du Directeur Adjoint-Sécurité ou du coordonnateur de la sécurité et faire des visites plus fréquentes.

i)

S'assurer que les détenus ne possèdent pas d'objet non-autorisé ou pouvant causer des blessures.

4. Fonctionnaire-escorte

Lorsqu'un fonctionnaire reçoit l'ordre d'escorter un détenu en détention il agit:

- a) Donner ordre au détenu de le suivre et l'escorter directement à la détention. En cas de refus d'ordre, en aviser immédiatement le Directeur Adjoint-Sécurité ou son remplaçant.
- b) Faire examiner le détenu par le médecin ou un infirmier si le médecin n'est pas sur les lieux (D.C. 213, para. 16 §.).
- c) Après les procédures d'admission, escorter le détenu à la cellule qui lui est assignée et s'assurer que la porte de la cellule est bien verrouillée.

5. Procédures d'admission:

- a) Faire déshabiller le détenu complètement et le fouiller selon les directives reçues (D.C. 249, para. 6B et 12-C).
- b) Le linge et les articles personnels du détenu doivent être inscrits dans le registre des "effets personnels" de la détention et gardés dans les étagères prévues à cette fin. Ce registre doit être signé par le fonctionnaire escorte. (Même procédure lorsque le détenu est libéré de la détention).
- c) Une paire de sous-vêtements, une paire de bas et une paire de pantalons couvre-trou sans poche seront donnés au détenu à même la réserve de la détention. La literie et les articles de toilette seront fournis à même cette réserve.
- d) On fournira aux détenus condamnés à l'isolement un matelas, un oreiller, des couvertures et draps en quantité suffisante. Toutes ces pièces de literie doivent être retirées pendant la journée, exception faite des fins de semaine et jours fériés.
- e) Le fonctionnaire en devoir à ce poste doit expliquer à chaque détenu en présence de l'escorte, tous les règlements le concernant, avant de le reconduire en cellule.

6. Règlements - Détenus

- a) Chaque détenu doit être vêtu convenablement durant la journée.
- b) Il est permis de fumer et d'avoir en sa possession des articles de fumage pendant la période d'isolement.
- c) Tout détenu qui volontairement ou malicieusement salit, endommage ou détériore sa cellule, son contenu ou ses vêtements de quelque façon que ce soit, doit être rapporté et est passible de sanctions disciplinaires sévères.
- d) Les D.C. 213-249 doivent être en vue dans le bureau de la Détention.
- e) Les détenus en attente de comparaître devant le tribunal disciplinaire, les détenus en ségrégation administrative et les détenus dont la sentence disciplinaire est terminée mais qui refusent de réintégrer la population régulière et qui doivent comparaître à nouveau devant le tribunal disciplinaire, ont droit d'avoir un matelas et la literie appropriée vingt-quatre heures par jour en cellule. De plus, ils ont la possibilité d'avoir en cellule des volumes en tout temps. Ces volumes peuvent être échangés lors de la période de marche de ces détenus.

7. Contrôle des détenus

- a) Il est défendu à un fonctionnaire d'appliquer une punition de son propre chef, à un détenu.
- b) En cas de rébellion ou d'attaque de la part d'un détenu, on doit prendre les moyens nécessaires pour se défendre et pour contrôler le détenu dans ces deux cas, faire un rapport détaillé au Directeur adjoint, Sécurité.
- c) Les couvertures doivent être remises pliées et en bon ordre, le matin au changement de relève et seront remises après souper.
- d) Pendant leur isolement cellulaire, les détenus recevront une ration alimentaire normale.
- e) S'assurer que le médecin ou son remplaçant visite quotidiennement les détenus en solitude.

8. Privilèges

A moins d'ordre contraire, les détenus en détention ont les privilèges de correspondance, de visite et de lecture.

9. Admission - non sentencé

- a) Lorsqu'un détenu est transféré aux cellules d'isolement avant d'avoir comparu devant une commission disciplinaire, le fonctionnaire en charge de l'institution doit noter au registre de la détention dans la partie: "ADMISSION NON SENTENCE" et initialer sa remarque.

b) Le fonctionnaire en devoir aux cellules de la détention, doit à l'admission d'un ou de ces détenus:

i) Suivre les procédures ordinaires d'admission selon les directives émises.

ii) Aviser le détenu qu'il est sujet aux mêmes règlements que les détenus en détention.

iii) En cas de mauvaise conduite de la part d'un de ces détenus, en aviser le Directeur adjoint, Sécurité, et faire un rapport en conséquence.

10. Inspection des cellules

A l'admission et à la libération d'un détenu de la détention, le fonctionnaire en devoir à ce poste, doit inspecter et vérifier la cellule en présence de celui-ci. Ceci a pour but de contrôler tous les dommages possibles. Si un bris a été constaté à l'admission d'un détenu, on doit le noter au registre afin que ce détenu ne soit pas accusé injustement.

11. Repas et relèves

a) Le CX-04 e/c de la détention (jour) commencera son devoir à 07:30 heures et terminera à 16:00 heures.

b) Le déjeuner est préparé par un assistant-économiste.

c) Le midi il servira le dîner avec son assistant CX-02. Le dîner est préparé par un assistant-économiste.

d) Le soir, l'officier détaillé sur la tour no. 5 sur le quart du soir se rendra à la détention pour le service du souper. Le souper est préparé par un assistant-économiste.

12. Marché

a) Chaque fois que le temps le permet, on devra accorder chaque jour à tout détenu mis en isolement cellulaire au moins une heure d'exercices à l'extérieur (cour de la détention) sauf si des considérations d'ordre sécuritaire dictent d'autres mesures. (D.C. 213) Jamais plus que trois détenus à la fois.

12. En cas d'impossibilité de donner aux détenus le temps alloué, un rapport écrit donnant les raisons devra être rédigé par le CX-04 e/c, rapport qui sera ensuite remis au chef de secteur concerné.
13. Douches
Le lundi, mercredi et vendredi, les détenus pourront prendre leur douche et se faire la barbe lorsque les conditions le permettent (officiers disponibles) et ceci jamais sur le temps alloué pour la marche. Il devra y avoir surveillance constante d'un fonctionnaire lorsqu'un détenu prend sa douche.
14. Entrevue - Classement
Il y aura possibilité d'entrevues des officiers de classement avec les détenus de la détention, le lundi, mercredi et vendredi après-midi. Ces entrevues se tiendront dans le local de la cour disciplinaire. Il sera de la responsabilité du CX-04 e/c de s'assurer d'avoir un fonctionnaire CX pour la surveillance du détenu durant ces entrevues. Les demandes d'entrevues devront être acheminées au bureau du Coordonnateur de la Sécurité, pour approbation et celui-ci avisera le CX-04 e/c de la détention, pour les heures des entrevues, ainsi que des détenus concernés.
15. Détenu ayant mis le feu à sa cellule
Tout détenu ayant mis le feu à sa cellule et étant placé en ségrégation pour ce motif, sera privé de cigarettes et d'allumettes et ce, jusqu'à ce qu'il soit jugé qu'il n'y a plus de danger pour sa vie.
16. Quart du soir
Ne jamais ouvrir une porte de cellule occupée, seule (2 officiers sont requis). Les lumières de cellules seront éteintes à 22:30 heures.
17. Quart du matin
- PS: Lors de l'admission d'un détenu en détention, le dit détenu doit être souillé à nu et d'autres vêtements lui seront donnés (1 set de pyjamas). Les règlements doivent lui être expliqués et la cellule inspectée en sa présence et celle de l'officier-escorte.

André Le Marier
Directeur
ALM/lit

Revisé le 16 décembre 1982.

ARCHAMBAULT INSTITUTION

STANDING ORDER 833

DETENTION UNIT

1. Authorized visitors

Authorized visitors are:

- a) Warden, all assistant wardens, CX-COF-8
- b) Doctor, health care officer, senior officer of the week, chaplain
- c) Officer i/c of the institution, sector chief
- d) Officer on duty at the post, or on official duty.

No other officer may be admitted to this area without authorization from the Warden, Assistant Warden, Socialization or Assistant Warden, Security.

2. Log book

Every officer on duty at this post must keep a log as follows:

- a) Sign the log at the beginning and end of his shift.
- b) Record the number and name of each inmate present at the beginning of his shift. Ensure that the number and name of each inmate admitted is recorded along with the time and date and have the escorting officer(s) sign the log.
- c) Record the discharge of any inmate that occurs during his shift.
- d) Ensure that every visitor or escorting officer signs the log and indicates the reason for his visit as well as the time in and time out.
- e) In the space reserved for COMMENTS:
 - i) indicate any important incidents that occur during his shift,
 - ii) indicate whether the inmates took the prescribed outdoor exercise period, and the time and length of this exercise period,
 - iii) underline the names of inmates who refuse to take their meals.

f) Keep the dissociation log on each inmate up to date using the prescribed form: PEN-1320, revised 03/07/78.

3. Security - Inspection

a) When coming on duty, obtain the necessary information on his post from the officer he is relieving, read the day's entries in the log, sign in and take the count.

b)

c) Ensure that doors and gates are locked at all times.

d) Notify the Assistant Warden, Security, or his replacement in case of emergency or inmate misconduct. Never open the door of an inmate's cell without being accompanied by another supervisor and having first checked the cell and the inmate through the window.

e)

f) The CX-04 i/c must ensure that he has enough officers for inmate exercise periods and showers and for authorized interviews. Unless special authorization is given by the senior supervisor or the security co-ordinator, no showers may be taken during the inmates' exercise period or vice versa - only one activity at a time, and always under constant supervision.

g)

h) All inmate behaviour must be carefully observed. If anything unusual is noticed, advise the office of the Assistant Warden, Security, or the security co-ordinator and make more frequent rounds.

i)

Ensure that inmates do not have any articles or property that is unauthorized or could cause injury.

j)

4. Escorting officers

When an officer receives an order to escort an inmate to detention, he must:

- a) Order the inmate to follow him and escort the inmate directly to detention. If the inmate refuses, notify the Assistant Warden, Security, or his replacement immediately.
- b) Have the inmate examined by the doctor, or by the health care officer if the doctor is not available (CD 213, para 16 f).
- c) When the admission procedures have been completed, escort the inmate to the cell assigned to him and ensure that the cell door is properly locked.
- d)

5. Admission procedures

- a) Have the inmate disrobe completely and search him in accordance with the directives (CD 249, para 6B and 12-C).
- b) The inmate's clothing and personal effects must be recorded in the detention "personal property" log and kept on the shelves provided for this purpose. The log must be signed by the escorting officer. (Same procedure when the inmate is discharged from the detention unit.)
- c) One pair of underwear, one pair of socks and one pair of coveralls without pockets will be issued to the inmate from the detention unit's stores. Bedding and toilet articles will be supplied from these stores as well.
- d) Inmates sentenced to dissociation will be given a mattress, a pillow, and sufficient sheets and blankets. All bedding must be removed during the day, except on weekends and holidays.
- e) The officer on duty at this post must explain to each inmate, in the presence of the escort, all the regulations that affect him before escorting him to his cell.

6. Regulations - Inmates

- a) Each inmate must be properly dressed during the day.
- b) He may smoke and have smoking materials in his possession while in dissociation.
- c) Any inmate who willfully or maliciously soils or damages his cell, its contents or his clothing in any way must be reported and is liable to severe disciplinary action.
- d) CD 213-249 must be displayed in the Detention office.
- e) Inmates waiting to appear before the disciplinary court, inmates in administrative segregation and inmates whose disciplinary sentence has been completed but who refuse to return to the regular population and must appear before the disciplinary court again are entitled to have a mattress and appropriate bedding in their cells twenty-four hours a day. They may also have books in their cells at all times. These books may be exchanged for others during the inmates' exercise periods.

7. Inmate control

- a) Officers are prohibited from administering punishment to inmates on their own initiative.
- b) In case of rebellion or attack by an inmate, an officer should take the necessary action to defend himself and control the inmate and should make a detailed report to the Assistant Warden, Security.
- c) Blankets must be turned in folded and in good condition at the morning shift change and will be returned after supper.
- d) Inmates in dissociation will receive a normal food ration.
- e) Make sure that the doctor or his replacement visits inmates in dissociation every day.

8. Privileges

Barring an order to the contrary, inmates in detention have correspondence, visiting and reading privileges.

9. Admission before hearing

- a) When an inmate is transferred to the dissociation cells prior to appearing before a disciplinary board, the officer in charge of the institution must make a note in the

"ADMISSION BEFORE HEARING" section of the detention log and initial that note.

- b) On admission of such an inmate, the officer on duty at the detention cells must:
 - i) follow the regular admission procedures, in accordance with the directives issued;
 - ii) inform the inmate that he is subject to the same regulations as inmates in detention;
 - iii) in case of misconduct by the inmate, advise the Assistant Warden, Security, and prepare a report on the incident.

10. Cell inspection

When an inmate is admitted to or discharged from detention, the officer on duty must inspect and check the cell in the inmate's presence. The purpose of this procedure is to control damage wherever possible. If damage is found when an inmate is admitted, it should be noted in the log so that the inmate will not be unjustly accused.

11. Meals and relief

- a) The CX-04 i/c of detention (day) will begin work at 7:30 am and finish at 4:00 pm.
- b)
 - Breakfast is prepared by a food services officer.
- c) At noon, he will serve lunch with his assistant CX-02. Lunch is prepared by a food services officer.
- d)
- e) In the evening, the officer detailed to Tower 5 on the night shift will report to detention to serve supper. Supper is prepared by a food services officer.
- f)

12. Exercise

- a) Whenever time permits, every inmate in dissociation should be allowed at least one hour of exercise outside (detention yard) every day, unless security considerations dictate otherwise (CD 213). There must never be more than three inmates in the yard at one time.
- b) Where it is not possible to give inmates the allotted time, a written report explaining the reasons for this must be prepared by the CX-04 i/c and submitted to the sector chief concerned.

13. Showers

On Mondays, Wednesdays and Fridays, inmates can shower and shave if conditions permit (officers available), but never during their exercise period. An inmate taking a shower must be constantly supervised by an officer.

14. Interview - Classification

Classification officers may interview inmates in detention on Monday, Wednesday and Friday afternoons. The interviews will be held in the disciplinary court. The CX-04 i/c will be responsible for ensuring that a CX officer is available to supervise the inmate during the interview. Requests for interviews should be submitted to the office of the Security Co-ordinator for approval. The Co-ordinator will notify the CX-04 i/c of detention as to the interview times and the inmates concerned.

15. Inmates who have set fire to their cells

Any inmate who has set fire to his cell and been placed in segregation as a result will be deprived of cigarettes and matches until it is deemed that there is no longer any threat to his life.

16. Night shift

An officer must never open the door to an occupied cell alone (two officers are required). Cell lights will be turned off at 10:30 pm.

17. Day shift

PS: When an inmate is admitted to detention, he must be strip searched and will be given other clothing (one set of pyjamas). The regulations must be explained to him and the cell must be inspected in his presence and that of the escorting officer.

André Le Marier
Warden

Revised December 16, 1982

Solicitor General Canada / Soliciteur general Canada **DISSOCIATION LOG / JOURNAL D'ISOLEMENT**

Penitentiaries / Penitenciers

Month - Mois: _____ Inmate No. / No du détenant: _____

FPS Number - Numéro SED: _____ Surname - Nom de famille: _____

Initials - Initiales: _____ Institution - Établissement: _____

Reason for dissociation / Motif de l'isolement: Punitive P.S.P. 2.29 / Admin. segregation P.S.P. 2.30(1) (A) / Protection P.S.P. 2.30(1) (B)

Signature of presiding/Admitting Officer - Signature du Président du comité/ou de l'agent qui inscrit le détenant: _____

Admitted / Admis: _____ Hour - Heures: G-J M-M Y-A: _____

SEGREGATION - SÉGRÉGATION	PROTECTION	PUNITIVE - PUNITION	
Reason - Motif	Reason - Motif	Sentence awarded - Sanction	Credit given for time already spent in dissociation
<input type="checkbox"/> Good order & discipline <input type="checkbox"/> Awaiting disciplinary hearing <input type="checkbox"/> Awaiting escape court <input type="checkbox"/> Temporary protection <input type="checkbox"/> On transfer warrant	<input type="checkbox"/> Protect from self <input type="checkbox"/> Protect from others <input type="checkbox"/> Own request <input type="checkbox"/> Was assaulted <input type="checkbox"/> Other	Date: _____ Total no. of days: _____	Jours déduits pour la période déjà passée en isolement: _____
Particulars of sentence - Détails de la sanction <input type="checkbox"/> Regular / <input type="checkbox"/> Weekends only <input type="checkbox"/> Nights only / <input type="checkbox"/> Privileges not allowed <input type="checkbox"/> Normal diet / <input type="checkbox"/> Restricted diet			
Explain - Expliquer: _____		Explain - Expliquer: _____	

Particulars / Détails: Nights only / Weekends only

Punishment suspended / Suspension de la punition: _____ No. of days - No de jours: _____

REVIEW - RÉVISION

Date: _____

Inmate does not want to be released / Le détenant ne veut pas sortir d'isolement:

Decision / Décision: Held over / Released

Date released - Date à laquelle la période d'isolement prend fin: _____

Signature of Officer authorizing release - Signature de l'agent qui autorise la sortie: _____

DISPOSITION ON RELEASE - MESURES PRISES APRÈS LA PÉRIODE D'ISOLEMENT

General population / Psychiatric / Medical / Transfer to higher security

Transfer within region / Transfer outside region / Punitive dissociation / Released from Pen

GENERAL INFORMATION - RENSEIGNEMENTS GÉNÉRAUX

Yes / Oui (N) = No / Non (R) = Refused by inmate / (G) = Good / (P) = Fair / (M) = Poor

Daily exercise - Exercice quotidien							Showers - Douches							Daily behaviour - Comportement quotidien						
1	2	3	4	5	6	7	1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30	31					29	30	31					29	30	31				

INDIVIDUAL VISITS AND INTERVIEWS - VISITES ET ENTREUVES PARTICULIÈRES

(S) Solicited by inmate / (V) Visited / (I) Interviewed / (R) Refused by inmate

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
Director																																
Security																																
Medical																																
Classification Officer																																
Living Unit Officer 1 or 2																																
Chainman																																
Outside agency																																
Lawyer/Correct. Invest.																																
Family - Friends																																
Other																																

DAILY INDIVIDUAL COMMENTS - REMARQUES QUOTIDIENNES PARTICULIÈRES

Incidents, precautions, assaults, use of force, meals refused, etc. / Incidents, précautions, voies de fait, recours à la force, refus de nourriture etc.

Lined writing area with horizontal lines and a vertical margin line on the right. Includes a small handwritten mark on the left side.

DAILY INDIVIDUAL COMMENTS - REMARQUES QUOTIDIENNES PARTICULIÈRES

Le 9 avril 1984

Monsieur Ron Stewart
Enquêteur correctionnel
C.P. 2324, succursale "D"
Ottawa (Ontario)
K1P 5W5

(TRADUCTION)

Monsieur,

Je vous ai envoyé récemment une lettre à une autre adresse. Au cas où vous ne l'avez pas reçue, je veux vous informer que je désire retirer toute plainte ou déclaration que j'ai faite devant la Commission d'enquête. En effet, nous n'avons subi aucun traitement ou châtement cruel pendant ou après l'émeute. Il ne s'agissait que d'histoires que nous avons fabriquées de toutes pièces à l'époque afin d'attirer l'attention du public sur la violence de l'émeute.

Tout en m'excusant, je vous signale que je suis prêt à faire tout mon possible pour donner une nouvelle orientation à votre enquête.

Sincèrement,

c.c. M. R. Kaplan

Le 27 mars 1984

Monsieur Ron Steward (sic)
Enquêteur correctionnel
C.P. 150
Succursale "B"
Ottawa (Ontario)
K1P 5R1

(TRADUCTION)

Monsieur,

En ce qui concerne l'enquête spéciale sur les incidents qui ont eu lieu à l'établissement Archambault, je vous demande par la présente d'effacer tout enregistrement sur bande magnétique de ma déposition devant la Commission et de détruire tout dossier créé par suite de cette déposition. En effet, les allégations de tortures ne sont que des choses que nous avons inventées vers l'époque où nous étions placés en isolement afin d'alléger la pression que nous subissions. Tout en m'excusant, je vous prie de ne pas hésiter à communiquer avec moi si je puis vous venir en aide.

Sincèrement,

March 27/84

Mr. Ron Steward
Correctional Investigator,
P.O. Box 950,
Station "B",
Ottawa, Ontario.
K1P - 5R1

Mr Steward,

In regard of your Archambault special inquiry, this letter is to ask you to - close or erase any dossiers or tapes that have being taked under my name during, and in front of your Commission, as it was since the beginning, something we've put together's (tortures) during are time after so in the penitentiary dissociation, to release the pressure from us.

Sorry, and if I could be of any help in return, just ask.

Sincerely,

April 09/1984

Mr. Ron Stewart,
Correctional Investigator,
P.O. Box 2324, Sta. "D",
Ottawa, Ontario.
K1P - 5W5

Mr Stewart,

Having send you recently, a letter under another address, take note if you did'nt receive the other one, I do wishe to withdraw all grie-vances or statements I have made under the Archambault inquery, plus I'll be please to help in anyway's I can under this inquery, as cruel or unusual treatments or punishments had never occur in anytime, during or after the riot, being only an agreement between us at the time, to say they have occur to focus the public attention out of the riot viol-ences.

Sorry, but once more, I'll be please to give to your inquirary, a new direction.

Sincerely,

c.c./ Mr R. Kaplan

Note - re Appendix 13

The following pages, with necessary expurgations, illustrate the type of notice sent to employees of the Correctional Service of Canada and the structure of the Annex to such notices. As the necessary expurgations to each notice and annex would leave the documents revealing only this type of information, these pages indicate the nature of Appendix 13 and no further information will be released by the Solicitor General of Canada.

Note concernant l'annexe 13

Les pages qui suivent, moins les passages dont la radiation est nécessaire, démontrent le type d'avis envoyé aux employés du Service correctionnel du Canada et la structure de l'annexe qui l'accompagne. Compte tenu des passages radiés, ces pages indiquent donc la nature des renseignements fournis et de l'annexe 13. Aucun autre renseignement ne sera divulgué par le Solliciteur général du Canada.

DANS L'AFFAIRE D'UNE ENQUETE EN VERTU
DE LA LOI SUR LES ENQUETES
S.R.C. 1970, CHAPITRE I-13

AVIS

SOYEZ AVISEZ qu'au cours de cette enquête certaines accusations de mauvaise conduite furent portées contre vous relativement à l'accomplissement de vos fonctions en tant que fonctionnaire du Service canadien des pénitenciers à l'Etablissement Archanbault, Ville de Laval, Province de Québec, suite aux incidents qui ont eu lieu à cet Etablissement le 25 juillet 1982.

Les détails de ces accusations portées contre vous sont énoncées à l'Annexe "A" du présent Avis.

Cet Avis vous est donné en conformité avec la Loi sur les enquêtes, S.R.C. 1970, c.I-13.

FAIT A OTTAWA, ce 30ième jour de septembre, 1983.

R.L. Stewart
Enquêteur correctionnel

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 16 août, 1982, vous avez:
 - (i) frappé le détenu à coups de pied dans la cour adjacente à l'unité de dissociation.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 10 août, 1982, vous avez:
- (i) donné un coup de pied dans les testicules du détenu
- (2) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
- (i) donné des coups de pied à l'épaule du détenu en l'escortant vers l'unité de dissociation, le 27 juillet, 1982;
 - (ii) lancé violemment ledit détenu dans sa cellule à son arrivée à l'unité de dissociation, le 27 juillet 1982;
 - (iii) menacé ledit détenu de "lui faire un tatouage dans l'oeil", à son arrivée à l'unité de dissociation, le 27 juillet 1982;
 - (iv) obligé ledit détenu à laver son matelas et par la suite, vous l'avez obligé à tirer ce matelas mouillé alors que vous et un autre officier étaient embarqué dessus;
 - (v) lancé de l'amoniaque audit détenu lorsqu'il prenait sa douche;
 - (vi) lancé un contenant de 'Spic & Span' à la tête dudit détenu lorsqu'il prenait sa douche;

et

- (vii) matraqué ledit détenu dans sa cellule, à plusieurs reprises.
- (3) Qu'entre le 8 août et le 19 août, 1982, vous avez:
- (i) soulevé de terre le détenu avec une matraque appuyée sur sa gorge.
- (4) Qu'entre le 8 août et le 19 août, 1982, vous avez:
- (i) forcé le détenu à se masturber et à avaler son sperme.
- (5) Qu'entre le 10 août et le 16 août, 1982, vous avez:
- (i) menacé le détenu "si tu as un moove à faire, fais-le" en l'escortant à son entrevue avec les enquêteurs;
- et
- (ii) matraqué ledit détenu à son retour à l'unité de dissociation.
- (6) Que le 17 août, 1982, en escortant le détenu à l'unité de dissociation, vous avez:
- (i) donné des coups de pied sur les jambes dudit détenu
- (ii) menacé ledit détenu en disant à votre collègue "tu devrais sortir ton 38 et lui en crisser une balle dans la jambe. Mais tues-le pas, parce que le tuer ne serait pas assez souffrant pour lui";

et

(iii) demandé audit détenu de vous remettre sa montre à son arrivée à l'unité de dissociation, et que vous avez omis de lui remettre à la sortie dudit détenu

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 10 août et le 16 août, 1982, vous avez:
 - (i) empêché le détenu de dormir la nuit en frappant la porte de sa cellule avec une matraque.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
 - (i) participé à un incident où vous avez aidé à retenir au sol le détenu pendant que d'autres officiers appliquaient une serviette sur le visage dudit détenu et qu'on versait de l'eau sur cette serviette, dans la cour adjacente à l'unité de dissociation.

- (2) Qu'entre le 17 août et le 27 août, 1982, vous avez:
 - (i) participé à un incident où vous avez aidé à retenir au sol le détenu pendant que d'autres officiers appliquaient une serviette sur le visage dudit détenu et qu'on versait de l'eau sur cette serviette, dans la cour adjacente à l'unité de dissociation.

- (3) Qu'entre le 16 août et le 16 septembre, 1982, en escortant le détenu au 'parloir', vous avez:
 - (i) relevé ledit détenu par les cheveux lorsque l'officier qui vous accompagnait l'a fait tombé.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
 - (i) pris le détenu par la gorge à son arrivée de l'entrevue avec les enquêteurs 'pour le faire parler';
 - et
 - (ii) frappé ledit détenu à plusieurs reprises.

- (2) Qu'entre le 3 août et le 7 septembre, 1982, vous avez:
 - (i) participé à un incident où certains officiers ont tenté de mettre la tête du détenu dans les toilettes.

- (3) Qu'entre le 5 août et le 16 août, 1982, vous avez:
 - (i) frappé le détenu au visage à plusieurs reprises, dans la cour adjacente à l'unité de dissociation.

- (4) Qu'entre le 20 août et le 13 septembre, 1982, vous avez:
 - (i) frappé le détenu à coups de bâton, dans la cour adjacente à l'unité de dissociation.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 3 août et le 7 septembre, 1982, vous avez:
 - (i) lancé la nourriture du détenu
par terre à l'heure
du souper, à plusieurs reprises.

- (2) Qu'entre le 16 août et le 13 septembre, 1982, vous avez:
 - (i) refusé de la nourriture au détenu
, à l'heure
du souper, à plusieurs reprises;et
 - (ii) gazé ledit détenu

- (3) Qu'entre le 20 août et le 13 septembre, 1982, vous avez:
 - (i) lancé la nourriture du détenu
par terre, à plusieurs
reprises.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 5 août et le 27 août 1982, vous avez:
- (i) saboté la nourriture du détenu
en 'crachant' dedans;
 - et
 - (ii) lancé cette nourriture par terre ou dans les toilettes.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 16 août, 1982, vous avez:
- (i) provoqué le détenu à se battre avec vous, dans la cour adjacente à l'unité de dissociation.
- (2) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
- (i) gazé le détenu dans la bouche;
 - (ii) tenté de forcer ledit détenu à signer une déclaration, en lui pincant, serrant et tordant les testicules, en le frappant au visage et aux côtes et en le poussant violemment contre le mur de sa cellule;
 - (iii) participé à un incident où un officier avait pris ledit détenu par la gorge pour le faire parler, avant son entrevue avec les enquêteurs;
 - (iv) donné des coups de pied audit détenu à son retour à l'unité de dissociation;
- et
- (iv) participé à un incident où ledit détenu a été menacé avec une corde de pendu fabriquée avec des draps, corde passée au cou dudit détenu et promené ainsi dans la rangée.

(3) Qu'entre le 3 août et le 7 septembre, 1982, vous avez:

(i) harcelé le détenu la nuit dans sa cellule en l'empêchant de dormir (le faire mettre à genoux, monter sur son lit, etc.).¹⁾

(4) Qu'entre le 10 août et le 16 août, 1982, vous avez:

(i) matraqué le détenu dans le dos, dans la cour adjacente à l'unité de dissociation, à plusieurs reprises.

(5) Qu'entre le 20 août et le 13 septembre, 1982, vous avez:

(i) déshabillé de force le détenu à son arrivée à l'unité de dissociation.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 3 août et le 7 septembre, 1982, vous avez:
 - (i) participé à un incident où certains officiers ont tenté de mettre la tête du détenu dans les toilettes.

- (2) Qu'entre le 5 août et le 27 août, 1982, vous avez:
 - (i) participé à un incident où certains officiers ont battu le détenu afin de le faire avouer qu'il avait tué le garde Denis Rivard, dans la cour adjacente à l'unité de dissociation;
 - (ii) frappé ledit détenu au visage et dans les côtes avec une matraque durant l'incident cité ci-haut (i);
 - (iii) fait courir ledit détenu sur de la roche, nus-pied, dans la cour adjacente à l'unité de dissociation;et
 - (iv) participé à un incident où vous avez aidé à retenir au sol ledit détenu pendant que d'autres officiers appliquaient une serviette sur son visage et qu'on versait de l'eau d'une bouilloire sur cette serviette, en le menaçant: "lorsque les policiers-enquêteurs vont t'appeler tout à l'heure, t'es 'ben' mieux de faire une déclaration parce qu'on va te tuer".

(3) Qu'entre le 16 août et le 16 septembre, 1982, vous avez:

(i) frappé le détenu
à plusieurs reprises.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
- (i) matraqué le détenu dans sa cellule, à plusieurs reprises;
 - (ii) fait courir ledit détenu sur des roches dans la cour adjacente à l'unité de dissociation, alors qu'il était nu;
- et
- (iii) participé à un incident où vous avez posé une serviette sur le visage du détenu pendant que d'autres officiers le retenaient au sol, et où l'on versait de l'eau sur cette serviette, dans la cour adjacente à l'unité de dissociation.
- (2) Qu'entre le 4 août et le 16 août, 1982, vous avez:
- (i) frappé le détenu à plusieurs reprises, dans la cour adjacente à l'unité de dissociation.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 8 août et le 19 août, 1982, vous avez:
 - (i) lancé la nourriture du détenu par terre ou dans les toilettes.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 6 août et le 22 août 1982, vous avez:
 - (i) harcelé le détenu (9199) en 'cognant' sur le mur de la douche avec une matraque pour faire sortir le détenu avant qu'il n'eut le temps de prendre sa douche.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archaubault suite aux incidents du 25 juillet 1982, sont comme suit:

(1) Qu'entre le 26 juillet et le 9 aout, 1982 vous avez:

(1) gaze le detenu

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
- (i) fait courir le détenu sur des roches, dans la cour adjacente à l'unité de dissociation, alors qu'il était nu, et en le menaçant de le battre si ce dernier arrêtait.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archaubault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 5 août et le 16 août, 1982, vous avez:
- (i) empêché le détenu de dormir la nuit en frappant la porte de sa cellule avec une matraque;
- et
- (ii) gazé ledit détenu durant la nuit.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

(1) Qu'entre le 5 août et le 27 août, 1982, vous avez:

(i) participé à soulever de terre, le détenu l' l'aide de matraques sous les aisselles, dans la cour adjacente à l'unité de dissociation.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 26 août et le 9 août, 1982, vous avez:
 - (i) harcelé le détenu en frappant dans la porte de sa cellule, et en le menaçant ;et
 - (ii) lancé la nourriture dudit détenu par terre.
- (2) Qu'entre le 27 juillet et le 16 août, 1982, vous avez:
 - (i) battu le détenu dans sa cellule et dans la cour adjacente à l'unité de dissociation, à plusieurs reprises.
- (3) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
 - (i) tenté de forcer le détenu (3316) à signer une déclaration en lui pincant, serrant et tordant les testicules, en le frappant au visage et aux côtes et en le poussant violemment contre le mur.
- (4) Qu'entre le 3 août et le 7 septembre, 1982, vous avez:
 - (i) enlevé le matelas au détenu

- (ii) enlevé le linge dudit détenu
 - (iii) battu ledit détenu dans la cour adjacente à l'unité de dissociation;
 - et
 - (iv) tiré les cheveux dudit détenu et que vous l'avez jeté par terre lorsque ce dernier a refusé de s'agenouiller.
- (5) Qu'entre le 5 août et le 16 août, 1982, vous avez:
- (i) fait agenouille le détenu sur des roches dans la cour adjacente à l'unité de dissociation;
 - et
 - (ii) tenté de rentrer une matraque dans la bouche dudit détenu
- (6) Qu'entre le 5 août et le 27 août, 1982, vous avez:
- (i) frappé le détenu au visage à plusieurs reprises.
- (7) Qu'entre le 10 août et le 16 août, 1982, vous avez:
- (i) menacé le détenu "Tu vas crever, puis on sait que tu es mêlé là-dedans".
- (8) Qu'entre le 16 août et le 16 septembre, 1982, vous avez:
- (i) battu le détenu à plusieurs reprises.

(9) Qu'entre le 16 août et le 7 octobre, 1982, vous avez:

(i) lancé la nourriture du détenu ..
dans les toilettes.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 26 juillet et le 16 août, 1982, vous avez:
 - (i) gazé le détenu dans sa cellule;et
 - (ii) lancé la nourriture dudit détenu par terre.
- (2) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
 - (i) lancé la nourriture du détenu par terre.
- (3) Qu'entre le 4 août et le 16 août, 1982, vous avez:
 - (i) empêché le détenu la nuit, en frappant la porte de sa cellule.
- (4) Qu'entre le 5 août et le 16 août, 1982, vous avez:
 - (i) gazé le détenu dans sa cellule, à plusieurs reprises.

(5) Qu'entre le 10 août et le 16 août, 1982, vous avez:

(i) empêché le détenu
de dormir le soir, en frappant
la porte de sa cellule avec une
matraque;

et

(ii) gazé ledit détenu dans sa
cellule, à plusieurs reprises.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 5 août et le 27 août, 1982, vous avez:
- (i) sorti de force le détenu de sa cellule, lorsque ce dernier refusait 'd'aller prendre une marche'.
- (2) Qu'entre le le 16 août et le 7 octobre, 1982, vous avez:
- (i) frappé le visage du détenu contre le plancher en le menottant.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 26 juillet et le 16 août, 1982, vous avez:
 - (i) lancé de la nourriture au visage du détenu

- (2) Qu'entre le 17 août et le 27 août, 1982, vous avez:
 - (i) fait marcher le détenu nus-pied sur de la roche dans la cour adjacente à l'unité de dissociation;
et
 - (ii) donné des coups de matraque audit détenu aux testicules et au reins, à plusieurs reprises.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Que dans la période précédant le 16 août, 1982, vous avez:
 - (i) 'craché' dans la nourriture du détenu lorsqu'il était en population.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
 - (i) lancé la nourriture du détenu par terre, dans les toilettes ou sur le mur, à plusieurs reprises;et.
 - (ii) gazé ledit détenu , à plusieurs reprises.
- (2) Que le 27 juillet, 1982, vous avez:
 - (i) déchiré le chandail du détenu à son entrée à l'unité de dissociation.
- (3) Qu'entre le 3 août et le 7 septembre, 1982, vous avez:
 - (i) frappé le détenu au visage, à plusieurs reprises.
- (4) Qu'entre le 4 août et le 16 août, 1982, vous avez:
 - (i) poussé le détenu avec un bâton dans le dos, alors que vous escortiez ledit détenu à une entrevue avec les enquêteurs.
- (5) Qu'entre le 16 août et le 7 octobre, 1982, vous avez:
 - (i) lancé la nourriture du détenu par terre.

(6) Que dans la période précédent le 17 août, 1982
vous avez:

(i) lancé la nourriture du détenu
par terre ou dans les
toilettes lorsque ledit détenu
était en population.

(7) Que dans la période précédent le 20 août, 1982,
vous avez:

(i) lancé la nourriture du détenu
par terre ou dans les
toilettes lorsque ledit détenu
était en population.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 26 juillet et le 9 août 1982, vous avez:
- (i) harcelé le détenu en 'cognant' sur la porte de sa cellule;
- et
- (ii) menacé ledit détenu .
- (2) Qu'entre le 27 juillet et le 27 août 1982, vous avez:
- (i) fait courrir le détenu nus-pied sur de la roche dans la cour adjacente à l'unité de dissociation sous menace de le battre.
- et
- (ii) obligé ledit détenu à sabler une porte en acier.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Que le 27 juillet 1982, en escortant le détenu à l'unité de dissociation vous avez:
 - (i) matraqué ledit détenuet
 - (ii) tenté d'étouffer ledit détenu à son arrivée à l'unité de dissociation.

- (2) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
 - (i) tenté de forcer le détenu à signer une déclaration, en lui pincant, serrant et tordant les testicules, en le frappant au visage et aux côtes, et en le poussant violemment contre le mur de sa cellule;et
 - (ii) gazé ledit détenu dans sa cellule.

- (3) Qu'entre le 4 août et le 16 août, 1982, vous avez:
 - (i) détruit les sandwiches du détenu

- (4) Qu'entre le 5 août et le 27 août, 1982, vous avez:
 - (i) averti vos collègues de frapper ailleurs que sur le côté droit du visage du détenu

- (5) Qu'entre le 10 août et le 16 août, 1982, vous avez:
- (i) détruit les sandwiches du détenu);
 - (ii) lancé la nourriture dudit détenu par terre ou dans les toilettes;
- et
- (iii) obligé ledit détenu à enlever son pyjama parce qu'il avait refusé de reculer au mur à cause qu'il voulait avoir son souper de sandwiches.
- (6) Qu'entre le 16 août et le 13 septembre, 1982, vous avez:
- (i) battu le détenu dans la cour adjacente à l'unité de dissociation;
- et
- (ii) battu ledit détenu dans sa cellule.
- (7) Que le 17 août, 1982, vous avez:
- (i) gazé le détenu à l'heure du souper.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 16 août et le 29 août 1982, vous avez:
- (i) fait courrir le détenu nus-pied sur de la roche dans la cour adjacente à l'unité de dissociation;
- et
- (ii) frappé ledit détenu aux pieds avec un bâton.
- (2) Qu'entre le 12 septembre et le 19 septembre, 1982 vous avez:
- (i) brûlé la barbe du détenu avec un briquet 'bic' dans la cour adjacente à l'unité de dissociation;
 - (ii) tenté d'étouffer ledit détenu avec son haut de pyjama;
- et
- (iii) frappé ledit détenu

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 26 juillet et le 16 août, 1982, vous avez:
- (i) uriné sur le détenu dans sa cellule;
- et
- (ii) matraqué ledit détenu dans sa cellule.
- (2) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
- (i) participé à forcer le visage du détenu dans des excréments humains lorsqu'il était dans sa cellule.
- (3) Qu'entre le 27 juillet et le 16 août, 1982, vous avez:
- (i) matraqué le détenu en l'escortant à l'unité de dissociation;
 - (ii) frappé la tête dudit détenu contre un mur à son retour de l'entrevue avec les policiers-enquêteurs;
- et
- (iii) battu ledit détenu à plusieurs reprises.

(4) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:

- (i) traîné et matraqué le détenu à son arrivée à l'unité de dissociation;
- (ii) poussé violemment ledit détenu dans des casiers;
- (iii) gazé ledit détenu dans la bouche et le visage;
- (iv) battu ledit détenu à coups de poing;
- (v) forcé ledit détenu à déclarer que le détenu avait été impliqué dans les incidents survenus le 25 juillet, sous menace de le battre;

et

- (vi) jeté la nourriture dudit détenu par terre ou dans les toilettes.

(5) Qu'entre le 3 août et le 4 août, 1982, vous avez:

- (i) battu le détenu) à son arrivée à l'unité de dissociation.

(6) Qu'entre le 3 août et le 7 septembre, 1982, vous avez:

- (i) tenté de mettre la tête du détenu dans les toilettes de sa cellule.

(7) Qu'entre le 4 août et le 16 août, 1982, vous avez:

- (i) participé à un incident où vous avez aidé à retenir au sol le détenu) pendant que d'autres officiers lui appliquaient une serviette sur le visage et que l'on versait de l'eau sur cette serviette, à plusieurs reprises.

- (8) Qu'entre le 5 août et le 27 août, 1982, vous avez:
- (i) frappé le visage du détenu) contre un mur;
 - (ii) participé à un incident où certains officiers ont soulevé de terre ledit détenu avec des matraques sous les aisselles dans la cour adjacente à l'unité de dissociation;
 - (iii) uriné sur ledit détenu dans sa cellule;
 - (iv) frappé ledit détenu à plusieurs reprises au visage;
 - (v) courir ledit détenu dans la cour adjacente à l'unité de dissociation, sur des roches lorsqu'il était nus-pied;
 - (vi) participé à un incident où vous avez aidé à retenir ledit détenu au sol pendant que d'autres officiers lui appliquaient une serviette sur le visage et que l'on versait de l'eau sur cette serviette;
- et
- (vii) incité et encouragé d'autres officiers à maltraiter ledit détenu .

- (9) Qu'entre le 5 août et le 16 août, 1982, vous avez:
- (i) traîné le détenu par les cheveux;
 - (ii) battu ledit détenu à coups de pied;
- et
- (iii) frappé la tête dudit détenu violemment contre un mur de ciment.

- (10) Qu'entre le 10 août et le 16 août, 1982, vous avez:
- (i) participé à un incident où le détenu a été menacé avec une corde de pendu fabriquée avec des draps, corde passée au cou dudit détenu
- (11) Qu'entre le 10 août et le 16 août, 1982, vous avez:
- (i) matraqué le détenu à son arrivée à l'unité de dissociation;
 - (ii) participé à un incident où certains officiers ont essayé d'entrer un boyau d'extincteur chimique dans la bouche dudit détenu ;
- et
- (iii) étouffé ledit détenu par la gorge.
- (12) Qu'entre le 16 août et le 13 septembre, 1982, vous avez:
- (i) gazé le détenu
- (13) Qu'entre le 16 août et le 16 septembre, 1982, vous avez:
- (i) battu le détenu
- (14) Qu'entre le 17 août et le 27 août, 1982, vous avez:
- (i) participé à un incident où vous avez aidé à retenir au sol le détenu pendant que d'autres officiers lui appliquaient une serviette sur le visage et que l'on versait de l'eau sur cette serviette.

(15) Qu'entre le 28 août et le 7 octobre, 1982,
vous avez:

(i) frappé le détenu
au visage.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 3 août et le 7 septembre 1982, vous avez:
 - (i) été témoin d'un incident où le détenu a été battu par des officiers sous votre charge dans la cour adjacente à l'unité de dissociation, et que vous n'êtes pas intervenu.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 2 juillet et le 9 juillet, 1982, vous avez:
 - (i) Refusé des draps propres et de la nourriture au détenu lorsqu'il était en dissociation à l'hôpital.

- (2) Que le 26 juillet, 1982, en escortant le détenu à l'unité de dissociation, vous avez:
 - (i) frappé ledit détenu à l'épaule.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 16 août et le 22 août 1982, vous avez:
 - (i) harcelé le détenu
en lui disant: "Tes 'chums'
sont dans la population et ils rient
de toi".

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

(1) Que le 27 juillet 1982, en escortant le détenu
à l'unité de dissociation,
vous avez:

(i) matraqué ledit détenu

(ii) tenté d'étouffer ledit détenu à
son entrée à l'unité de dissociation;

et

(iii) frappé la tête dudit détenu
violemment contre le mur.

(2) Que le 5 août, 1982, en escortant le détenu
à l'unité de dissociation,
vous avez:

(i) matraqué ledit détenu

(ii) frappé ledit détenu à coups
de pied;

et

(iii) frappé la tête dudit détenu
violemment contre une porte.

(3) Qu'entre le 28 août et le 7 octobre 1982, vous
avez:

(i) suspendu une poupée représentant un
bourreau dans la fenêtre de la
cellule du détenu
lorsque ledit détenu MCGEE était
au Pavillon;

et

(ii) poussé ledit détenu violemment
contre un mur.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 3 août et le 9 août, 1982, vous avez:
- (i) obligé le détenu à s'agenouiller devant une infirmière;
 - (ii) battu ledit détenu dans sa cellule lorsque ce dernier ne voulait pas s'agenouiller;
 - (iii) obligé ledit détenu à s'agenouiller si ce dernier voulait de la nourriture;
- et
- (iv) lancé la nourriture dudit détenu par terre ou dans les toilettes.
- (2) Qu'entre le 8 août et le 19 août, 1982, vous avez:
- (i) saboté la nourriture (du sel dans le lait, enlevé la viande qui était dans les sandwiches) du détenu
;
 - (ii) lancé la nourriture dudit détenu par terre ou dans les toilettes;
 - (iii) empêché ledit détenu : de dormir la nuit;
- et
- (iv) gazé ledit détenu dans sa cellule.

(3) Qu'entre le 22 août et le 29 août 1982, vous avez:

(i) frappé le détenu
au visage avec une matraque.

(4) Que le 24 août ou le 25 août, 1982, vous avez:

(i) participé à un incident où vous avez
aidé à retenir au sol le détenu
pendant que d'autres
officiers appliquaient une serviette
sur le visage dudit détenu et
qu'on versait de l'eau sur cette
serviette, dans la cour adjacente à
l'unité de dissociation.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

(1) Qu'entre le 27 juillet et le 27 août 1982, vous avez:

(i) battu le détenu dans la cour adjacente à l'unité de dissociation;

et

(ii) participé à un incident où ledit détenu , a été menacé avec une corde de pendu fabriquée avec des draps, corde passée au cou dudit détenu et que ledit détenu fut promené ainsi dans la rangée.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 5 août et le 16 août 1982, vous avez:
 - (i) traîné le détenu par les cheveux de sa cellule à la porte de la cour adjacente à l'unité de dissociation en l'ordonnant de 'japper'

- (2) Qu'entre le 8 août et le 19 août, 1982, vous avez:
 - (i) lancé la nourriture du détenu par terre ou dans les toilettes;
 - (ii) empêché ledit détenu dormir la nuit;et
 - (iii) gazé ledit détenu dans sa cellule.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Que le 14 août ou 15 août, 1982, vous avez
 - (i) menacé le détenu avec une pelle dans la cour adjacente à l'unité de dissociation.

- (2) Qu'entre le 16 août et le 16 septembre, 1982, vous avez:
 - (i) matraqué le détenu dans la cour adjacente à l'unité de dissociation.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

(1) Que le 16 août, 1982, en escortant le détenu à l'unité de dissociation, vous avez:

(i) battu ledit détenu avec un bâton;

et

(ii) gazé ledit détenu dans la bouche.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 26 juillet et le 9 août, 1982, vous avez:
 - (i) gazé le détenu dans sa cellule.

- (2) Qu'entre le 3 août et le 7 septembre, 1982, vous avez:
 - (i) refusé de la nourriture au détenu

 - (ii) menacé ledit détenu en lui disant, avant son entrevue avec les enquêteurs: "Tu es bien mieux de parler, parce que si tu reviens et que tu n'as pas dit un mot, tu vas y goûter".et
 - (iii) lancé violemment ledit détenu dans sa cellule à son retour.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 16 août, 1982, vous avez:
 - (i) battu le détenu dans la cour adjacente à l'unité de dissociation à plusieurs reprises;
 - et
 - (ii) jeté la nourriture dudit détenu par terre, à plusieurs reprises.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 16 août et le 22 août, 1982, vous avez:
 - (i) gazé le détenu dans sa cellule.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 27 août 1982, vous avez:
 - (i) battu le détenu à coups de pied dans la cour adjacente à l'unité de dissociation;
 - (ii) tiré les cheveux dudit détenuet
 - (iii) participé à un incident où ledit détenu a été menacé avec une corde de pendu fabriquée avec des draps, corde passée au cou dudit détenu et que ledit détenu fut promené ainsi dans la rangée.

- (2) Que le 3 août 1982, alors que le détenu entrerait en dissociation, vous avez:
 - (i) battu ledit détenu

- (3) Qu'entre le 3 août et le 7 septembre 1982, vous avez:
 - (i) frappé le détenu au visage dans la cour adjacente à l'unité de dissociation.

(1) Que vers le 18 ou 19 août, 1982, vous avez:

(i) obligé le détenu à s'agenouiller face au mur de sa cellule sur son lit en la présence de deux officiers de classement, soit et ceci fait, vous lui avez adressé des paroles abusives et, l'avez forcé de s'humilier devant lesdits officiers de classement;

et

(ii) obligé le détenu de s'humilier devant le en lui ordonnant:

"de dire à Monsieur Gingras, de lui demander pardon parce qu'il avait tué ses hommes ... "

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 15 août et le 22 août, 1982, vous avez:
 - (i) lancé la nourriture du détenu par terre et immédiatement éteint les lumières de l'unité de dissociation.

- (2) Qu'entre le 20 août et le 13 septembre, 1982, vous avez:
 - (i) empêché de dormir le détenu lorsqu'il était en dissociation à l'hôpital.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 5 août et le 27 août, 1982, vous avez:
 - (i) frappé le détenu à la tête à plusieurs reprises.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 15 août et le 22 août 1982, vous avez:
 - (i) tété la nourriture du détenu par terre et par la suite fermé les lumières de l'unité de dissociation.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 8 août et le 19 août, 1982, vous avez:
 - (i) participé à forcer le visage du détenu dans des excréments humains lorsqu'il était dans sa cellule.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

(1) Qu'entre le 20 août et le 13 septembre, 1982 vous avez:

(i) obligé le détenu à faire de la 'course sur place' lorsqu'il était nus-pied dans la cour adjacente à l'unité de dissociation, sous menace:

"Si t'arrêtes, cela ne sera pas drôle pour toi".

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 26 juillet et le 9 août, 1982, vous avez:
 - (i) pris le détenu à la gorge, dans sa cellule;et
 - (ii) empêché ledit détenu de dormir la nuit en frappant la porte de sa cellule avec une matraque.

- (2) Qu'entre le 27 juillet et le 10 août, 1982, vous avez:
 - (i) empêché le détenu de dormir la nuit en frappant la porte de sa cellule avec une matraque.

- (3) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
 - (i) tenté de forcer le détenu à signer une déclaration, en lui pincant, serrant et tordant les testicules, en le frappant au visage et aux côtes, et en le poussant violemment contre le mur de sa cellule;et
 - (ii) empêché ledit détenu de dormir la nuit en frappant la porte de sa cellule avec une matraque.

- (4) Qu'entre le 2 août et le 20 août, 1982, vous avez:
- (i) empêché le détenu de dormir la nuit en frappant la porte de sa cellule avec une matraque.
- (5) Qu'entre le 3 août et le 7 septembre, 1982, vous avez:
- (i) harcelé le détenu la nuit dans sa cellule en l'empêchant de dormir (le faire mettre à genoux, monter sur son lit, etc.).
- (6) Qu'entre le 4 août et le 16 août, 1982 vous avez:
- (i) matraqué le détenu dans sa cellule la nuit;
- et
- (ii) empêché ledit détenu de dormir la nuit en frappant la porte de sa cellule avec une matraque.
- (7) Qu'entre le 5 août et le 16 août, 1982, vous avez:
- (i) empêché le détenu de dormir la nuit en frappant la porte de sa cellule avec une matraque.
- (8) Que le 7 août ou le 8 août, 1982, vous avez:
- (i) tenté d'entrer une matraque dans la bouche du détenu ;
 - (ii) participé à un incident où ledit détenu a été menacé avec une corde de pendu fabriquée avec des draps, corde passée au cou dudit détenu dans sa cellule, avec menace "si tu signes pas les papiers, si tu fais pas de déclaration, on va te pendre ici";

- (iii) empêché ledit détenu de dormir la nuit en frappant la porte de sa cellule avec une matraque.
- (9) Qu'entre le 8 août et le 19 août, 1982, vous avez:
- (i) lancé la nourriture du détenu dans les toilettes ou par terre.
- (10) Qu'entre le 16 août et le 13 septembre, 1982, vous avez:
- (i) gazé le détenu dans sa cellule.
- (11) Qu'entre le 16 août et le 22 août, 1982, vous avez
- (i) frappé le détenu aux jambes avec un bâton dans sa cellule durant la nuit.
- (12) Qu'entre le 16 août et le 7 octobre 1982, vous avez:
- (i) matraqué le détenu dans sa cellule durant la nuit.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

(1) Qu'entre le 26 juillet et le 9 août 1982, vous avez:

(i) menacé de battre le détenu

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 10 août et le 16 août, 1982, vous avez:
- (i) battu le détenu (6875) à coups de poing dans la cour adjacente à l'unité de dissociation;
- et
- (ii) éteint votre cigarette sur la main droite dudit détenu dans la cour adjacente à l'unité de dissociation.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
 - (i) tenté de forcer le détenu à signer une déclaration en lui pincant, serrant et tordant les testicules, en le frappant au visage et aux côtes, et en le poussant violemment contre le mur de sa cellule.

- (2) Qu'entre le 8 août et le 19 août, 1982, vous avez:
 - (i) lancé la nourriture du détenu par terre ou dans les toilettes.

- (3) Qu'entre le 16 août et le 16 septembre, 1982, vous avez:
 - (i) battu le détenu à coups de pied dans sa cellule;et
 - (ii) lancé des roches audit détenu lorsqu'il était dans la cour adjacente à l'unité de dissociation.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

(1) Qu'entre le 27 juillet et le 10 août, 1982, vous avez:

(i) empêché le détenu de dormir la nuit en frappant la porte de sa cellule avec une matraque.

(2) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:

(i) saboté la nourriture du détenu en enlevant la viande dans les sandwiches;

(ii) lancé la nourriture dudit détenu dans les toilettes ou par terre;

(iii) gazé ledit détenu dans sa cellule;

et

(iv) tenté de forcer ledit détenu à signer une déclaration en lui pincant, serrant et tordant les testicules, en le frappant au visage et aux côtes et en le poussant violemment contre le mur de sa cellule.

(3) Qu'entre le 25 août 1982, vous avez:

(i) lancé la nourriture du détenu par terre ou dans les toilettes.

- (4) Qu'entre le 5 août et le 27 août, 1982, vous avez:
- (i) participé à soulever de terre le détenu à l'aide de matraques sous les aisselles, dans la cour adjacente à l'unité de dissociation.
- (5) Que le 16 août, 1982, vous avez:
- (i) gazé le détenu dans la bouche à son arrivée à l'unité de dissociation;
- et
- (ii) matraqué ledit détenu à son arrivée à l'unité de dissociation.
- (6) Que le 24 août ou le 25 août, 1982, vous avez:
- (i) participé à un incident où vous avez aidé à retenir au sol le détenu pendant que d'autres officiers appliquaient une serviette sur le visage dudit détenu et qu'on versait de l'eau sur cette serviette, dans la cour adjacente à l'unité de dissociation.
- (7) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
- (i) participé à forcer le visage du détenu dans des excréments humains lorsqu'il était dans sa cellule;
- et
- (ii) sorti de force le détenu de la douche alors qu'il était plein de savon.
- (8) Qu'entre le 1er août et le 8 août, 1982, vous avez:
- (i) brûlé les effets personnels de certains détenus dans la cour adjacente à l'unité de dissociation.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 30 août et le 5 septembre, 1982, en escortant le détenu au 'parloir', vous avez:
 - (i) fait tomber ledit détenu
 - et
 - (ii) fait ramper ledit détenu

- (2) Que le 28 août, 1982, vous avez:
 - (i) battu le détenu avec un bâton dans la cour adjacente à l'unité de dissociation.

- (3) Qu'entre le 22 août et le 29 août, 1982, vous avez:
 - (i) frappé le détenu à coups de pied.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archaubault suite aux incidents du 25 juillet 1982, sont comme suit:

1. Qu'entre le 10 août et le 16 août, 1982, vous avez:

- (i) participé à un ou plusieurs incidents où le détenu ^{été} battu dans la cour adjacente à l'unité de dissociation.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 16 août, 1982, vous avez:
- (i) fait courir le détenu nus-pied sur de la roche, dans la cour adjacente à l'unité de dissociation.
- (2) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
- (i) tenté de forcer le détenu à signer une déclaration en lui pincant, serrant et tordant les testicules, en le frappant au visage et aux côtes et en le poussant violemment contre mur de sa cellule;
 - (ii) réveillé ledit détenu durant la nuit pour lui faire 'prendre une marche' alors qu'il pleuvait, fait courir dans l'eau;
- et
- (iii) participé à un incident où vous avez aidé à retenir au sol ledit détenu pendant que d'autres officiers lui appliquaient une serviette sur le visage et que l'on versait de l'eau sur cette serviette.

- (3) Qu'entre le 2 août et le 20 août, 1982, vous avez:
- (i) demandé au détenu d'écrire un document disant que les détenus présents à l'unité de dissociation, avaient décidé de se blesser eux-mêmes et que les officiers n'étaient pas responsables.
- (4) Qu'entre le 4 août et le 16 août, 1982, vous avez:
- (i) tenté d'ébouillanter le détenu lorsqu'il prenait sa douche;
- et
- (ii) participé à un incident où vous avez aidé à retenir au sol ledit détenu pendant que d'autres officiers lui appliquaient une serviette sur le visage et que l'on versait de l'eau sur cette serviette, dans la cour adjacente à l'unité de dissociation.
- (5) Qu'entre le 5 août et le 16 août, 1982, vous avez:
- (i) trainé le détenu de la porte de la cour adjacente à l'unité de dissociation jusqu'à sa cellule, par les menottes;
- et
- (ii) participé à un incident où un autre officier avait éteint sa cigarette sur la main droite dudit détenu

- (6) Qu'entre le 5 août et le 27 août, 1982, vous avez:
- (i) participé à un incident où un autre officier aurait tenté de rentrer une matraque dans la bouche du détenu
- et
- (ii) participé à un incident où vous avez aidé à retenir au sol ledit détenu pendant que d'autres officiers appliquaient une serviette sur son visage et qu'on versait de l'eau d'une bouilloire sur cette serviette, en le menaçant: "lorsque les policiers-enquêteurs vont t'appeler tout à l'heure t'es 'ben' mieux de faire une déclaration parce qu'on va te tuer".
- (7) Qu'entre le 8 août et le 19 août, 1982, vous avez:
- (i) frappé le dos du détenu avec votre genou.
- (8) Qu'entre le 10 août et le 16 août, 1982, vous avez:
- (i) matraqué le détenu à plusieurs reprises dans la cour adjacente à l'unité de dissociation.
- (9) Qu'entre le 10 août et le 16 août, 1982, vous avez:
- (i) battu le détenu dans la cour adjacente à l'unité de dissociation, 'pour le faire parler'.
- (10) Qu'entre le 16 août et le 13 septembre, 1982, vous avez:
- (i) frappé le détenu sur les jambes avec une matraque dans sa cellule, 'pour le faire parler'.

(11) Qu'entre le 16 août et le 7 octobre, 1982, vous avez:

(i) lancé la nourriture du détenu
par terre ou dans
le visage dudit détenu

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 27 août 1982, vous avez:
- (i) fait courrir le détenu nus-pied sur de la roche dans la cour adjacente à l'unité de dissociation sous menace de le battre;
 - (ii) participé à un incident où ledit détenu a été menacé avec une corde de pendu fabriquée avec des draps, corde passée au cou dudit détenu et que ledit détenu fut promené ainsi dans la rangée.
- et
- (iii) tenté de forcer ledit détenu à signer une déclaration en le frappant au visage et aux côtes, lui pinçant, serrant et tordant les testicules, et le poussant violemment contre le mur de sa cellule.
- (2) Qu'entre le 13 août et le 15 août, 1982, vous avez:
- (i) participé à un incident où le détenu a été menacé avec une corde de pendu fabriquée avec des draps, corde passée au cou dudit détenu avec menace de le pendre "si il ne parlait pas, il le pendrait", dans la cour adjacente à l'unité de dissociation.

- (3) Que le 16 août 1982, en escortant le détenu à l'unité de dissociation, vous avez:
- (i) frappé la tête dudit détenu contre le mur;
 - (ii) soulevé de terre ledit détenu par les cheveux;
- et
- (iii) forcé ledit détenu à s'agenouiller à son entrée à l'unité de dissociation.
- (4) Que vous avez incité vos collègues à commettre des sévices envers les détenus en dissociation.

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, comme suit:

(1) Qu'entre le 27 juillet et le 16 août, 1982, vous avez:

(i) menacé le détenu avec un couteau pour le déshabiller à son arrivée à l'unité de dissociation: "Tu aimes ça jouer du pic, on a un beau couteau jaune ici, on va t'essayer cela";

et

(ii) lorsque ledit détenu a été matraqué par deux gardes à l'extérieur de sa cellule, vous n'êtes pas intervenu.

(2) Qu'entre le 17 août et le 27 août, vous avez:

(1) marchandé avec le détenu afin que ledit puisse obtenir de la literie et des vêtements décents.

ANNEXE "A"

Ces accusations de mauvaise conduite portées contre vous envers certains détenus assignés en ségrégation administrative à l'unité de dissociation dudit Etablissement Archambault suite aux incidents du 25 juillet 1982, sont comme suit:

- (1) Qu'entre le 27 juillet et le 16 août, 1982, vous avez:
- (i) battu le détenu dans la cour adjacente à l'unité de dissociation, à plusieurs reprises;
- et
- (ii) battu ledit détenu dans sa cellule.
- (2) Qu'entre le 27 juillet et le 27 août, 1982, vous avez:
- (i) obligé le détenu à laver son matelas et par la suite vous l'avez obligé à tirer ce matelas mouillé alors que vous et un autre officier étaient embarqués dessus;
 - (ii) fait courir ledit détenu alors qu'il était nu, sur de la roche, sous menace de le battre si ce dernier arrêtait;
 - (iii) participé à un incident où vous avez aidé à retenir au sol ledit détenu pendant que d'autres officiers appliquaient une serviette sur son visage et qu'on versait de l'eau sur cette serviette, dans la cour adjacente à l'unité de dissociation;
 - (iv) traîné ledit détenu dans la rangée;

et

- (v) participé à un incident où ledit détenu a été menacé avec une corde de pendu fabriquée avec des draps, corde que vous lui avez passé au cou, sous menace de le pendre, et que vous l'avez promené ainsi dans la rangée.

(3) Qu'entre le 3 août et le 7 septembre, 1982, vous avez:

- (i) participé à un incident où d'autres officiers ont essayé de mettre la tête du détenu dans les toilettes de sa cellule.

(4) Qu'entre le 5 août et le 16 août, 1982, vous avez:

- (i) participé à un incident où vous avez rentrer un boyau d'extincteur chimique dans la bouche du détenu pendant que d'autres officiers le retenaient au sol, en le menaçant: "si tu ne parles pas, je vais te tuer mon chien, tu vas voir, tu vas voir qu'on ne niaise pas ...";
- (ii) lancé la nourriture dudit détenu par terre ou dans les toilettes, à plusieurs reprises, à l'heure du dîner;

et

- (iii) traîné ledit détenu par les cheveux de sa cellule jusqu'à la porte de la cour adjacente à l'unité de dissociation, en lui disant de 'japper'.

- (5) Qu'entre le 10 août et le 16 août, 1982, vous avez:
- (i) matraqué le détenu dans le dos et aux jambes dans la cour adjacente à l'unité de dissociation, à plusieurs reprises.
- (6) Qu'entre le 16 août et le 16 septembre, 1982; vous avez:
- (i) frappé le détenu au visage avec un journal.
- (7) Qu'entre le 16 août et le 7 octobre, 1982, vous avez:
- (i) gazé le détenu dans la bouche, à son arrivée à l'unité de dissociation;
- et
- (ii) matraqué ledit détenu à son arrivée à l'unité de dissociation.
- (8) Qu'entre le 17 août et le 27 août, 1982, vous avez:
- (i) participé à un incident où vous avez posé une serviette sur le visage du détenu pendant que d'autres officiers le retenaient au sol, et où l'on versait de l'eau sur cette serviette, dans la cour adjacente à l'unité de dissociation.

AEROSOL CHEMICAL WEAPONS

APPENDIX NO. 14

The following table gives the specific data for this item.

FEDERAL TEAR DUST® DISPENSER 287 CN FEDERAL IRRITANT DUST DISPENSER 587 CS

Body Material	Aluminum
Color	Black with Red Actuator
Dimensions	1 1/2" (38mm) Diameter x 6 1/2" (162mm) Long (incl. actuator)
Total Weight	6 Ounces (170 Grams)
Weight of Agent CN	3% CN Solution, 11 Ounces (3.2 Grams) minimum

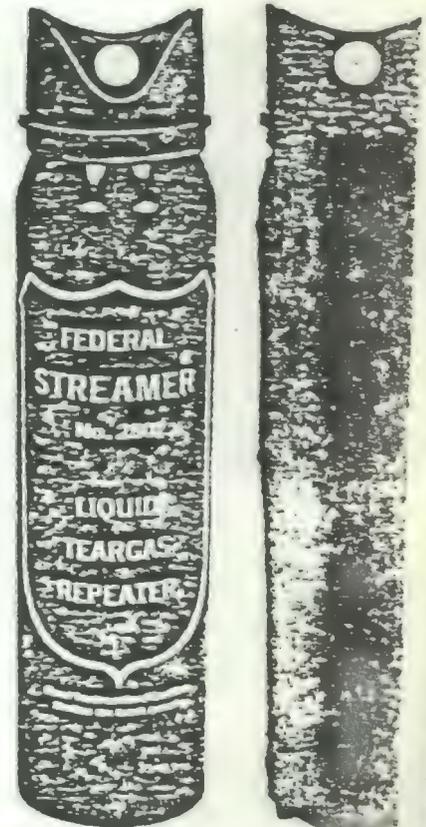
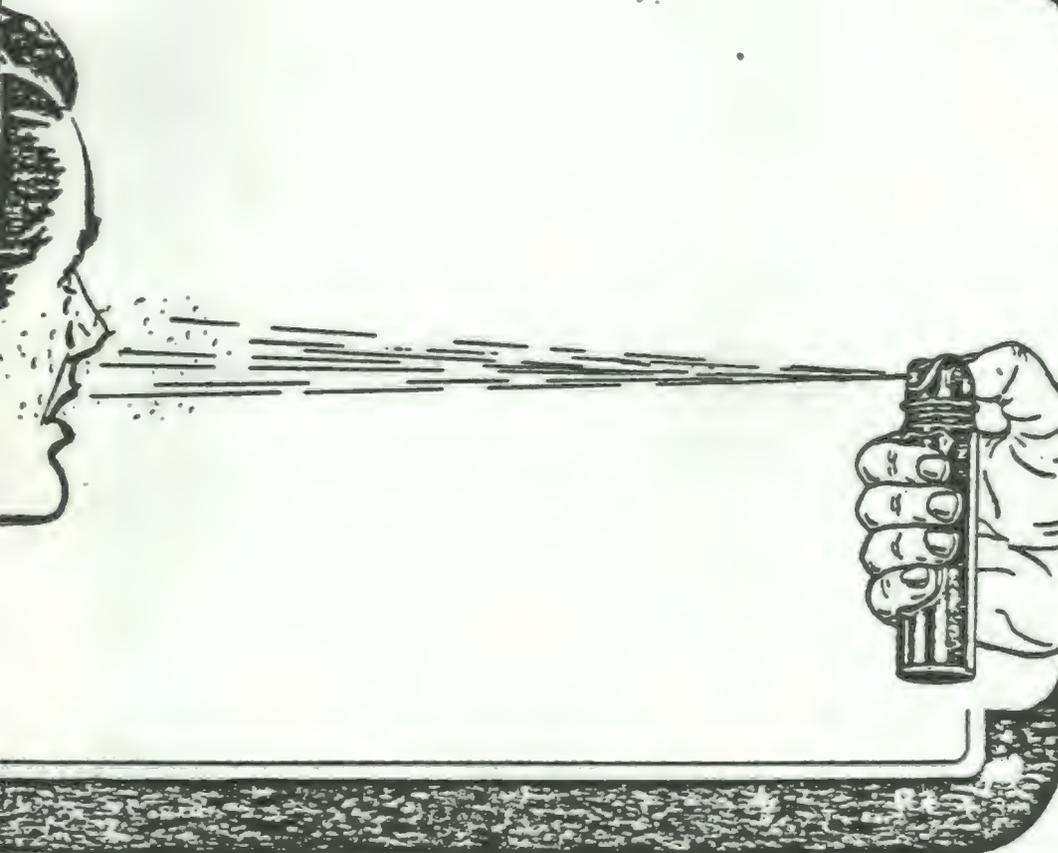
Weight of Agent Solution	3.7 Ounces (105 Grams) minimum
Discharge Time	Approx. 50 one-second bursts

TYPE OF DISCHARGE

A fine mist which evaporates almost instantaneously, producing a cloud of microscopic CN dust particles.

SPECIAL FEATURES

Operable from 32°F (0°C) to 120°F (50°C) although the device should not be stored at these temperature extremes. No special decontamination or clean-up is necessary when used as directed. A one-second burst is highly effective in a small room or cell.





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THE USE OF FORCE AND FIREARMS

LE RECOURS À LA FORCE ET AUX ARMES À FEU

AUTHORITY

1. This instruction is issued pursuant to section 7. of the Penitentiary Service Regulations.

REVOCATION

2. Divisional Instruction No. 714, dated 1980-08-29 and revised 1980-10-31, is revoked.

PURPOSE

3. This instruction provides direction on the use of force and firearms by Service members in the lawful performance of their duties.

DEFINITION

4. "Director" means Director, Warden, or Superintendent, as applicable.

AUTHORITY FOR USE OF FORCE

5. Authority for the use of force by a member of the Service derives from the Criminal Code in his capacity as a private citizen. In addition, powers are granted by the Criminal Code to those members who are peace officers or are public officers and to certain others. Those powers and their limitations are set out in Annex "A". They form the basis of Service policy on the use of force.
6. In extreme circumstances where extensive property damage is being caused or death or grievous bodily harm is likely to result, in a penitentiary, the provisions of the Criminal Code concerning riots may be applied. The

AUTORISATION

1. La présente instruction est émise conformément à l'article 7. du Règlement sur le service des pénitenciers.

ABROGATION

2. L'Instruction divisionnaire n° 714, datée 1980-08-29 et révisée 1980-10-31, est abrogée.

OBJET

3. Cette instruction guidera les membres du Service qui doivent avoir recours à la force et aux armes à feu dans l'exercice légal de leurs fonctions.

DÉFINITION

4. Dans la version anglaise, "Director" désigne également "Warden" ou "Superintendent", selon le cas.

AUTORISATION D'AVOIR RECOURS À LA FORCE

5. Le Code criminel autorise les membres du Service à recourir à la force, à titre de simples citoyens. Il confère, en outre, des pouvoirs aux agents de la paix ou aux fonctionnaires et à certains autres. Ces pouvoirs et les limites qui leur sont imposées sont exposés à l'annexe "A". Ils constituent le fondement de la politique du Service en matière de recours à la force.
6. Dans des circonstances extrêmes qui entraînent la détérioration de biens ou qui peuvent entraîner la mort ou des lésions corporelles graves, dans un pénitencier, les dispositions du Code criminel concernant les émeutes

RESPONSIBILITY CENTRE - CENTRE DE RESPONSABILITÉ		SPONSORING AUTHORITY - RÉPONDANT	DATE OF ISSUE DATE DE PUBLICATION
100	NAME - NOM National Headquarters Administration centrale	Security Sécurité	1981-11-13

sections of the Criminal Code pertaining to riots are included in full in Annex "B", and must be followed whenever riot procedure is resorted to.

peuvent s'appliquer. Tous les articles du Code criminel se rapportant aux émeutes figurant à l'annexe "B", et il importe de les respecter dès qu'on recourt à la procédure d'émeute.

1. A staff member shall only use as much force as he believes, in good faith and on reasonable and probable grounds, is necessary to carry out his legal duties. If the force used is excessive, he is criminally responsible for such excess, and he may also be liable for civil action where the use of excessive force is claimed.
1. Where a group of Service staff is involved in a situation requiring the use of force, the group shall respond to the normal chain of command.

7. Un employé ne doit utiliser que la force qu'il juge nécessaire, en toute bonne foi et en se fondant sur des motifs raisonnables et probables, pour s'acquitter des devoirs de sa charge. Il sera criminellement responsable de tout excès de force et pourra être poursuivi devant un tribunal civil.
8. Lorsqu'un groupe d'employés du Service se trouve dans une situation qui exige le recours à la force, il doit suivre la voie hiérarchique normale.

LECTION OF APPROPRIATE FORCE

SÉLECTION DE LA FORCE APPROPRIÉE

Service staff shall not hesitate to use appropriate force when it is evident that danger to any person or damage to property may ensue. Failure to use appropriate force at an early stage may contribute to the deterioration of the situation. The judgement and initiative of the individual staff member or, where time permits, the senior institutional officer present, must be applied to determine what measures are appropriate.

9. Le personnel du Service ne doit pas hésiter à recourir à la force nécessaire lorsqu'il est évident qu'une personne pourrait être en danger ou que des biens pourraient être endommagés. Le fait de ne pas faire usage de la force assez tôt peut contribuer à empirer la situation. Les membres du personnel ou, lorsque les circonstances le permettent, l'agent supérieur de l'établissement présent, doivent faire preuve de jugement et d'initiative pour déterminer quelles sont les mesures à prendre.

The options open to penitentiary staff in preventing the commission of offences or in arresting an offender

10. Les circonstances dicteront les mesures que prendra le personnel de l'établissement pour empêcher la per-

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will be dictated by circumstances. They include, but not necessarily in the order listed:

- a. physical handling;
- b. police billies, batons and riot sticks;
- c. restraint equipment;
- d. dogs;
- e. water hoses;
- f. non-lethal ammunition;
- g. tear gas;
- h. firearms.

11. It will not always be appropriate or effective to progress from the implementation of the lowest level of force by stages to the next higher level, and the type of force selected shall be as dictated by the circumstances.

12. The following paragraphs describe the circumstances in which these various measures are authorized, and suggest scenarios in which they may be appropriately used.

Physical Handling

13. The first level of force available to a Service institutional member in the course of his legal duties is the employment of his hands. This physical handling is justified to subdue unruly inmates; to separate participants in a fight; in self-defence against unprovoked assault; and in defending staff, inmates, or other persons.

pénétration d'un acte criminel ou pour l'arrestation d'un délinquant. Ces mesures sont énumérées ci-dessous mais pas nécessairement par ordre de priorité:

- a. la contrainte physique;
- b. les bâtons de policier, triques et matraques;
- c. le matériel de contrainte;
- d. les chiens;
- e. les tuyaux d'arrosage;
- f. les armes non meurtrières;
- g. les gaz lacrymogènes;
- h. les armes à feu.

11. Il ne sera pas toujours approprié ni efficace d'avoir recours à tous les degrés de force, du plus bas au plus élevé. Les circonstances devront dicter la mesure à prendre.

12. Les paragraphes suivants démontrent les circonstances dans lesquelles ces différentes mesures sont autorisées et suggèrent des exemples où elles peuvent être utilisées.

Contrainte physique

13. Le premier niveau de force dont dispose un membre du personnel d'un établissement du Service dans l'exercice de ses fonctions est l'usage de ses mains. Cette contrainte physique est justifiée pour maîtriser les détenus indisciplinés; pour séparer les participants dans une bataille; pour légitime défense contre une attaque sans provocation; et pour défendre le personnel, les détenus et autres personnes.

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Physical handling may also be employed to move inmates who actively or passively fail to comply with lawful orders.

As with the use of any type of force, the amount of force used in physical handling shall be only as much as is reasonable and necessary in the circumstances.

Batons, Billies and Riot Sticks

Where the degree of force that can be applied by physical intervention alone is inadequate, additional force may be exerted by the use of police billies or batons. A drawn baton or billy itself has a psychological impact and indicates the resolve of the staff to maintain their authority. The baton or billy may be used to separate brawling inmates, or to quell violence when inmates cannot be subdued by lesser force.

In addition to batons on individual issue, riot sticks are held by institutions in accordance with the scale of issue. Their use is a further option in the resources available to staff in restoring order. They may be used in preference to, or in conjunction with, water hoses, non-lethal weapons or tear gas, as considered to be effective and justified by the circumstances.

Restraint Equipment

The use of restraint equipment is an application of force designed for the

14. La contrainte physique peut aussi être utilisée pour déplacer les détenus qui, de façon active ou passive, ne se conforment pas aux ordres légitimes.

15. Dans l'usage de toute force, le niveau de force en tant que contrainte physique doit être utilisé de façon raisonnable en fonction des circonstances.

Bâtons de policier, triques et matraques

16. Lorsque le degré de force qui peut être appliqué par contrainte physique n'est pas suffisant, on peut avoir recours aux bâtons de policier ou aux triques. Une trique ou un bâton de policier brandi produit un effet psychologique et dénote que les membres du personnel sont décidés à maintenir leur autorité. Si la contrainte physique s'avère insuffisante, une trique ou le bâton de policier peut servir alors à séparer les détenus chahuteurs, ou à réprimer la violence lorsque les détenus ne peuvent être maîtrisés par moins de force.

17. En plus des triques distribuées individuellement, les établissements disposent de matraques conformément au barème de distribution. L'usage des matraques constitue un autre moyen de rétablir l'ordre. Elles peuvent remplacer les tuyaux d'arrosage, les armes non meurtrières ou les gaz lacrymogènes ou être utilisées de concert avec ce matériel selon les circonstances.

Matériel de contrainte

18. L'usage du matériel de contrainte désigne un recours à la force dans le

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purpose of preventing the commission of an indictable offence by violent or unruly inmates. Instructions governing the use of restraint equipment are contained in Divisional Instruction No. 715, entitled "Use of Restraint Equipment".

but de prévenir la perpétration d'un acte criminel par des détenus violents ou indisciplinés. Les instructions concernant l'utilisation du matériel de contrainte se trouvent dans l'Instruction divisionnaire n° 715, intitulée "Utilisation du matériel de contrainte".

19. Should restraint equipment be necessary to prevent self-inflicted injury, medical approval shall first be obtained. If this is impracticable, the medical authority shall be notified at the earliest opportunity.

19. Lorsque le matériel de contrainte est jugé nécessaire pour empêcher une blessure volontaire, il faudra obtenir l'approbation d'une autorité médicale en premier lieu. Sinon, l'autorité médicale devra être avertie le plus tôt possible.

20. Restraint equipment shall not be used as a means of punishment.

20. Le matériel de contrainte ne doit pas servir à punir un détenu.

Dogs

Chiens

21. Dogs are placed on the establishment of designated maximum security institutions. They may also be used at medium security institutions when approved by National Headquarters.

21. Les chiens sont utilisés dans les établissements à sécurité maximale désignés, mais ils peuvent aussi servir dans les établissements à sécurité moyenne sur approbation de l'Administration centrale.

22. Dogs shall be used only by officers who have qualified in a prescribed course of training.

22. Les chiens ne peuvent être utilisés que par les agents qui ont réussi un cours de formation approprié.

23. The use of force on a Service reserve, through the medium of dogs, is governed by the same principles and legal limitations as the use of direct force by a member as described in the preceding paragraphs. Each dog handler is accountable for any and all force applied by dogs for which he is responsible.

23. L'utilisation des chiens sur l'emplacement d'un pénitencier est régie par les mêmes restrictions et principes légaux que le recours à la force directe par un membre du personnel, tel que le stipulent les paragraphes précédents. Tout meneur de chien sera tenu responsable de la force déployée par les chiens dont il a la charge.

Water Hoses

Tuyaux d'arrosage

24. The use of water as an appropriate level of force in institutions is

24. L'utilisation de l'eau en tant que moyen de force dans les établisse-

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authorized when lesser degrees of force have failed to bring an unlawful incident under control, or when its prompt use is calculated to prevent the commission or continuance of a serious offence involving violence or bodily harm. Its use allows greater selectivity than the use of tear gas and carries with it none of the associated problems of decontamination. Its use in closely confined areas is not normally appropriate.

The use of water has a strong psychological effect as well as a physical effect. It may be employed as a flat trajectory weapon utilizing pressure to move or incapacitate groups of violent inmates; or alternatively as a high trajectory device similar to heavy rain fall.

The decision to employ water shall be taken by the Director if time permits, or by the senior staff member present if the Director cannot be contacted and the urgency of the situation dictates.

Personnel employing hoses must be protected by other staff to ensure that the hoses cannot be seized and used against them.

Non-Lethal Ammunition

The purpose of non-lethal ammunition is to provide Director and staff with an additional option in controlling violent situations without exposing inmates involved to the risk of death or serious injury.

ments est autorisée lorsque des degrés moins extrêmes de force n'ont pas réussi à mettre fin à un incident illégal, ou lorsque son utilisation rapide pourrait prévenir la perpétration ou la persistance d'un délit sérieux où il y a violence et lésions corporelles. Les tuyaux d'arrosage peuvent être utilisés de façon plus sélective que les gaz lacrymogènes et n'entraînent pas les problèmes de décontamination. L'emploi de tuyaux dans une pièce fermée est à déconseiller.

25. L'utilisation de l'eau produit à la fois un effet psychologique très fort de même qu'un effet physique. L'eau, grâce à la pression qu'elle exerce pour déplacer ou frapper un groupe de détenus violents, peut faire fonction d'arme à trajectoire tendue ou, pour produire l'effet d'une forte averse, d'arme à haute trajectoire.

26. La décision concernant l'utilisation de l'eau relève du directeur ou, si le directeur ne peut être joint à temps et que l'urgence de la situation l'exige, de l'agent supérieur présent.

27. Le personnel utilisant les tuyaux doit être protégé par d'autres employés afin de s'assurer que les détenus ne s'emparent pas des tuyaux pour les utiliser contre eux.

Munitions non meurtrières

28. L'utilisation des munitions non meurtrières a pour but d'accorder au directeur et au personnel un autre moyen de maîtriser des situations violentes sans toutefois risquer de tuer ou de blesser grièvement les détenus.

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29. Non-lethal ammunition may be plastic shot, rubber bullets, or similar missiles and shall be held only at maximum and medium security institutions in accordance with the National Headquarters scale of issue.
30. This ammunition shall not be used for close-range direct fire; and staff shall be trained and made aware of the potentially lethal characteristics of this ammunition if misused and if fired at close range.
31. Training in the use of this ammunition shall be given during induction training at Staff Colleges, and to correctional staff at maximum and medium security institutions.
29. Les munitions non meurtrières, telles que les cartouches avec charge de sphères de polythène, les balles de caoutchouc, ou autres projectiles semblables, ne doivent être gardées qu'aux établissements à sécurité maximale et moyenne, conformément au barème de distribution de l'Administration centrale.
30. Ces munitions ne doivent pas être utilisées pour tirer à bout portant et le personnel doit être formé et mis au courant des caractéristiques éventuellement meurtrières de ces munitions lorsqu'elles sont mal utilisées et si on s'en sert pour tirer de près.
31. La formation ayant trait à l'emploi de ces munitions doit avoir lieu durant l'initiation des recrues dans les collèges du personnel; les agents de correction des établissements à sécurité maximale et moyenne devront également recevoir cette formation.

Tear Gas

32. The Director or, in his absence, the officer in charge of the institution, will normally be responsible for authorizing the use of gas and normally shall attend the scene and assess the situation before authorizing the use of gas. However, in an extreme emergency, and where it is not possible or practical to seek authorization or for the officer in charge to attend, tear gas may be used by any penitentiary officer and he in turn will be required to justify his actions.

Gaz lacrymogènes

32. L'autorisation d'utiliser les gaz relève ordinairement du directeur ou, en l'absence de celui-ci, de l'agent responsable de l'établissement qui, en général, devra être sur les lieux pour évaluer la situation avant d'autoriser l'emploi de gaz lacrymogènes. Toutefois, en cas d'extrême urgence, et lorsqu'il est impossible ou incommode de demander l'autorisation ou que l'agent responsable ne peut être sur les lieux, les gaz lacrymogènes peuvent être utilisés par tout agent du pénitencier qui, par la suite, devra justifier ses actes.

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33. CN gas is the only gas authorized for use in the Service, and is issued in accordance with the Service scale of issue.

33. Le gaz de type CN est le seul dont l'emploi est autorisé au Service et il est distribué conformément au barème de distribution du Service.

34. When it is considered that order cannot be restored by the methods described in the preceding paragraphs, the use of tear gas is authorized in the following circumstances before the extreme measure of employing firearms is resorted to:

34. Lorsqu'il est impossible de rétablir l'ordre à l'aide des méthodes décrites dans les paragraphes précédents, il est permis, dans les cas suivants, d'employer les gaz lacrymogènes avant d'avoir recours au moyen extrême que représentent les armes à feu:

a. to prevent serious injury or loss of life;

a. pour éviter des blessures graves ou la perte de la vie;

b. to prevent or suppress riots or disturbances which may escalate in intensity;

b. pour empêcher ou réprimer des émeutes ou des soulèvements qui peuvent s'intensifier;

c. to prevent extensive wilful destruction of property; or

c. pour empêcher des dommages volontaires graves à la propriété; ou

d. to break up groups of inmates who are refusing to carry out the lawful orders of the staff and who are thus contributing to a perceived dangerous situation.

d. pour disperser des groupes de détenus qui refusent de se conformer aux ordres légitimes du personnel et qui contribuent à aggraver une situation perçue comme dangereuse.

i. When time permits, institutional medical authorities shall be consulted before tear gas is used, in regard to the possible medical contra-indications which may impact on the decision to use gas.

35. Si le temps le permet, il faut consulter les autorités médicales de l'établissement avant d'utiliser les gaz lacrymogènes dans le but de connaître les contre-indications qui pourraient influencer sur la décision d'avoir recours aux gaz.

• Only enough tear gas shall be used to bring the situation under control.

36. On ne doit employer que la quantité de gaz nécessaire pour maîtriser la situation.

• Gas shall not normally be used against a lone inmate, or where inmates are in closely confined areas, unless other measures are judged to

37. On n'emploiera normalement pas de gaz contre un détenu seul, ou lorsque les détenus se trouvent à l'intérieur d'une pièce fermée à moins que les

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be ineffective or would clearly result in injuries. Such use of gas shall be limited to the minimum necessary to subdue the inmate and shall not be such as to endanger the health or life of the inmate.

autres mesures soient jugées inefficaces ou puissent entraîner des blessures. Une quantité minimale de gaz devra être utilisée pour maîtriser le détenu sans mettre en danger sa santé ou sa vie.

38. In order to avoid panic when using gas against a large number of inmates in an enclosed area, consideration shall be given to provide a safe exit, unless circumstances dictate otherwise.

38. Afin d'éviter de semer la panique lorsque les gaz lacrymogènes sont utilisés contre un grand nombre de détenus dans une pièce fermée, le personnel doit penser à fournir une sortie sûre, à moins que les circonstances ne le permettent pas.

39. Where time and circumstances permit, inmates against whom the use of gas is being considered shall be advised orally that failure to cease their illegal activity will result in tear gas being used against them.

39. Lorsque le temps et les circonstances le permettent, les détenus sur qui on envisage se servir des gaz lacrymogènes doivent être avertis verbalement que s'ils ne cessent pas leurs activités illégales, les gaz lacrymogènes seront utilisés.

40. As soon as practicable after tear gas has been used, individuals exposed to gas shall be:

40. Dès que possible suivant l'utilisation des gaz lacrymogènes, les personnes qui y ont été exposées devront:

- a. moved from the immediate area;
- b. allowed to shower, wash, and bathe their eyes;
- c. provided with a change of clothing;
- d. examined, as soon as possible within twelve hours of the occurrence, by a Health Care Officer and, if required, by the Institutional Physician; and
- e. re-examined by the Institutional Physician until no further effects

- a. être éloignées des lieux;
- b. être autorisées à prendre une douche, à se baigner et à se laver les yeux;
- c. recevoir des vêtements de rechange;
- d. être examinées, aussitôt que possible dans les douze heures qui suivent l'incident, par un agent des services de santé et, au besoin, par le médecin de l'établissement; et
- e. demeurer sous l'observation du médecin de l'établissement jusqu'à

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or symptoms remain.

ce que tous les symptômes et effets se soient complètement dissipés.

After tear gas has been used in a cell or other confined area inside a building, decontamination procedures shall be carried out as soon as practicable, in the following manner:

41. Lorsqu'on s'est servi de gaz lacrymogènes dans une cellule ou dans toute autre pièce fermée à l'intérieur d'un bâtiment, des mesures de décontamination doivent être entreprises aussitôt que possible, et de la façon suivante:

a. all doors and windows shall be opened and fans used to increase ventilation of the area for a minimum of one hour;

a. ouvrir toutes les portes et les fenêtres et mettre en marche les ventilateurs afin d'aérer le lieu malsain pendant un minimum d'une heure;

b. doors and windows shall then be shut and the building heated to a minimum of 35°C for at least an hour in order to force residual gas into the atmosphere. Doors and windows shall then be opened again, the area ventilated as above and the process repeated as necessary. An alternative method would be to use a stream of hot water;

b. fermer les portes et les fenêtres et chauffer le bâtiment à une température de 35°C pendant un minimum d'une heure afin de laisser s'échapper le reste des gaz. Il faudra ensuite rouvrir les portes et les fenêtres, aérer les lieux de nouveau et répéter les processus au besoin. On peut aussi laver la pièce au moyen d'un jet d'eau chaude;

c. contaminated dust shall be removed by using a commercial type water vacuum cleaner, or a regular vacuum cleaner with a wet bag;

c. se servir d'un aspirateur à eau de type industriel pour enlever la poussière des gaz lacrymogènes ou d'un aspirateur ordinaire muni d'un sac mouillé;

d. where necessary, surfaces shall be decontaminated by washing with a solution of 5% sodium carbonate (washing soda) and water, or sodium bicarbonate (baking soda) which is slower working. Before using it should be determined if the surface would be damaged by sodium carbonate;

d. au besoin, décontaminer les surfaces en lavant avec une solution à 5% de carbonate de sodium (cristaux de soude) et de l'eau, ou de bicarbonate de sodium qui agit plus lentement. Avant utilisation, il faut s'assurer que la surface ne sera pas abîmée par le carbonate de sodium;

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e. all decontaminated clothing, bedding and other material shall be removed from the area and dry cleaned where possible or, if necessary, destroyed.

e. enlever des lieux tout vêtement, literie et autre matériel décontaminés, les nettoyer à sec si possible, ou, au besoin, les détruire.

42. Immediately after gas is used, the details of the incident, the amount of gas used and the inmates and staff involved shall be recorded, and appropriate inquiries conducted in accordance with current Commissioner's Directives and Divisional Instructions.

42. Immédiatement après avoir utilisé les gaz lacrymogènes, on devra noter les détails de l'incident, la quantité de gaz utilisée, les noms des détenus et des employés impliqués; des enquêtes appropriées seront menées conformément aux Directives du Commissaire et aux Instructions divisionnaires déjà existantes.

The Use of Firearms

Emploi des armes à feu

43. Firearms shall only be issued to staff members who are peace officers and who have:

43. La distribution d'armes à feu devra être limitée aux membres du personnel qui sont des agents de la paix et qui auront:

a. received instruction in the safe handling, care and cleaning of the weapon; and

a. reçu une formation dans le maniement, l'entretien et le nettoyage de l'arme; et

b. fired the weapon under supervision in accordance with current training directives.

b. tiré sous surveillance avec cette arme conformément aux directives courantes de formation.

44. The most extreme use of force that can be employed by staff members in the performance of their duties is the discharge of a firearm in circumstances which may cause death or grievous bodily harm. In no case shall firearms be discharged if less extreme measures will suffice.

44. La mesure extrême à laquelle peut recourir un employé dans l'exercice de ses fonctions est la décharge d'une arme à feu dans des circonstances qui peuvent causer la mort ou des lésions corporelles graves. Il est interdit d'utiliser une arme à feu si le recours à une mesure moins radicale peut suffire.

45. A peace officer may fire:

45. Un agent de la paix peut faire feu:

a. at an inmate or other person carrying a weapon, or attempting to obtain a weapon by force, if he has good reason to believe and

a. sur un détenu ou une autre personne ayant une arme ou tentant d'obtenir une arme par la force, lorsqu'il a de bonnes raisons de

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does believe that the person intends to use it to cause death or serious injury and refuses to halt or desist when ordered to do so;

croire et croit vraiment que la personne a l'intention de l'utiliser pour causer la mort ou des blessures graves et lorsque la personne refuse de s'arrêter ou d'y renoncer lorsqu'on le lui demande;

b. at an inmate or other person who, in his sight, killed or seriously injured any person and who refused to halt when ordered to do so, and who cannot be arrested by other means;

b. sur un détenu ou une autre personne qui, devant lui, a tué ou gravement blessé quelqu'un, qui refuse de s'arrêter lorsqu'on le lui demande et ne peut être appréhendé par d'autres moyens;

c. to halt the escape of a maximum or medium security inmate if the escape is actually in progress and cannot be prevented by reasonable means in a less violent manner;

c. pour arrêter l'évasion d'un détenu d'un établissement à sécurité maximale ou moyenne si l'évasion est en cours et ne peut être empêchée par d'autres moyens raisonnables et moins violents;

d. if there is no other way to prevent himself or any person from being killed or seriously injured.

d. s'il n'y a pas d'autres moyens d'empêcher d'autres personnes ou lui-même de se faire tuer ou gravement blesser.

Wherever time and circumstances permit, a clear oral warning or order shall be given before shots are fired.

46. Lorsque le temps et les circonstances le permettent, il faut donner un avertissement ou un ordre précis de vive voix avant de tirer un coup de feu.

A peace officer may fire without warning when any delay could result in death or serious injury to any person, or the delay would facilitate the escape of a maximum or medium security inmate.

47. Un agent de la paix peut tirer des coups de feu sans avertissement lorsqu'un délai pourrait causer la mort ou des blessures graves à des personnes ou lorsque le délai faciliterait l'évasion d'un détenu d'un établissement à sécurité maximale ou moyenne.

A warning shot may be fired only when judged safe to do so and when a situation has deteriorated to the

48. On peut tirer des coups de feu en guise d'avertissement seulement si on peut le faire sans danger et si la

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extent of requiring same to emphasize the intent of a more extreme measure.

situation s'est aggravée au point que ces coups de feu sont devenus nécessaires pour avertir que des mesures plus radicales pourraient être prises.

DIVERSIONARY TACTICS

Firearms

49. Under no circumstances shall a fire-arm be used to create a diversion.

MANOEUVRES DE DIVERSION

Armes à feu

49. En aucun temps l'usage d'une arme à feu doit-il servir de manoeuvre de diversion.

Stun Grenades/Starter Pistols

50. In crisis situations requiring a form of diversion, the use of a stun grenade and/or starter pistol may be considered.

Grenades assourdissantes/pistolets de départ

50. Lorsqu'une situation critique indique le besoin d'une manoeuvre de diversion, l'usage d'une grenade assourdissante et/ou d'un pistolet de départ peut être envisagé.

51. Where feasible, stun grenades shall be held at Regional Headquarters and under the control of the Regional Manager, Security.

51. Dans la mesure du possible, les grenades assourdissantes doivent être emmagasinées à l'Administration régionale et sous le contrôle de l'administrateur régional, Sécurité.

52. At the discretion of the crisis manager, stun grenades may be used by Emergency Response personnel trained in their use.

52. Il appartient au directeur des opérations de décider si des grenades assourdissantes seront utilisées par le personnel qualifié de l'Équipe d'intervention en cas d'urgence.

53. In accordance with the scale of issue, a starter pistol including blank ammunition may be held at each institution.

53. Chaque établissement peut avoir un pistolet de départ et des cartouches à blanc, selon le barème de distribution.

CONSULTATION WITH MEDICAL AUTHORITIES

54. After force has been used against an inmate, he shall be examined by a Health Care Officer as soon as possible and, if required, by the Institu-

CONSULTATION AVEC LES AUTORITÉS MÉDICALES

54. Après que la force a été utilisée contre un détenu, il doit être examiné par un agent des services de santé aussitôt que possible et, au besoin,

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tional Physician within twelve (12) hours of the occurrence.

When it is considered an absolute necessity by medical authorities to force-feed an inmate in order to sustain his life, it shall be the responsibility of medical staff to carry out the appropriate treatment.

The use of force in administering sedation is forbidden. The medical administration of drugs and sedatives is governed by appropriate instructions issued by the Director General, Medical and Health Care Services.

REPORT AND INQUIRY

All serious or unusual occurrences involving the use of force by Service staff and every incident in which firearms or tear gas are used shall be reported immediately to National Headquarters in accordance with the procedure in Divisional Instruction No. 753, entitled "The Reporting and Dissemination of Security Information".

The use of tear gas or other force shall also be reported through proper channels to the Institutional Health Care Centre as soon as the incident has occurred.

Every incident where force is used by a Service member shall be reported to the Director, who shall order a prompt inquiry into the incident, in accordance with Divisional Instructions No. 301 and No. 730, entitled "Inquiries" and "Security Inquiries" respectively.

par le médecin de l'établissement dans les douze (12) heures qui suivent l'incident.

55. Lorsque les autorités médicales jugent qu'il est absolument nécessaire de nourrir de force un détenu afin de lui sauver la vie, il incombe au personnel médical de lui accorder le traitement nécessaire.

56. Le recours à la force pour administrer des calmants est défendu. L'administration médicale de médicaments et de calmants est régie par les instructions émises par le directeur général, Services médicaux et de santé.

RAPPORT ET ENQUÊTE

57. Tout fait grave ou inhabituel ayant trait à l'usage de la force par le personnel du Service et tout incident qui exige le recours aux armes à feu ou aux gaz lacrymogènes doivent être signalés aussitôt à l'Administration centrale, selon la marche à suivre énoncée dans l'Instruction divisionnaire n° 753, intitulée "Rapports et diffusion de renseignements sur la sécurité".

58. Le recours aux gaz lacrymogènes ou autre genre de force doit être signalé, en suivant la voie hiérarchique, au Centre de santé de l'établissement dès que l'incident se sera produit.

59. Tout incident où la force a été utilisée par un membre du personnel du Service doit être signalé au directeur qui doit demander rapidement qu'une enquête soit menée, conformément aux Instructions divisionnaires n° 301 et n° 730, intitulées "Enquêtes" et "Enquêtes de sécurité" respectivement.

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60. National Headquarters and Regional Headquarters shall be notified of the commencement of the inquiry.

60. L'Administration centrale et l'Administration régionale doivent être avisées du moment où l'enquête doit commencer.

61. The inquiry shall determine:

61. L'enquête doit déterminer:

- a. the circumstances surrounding the incident;
- b. whether the Service member used only as much force as he believed in good faith and on reasonable and probable grounds was necessary to carry out his legal duties;
- c. whether the member acted within the scope of his duties; and
- d. the nature of the injuries, if any, sustained by either staff or inmates.

- a. les circonstances entourant l'incident;
- b. si l'employé du Service a utilisé seulement la force qu'il croyait nécessaire, en toute bonne foi et en se fondant sur des motifs raisonnables et probables, pour s'acquitter de ses devoirs;
- c. si l'employé a agi dans les limites de ses fonctions; et
- d. la nature des blessures, s'il y a lieu, subies par le personnel ou les détenus.

62. A copy of the completed inquiry report shall be submitted through Regional Headquarters to National Headquarters.

62. Un exemplaire du rapport final de l'enquête doit être soumis à l'Administration centrale, par l'entremise de l'Administration régionale.

DISCIPLINARY ACTION

MESURES DISCIPLINAIRES

63. When a Service member neglects to take appropriate action in the interest of the security of the institution, or uses unnecessary force against an inmate or any other person, any necessary disciplinary action shall be in accordance with the Code of Conduct.

63. Lorsqu'un employé du Service néglige de prendre les mesures qui s'imposent pour la sécurité de l'établissement, ou utilise de la force inutile contre un détenu ou une autre personne, des mesures disciplinaires doivent être prises conformément au Code de conduite.

64. Where a criminal offence by a Service member is disclosed, the case shall be referred to the local Crown Attorney for his decision, and National and Regional Headquarters shall be

64. Lorsqu'une infraction criminelle commise par un employé du Service est décelée, le cas doit être soumis au Procureur de la Couronne de la région en question pour qu'une décision soit

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notified if his intention is to prosecute.

prise. L'Administration centrale et l'Administration régionale doivent être avisées si l'intention du Procureur est d'engager des poursuites contre l'employé.

TRAINING

FORMATION

5. All correctional officers shall be trained in the interpretation and application of the sections of the Criminal Code and of related Service directives and instructions dealing with the use of force.

65. Tous les agents de correction doivent recevoir une formation dans l'interprétation et l'application des sections du Code criminel ainsi que des directives et des instructions du Service traitant du recours à la force.

6. Induction and refresher training of correctional officers shall include training in the above and in the use of the various levels of force, including batons, tear gas and firearms.

66. Les cours d'orientation et de recyclage offerts aux agents de correction doivent comporter la formation décrite ci-dessus, ainsi qu'une formation dans l'usage des différents niveaux de force, y compris les bâtons, les gaz lacrymogènes et les armes à feu.

7. A selected number of Institutional Emergency Response personnel and Regional Security Specialists shall be trained in the use of stun grenades.

67. Certains membres seront choisis parmi le personnel des Équipes d'intervention en cas d'urgence des établissements et les experts en sécurité des Administrations régionales, et devront être formés à l'usage des grenades assourdissantes.

8. Prior to assigning staff members to posts where firearms may be used, Directors shall ensure that these members have received appropriate training in the use of security equipment and firearms, and in the application of related procedures.

68. Avant d'assigner des membres du personnel à des postes qui pourraient exiger l'utilisation d'armes à feu, les directeurs doivent s'assurer que ces employés ont reçu la formation nécessaire dans le maniement de l'équipement de sécurité et des armes à feu, ainsi que dans la mise en application des procédures pertinentes.

Staff members authorized to use firearms shall be required to qualify annually in the use of firearms and

69. Les membres du personnel qui sont autorisés à faire usage d'armes à feu doivent se qualifier chaque année

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each institution shall maintain a list of qualified staff members.

dans le maniement d'armes à feu. De plus, chaque établissement doit tenir une liste des employés qualifiés.

REFERENCES

- 70. Criminal Code of Canada, s. 25., 26., 27., 32., 33., 34., 35., 37., 39., 64., 65., 66., 67., 68., 69., 70., 449. and 450.
- 71. Divisional Instruction No. 301, Inquiries.
- 72. Divisional Instruction No. 715, Use of Restraint Equipment.
- 73. Divisional Instruction No. 730, Security Inquiries.
- 74. Divisional Instruction No. 753, The Reporting and Dissemination of Security Information.
- 75. Divisional Instruction No. 1118, Consent - Medical, Psychiatric, Dental Treatment or Examinations.
- 76. Code of Conduct.
- 77. American Correctional Association, Manual for Adult Correctional Institutions, Standard 2-4096.

RÉFÉRENCES

- 70. Code criminel du Canada, art. 25., 26., 27., 32., 33., 34., 35., 37., 39., 64., 65., 66., 67., 68., 69., 70., 449. et 450.
- 71. Instruction divisionnaire n° 301, Enquêtes.
- 72. Instruction divisionnaire n° 715, Utilisation du matériel de contrainte.
- 73. Instruction divisionnaire n° 730, Enquêtes de sécurité.
- 74. Instruction divisionnaire n° 753, Rapports et diffusion de renseignements sur la sécurité.
- 75. Instruction divisionnaire n° 1118, Consentement - examen ou traitement médical, psychiatrique ou dentaire.
- 76. Code de conduite.
- 77. "American Correctional Association, Manual for Adult Correctional Institutions, Standard 2-4096."

Deputy Commissioner,
Security

Le Commissaire adjoint,
Sécurité

J.U.M. Sauvé
A/D

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#3
COMMISSIONER'S DIRECTIVE
DIRECTIVE DU COMMISSAIRE

TITLE - TITRE
THE USE OF FORCE AND FIREARMS

LE RECOURS À LA FORCE ET AUX ARMES À FEU

AUTHORITY

1. This directive is issued pursuant to subsection 29(3) of the Penitentiary Act.

REVOCATION

2. Commissioner's Directive No. 175, dated 1978-09-26, is revoked.

PURPOSE

3. To ensure conformity with the law in the application of force and use of firearms for the control of inmates.

DEFINITION

4. "Use of force" is control by the application of physical constraint, which includes physical handling, batons, restraint equipment, patrol dogs, water hoses, tear gas and firearms.

POLICY

5. Force shall be used as necessary to prevent or suppress an offence by an inmate. Only such force shall be used as is reasonable and necessary. Failure to take action may result in a disciplinary proceeding, a criminal charge, or a civil action.
6. Force likely to cause death or grievous bodily harm shall be used only to prevent death or grievous bodily harm.

AUTORISATION

1. La présente directive est émise conformément au paragraphe 29(3) de la Loi sur les pénitenciers.

ABROGATION

2. La Directive du Commissaire n° 175, datée 1978-09-26, est abrogée.

OBJET

3. S'assurer que le recours à la force et aux armes à feu, pour contrôler les détenus, est conforme à la loi.

DÉFINITION

4. Le "recours à la force" consiste à contrôler les détenus et peut aller de la contrainte physique à l'utilisation de triques, de matériel de contrainte, de chiens patrouilleurs, de tuyaux d'arrosage, de gaz lacrymogènes et d'armes à feu.

POLITIQUE

5. On ne devra avoir recours à la force que lorsque les circonstances l'exigent pour empêcher qu'un détenu ne commette une infraction. On ne devra utiliser que la force raisonnable et nécessaire. Le fait de ne pas prendre les mesures qui s'imposent pourra entraîner des mesures disciplinaires, des accusations au criminel ou des poursuites devant un tribunal civil.
6. On ne devra avoir recours à la force qui peut causer la mort ou des lésions corporelles graves que pour empêcher que ne soient commis des actes entraînant la mort ou des lésions corporelles graves.

Operational Security

Sécurité opérationnelle

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COMMISSIONER'S DIRECTIVE
DIRECTIVE DU COMMISSAIRE

THE USE OF FORCE AND FIREARMS

LE RECOURS À LA FORCE ET AUX ARMES À FEU

Firearms shall not be used in minor disorders or to deal with offences which are not serious.

If firearms are to be used, an oral warning shall be given if time and circumstances permit, and a warning shot may be fired.

Firearms shall be used to halt the escape by flight of a maximum or medium security inmate if the escape is actually in progress and cannot be prevented by reasonable means in a less violent manner.

All serious or unusual occurrences involving the use of force and all incidents in which firearms or tear gas are used, shall be reported to National Headquarters.

On ne devra pas avoir recours aux armes à feu dans le cas de troubles peu graves ou d'infractions légères.

S'il est nécessaire d'utiliser des armes à feu, il faut, lorsqu'on en a le temps et que les circonstances le permettent, donner un avertissement oral, puis tirer un coup de feu en guise d'avertissement.

On aura recours aux armes à feu pour arrêter une évasion d'un établissement à sécurité maximale ou moyenne si celle-ci est déjà entreprise et qu'elle ne peut être empêchée par des moyens rationnels moins violents.

Il faut signaler à l'Administration centrale tous les incidents graves ou inhabituels qui ont donné lieu au recours à la force et tous ceux au cours desquels on a utilisé des armes à feu ou du gaz lacrymogène.

REFERENCES

- Criminal Code of Canada, s. 25, 26, 27, 32, 33, 34, 35, 37, 39, 64, 65, 66, 67, 68, 69, 70, 134(a), 135(b), 449, 450.
- Penitentiary Act, s. 10.

RÉFÉRENCES

- Code criminel du Canada, art. 25, 26, 27, 32, 33, 34, 35, 37, 39, 64, 65, 66, 67, 68, 69, 70, 134 a), 135 b), 449, 450.
- Art. 10 de la Loi sur les pénitenciers.

Commissioner,

Le Commissaire,


D.R. Yeomans

Correctional Service Canada / Service correctionnel Canada

STANDING ORDER
ORDRE PERMANENT

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TITRE - TITLE

UTILISATION DES GAZ LACRYMOGÈNES2u
(C!)

AUTORISATION

1. Autorisation - Publication:
Article 8 du Règlement sur le
Service des pénitenciers
Directive du Commissaire
020-1-02.3.
2. Autorisation - Teneur:

ABOIGATION

3. L'ordre permanent n° 864,
daté 1982-09-13.

OBJET

4. Préciser les mesures de sécurité
relatives à l'utilisation des gaz
lacrymogènes.

COMPOSITION

5. En chimie, le gaz lacrymogène
s'appelle chloroacétophenone
(CN). Il ne s'agit pas d'un gaz,
mais d'un solide cristallin. A
l'état pur, il est de couleur
blanche et ressemble à du sel de
table. Il se sublime ou se vaporise
rapidement.
6. Le gaz peut se dissoudre dans un
liquide et s'utiliser avec un dis-
positif à pression, par exemple u-
ne bombe aérosol, et on peut alors
le faire gicler.

EFFETS

7. Si une personne marche dans un nu-
age de gaz lacrymogène, le gaz

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lacrymogène, le gaz provoque une sensation de brûlure, dans le nez, une sensation de piqure dans les yeux qui amène aussitôt les glandes lacrymales à sécréter des larmes. Le gaz a aussi d'autres effets: le nez coule et les yeux se ferment.

8. Si le gaz lacrymogène touche la peau, et s'il y reste une heure ou plus, il peut en résulter dans la plupart des cas, une éruption ou une rougeur de la peau, pareille à un coup de soleil. Si de fortes concentrations de gaz se déposent sur les vêtements, le gaz peut pénétrer jusqu'à la peau, et les effets du gaz continuent. L'irritation se fait surtout sentir dans les régions moites du corps, et le frottement accroît l'irritation. Si le gaz est projeté, par exemple, par un pulvérisateur, à trois ou quatre pieds de distance, et que la concentration se dépose à une distance relativement proche de la peau, si enfin l'individu en cause n'a pas la permission de se laver ou d'enlever d'une façon ou d'une autre la poudre de sa peau, il peut se produire une rougeur. Le gaz est très dangereux s'il est projeté à douze pouces de distance. Le lancement éventuel de particules par un pulvérisateur ou tout appareil à pression pourrait forcer ces particules à monter sous la paupière, ce qui constituerait "une cause probable de lésion à long terme". Cela amène aussi une rougeur de la peau, et, avec le temps, une possibilité d'apparition d'ampoules. Il est "très dangereux" de viser la tête d'un homme avec un pulvérisateur, à moins de cinq pieds.

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AVANTAGES DU GAZ

- 9. Le gaz lacrymogène est l'une des armes les plus humaines pour faire du travail de police et de correction, comparativement aux bâtons, aux matraques, aux boyaux à incendie à haute pression et aux armes à feu.
- 10. Le gaz évite des blessures aux détenus et aux fonctionnaires. Il permet de contrôler et de maîtriser des détenus lorsqu'ils sont en crise ou se révoltent. Il évite les dommages causés à la propriété par des groupes de détenus violents.

USAGE DE GAZ LACRYMOGÈNES

11. L'usage des gaz lacrymogènes constitue, après les armes à feu, la mesure la plus extrême à laquelle un agent de pénitencier peut recourir. Les règles qui déterminent dans quels cas l'emploi des gaz lacrymogènes s'impose sont les mêmes que celles qui s'appliquent à l'usage des armes à feu, si ce n'est, évidemment, que l'usage des gaz représente une mesure moins radicale. En pratique, un agent de pénitencier peut donc recourir à trois mesures différentes face à une situation donnée:

- a) L'usage de la force physique, y compris l'emploi de divers appareils servant à maîtriser les détenus.
- b) L'usage de gaz lacrymogènes.
- c) L'usage d'armes à feu.

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12. Lorsqu'il n'y a pas lieu de faire usage d'armes à feu, on peut se servir des gaz lacrymogènes pour maîtriser une situation. Les gaz sont un instrument efficace, mais on ne doit les employer que dans les cas où toutes les autres mesures moins extrêmes se sont révélées inefficaces et où il est urgent de réprimer une situation. Il est tout aussi dangereux de faire prématurément usage des gaz que d'y recourir trop tardivement. L'emploi des gaz exige toujours de faire montre d'un jugement rigoureux. Il s'agit d'un recours à la force et, par conséquent, la personne qui donne l'ordre d'employer les gaz doit assumer la responsabilité de son acte. L'usage des gaz est régi par la règle suivante: "On ne doit recourir à cette mesure que si elle est proportionnée au danger et justifiée par la situation".

13. Il est important de tenir compte des règles suivantes:

a) On doit faire usage des gaz lacrymogènes:

1. pour protéger sa vie ou pour prévenir des blessures;
2. pour prévenir ou maîtriser les crises ou les révoltes;
3. pour disperser des groupes de résistance qui sont la cause de situations explosives ou irrépressibles;
4. prévenir les dommages excessifs causés à la propriété par des groupes de détenus violents (qu'ils soient dans leur cellule ou dans des endroits non fermés).

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6. On ne doit pas, normalement, faire usage des gaz:

- 1) lorsque les détenus qui causent l'émeute sont déjà maîtrisés et que les agents sur les lieux ne risquent pas d'être assaillis par d'autres détenus;
- 2) lorsque l'usage des gaz pour maîtriser une émeute aura vraisemblablement pour effet de mettre le feu aux poudres;
- 3) lorsque les personnes contre qui on doit les employer n'ont pas été averties qu'on en ferait usage s'ils ne mettaient pas fin à leurs agissements.

QUANTITÉ

14. On ne doit employer que la quantité de gaz nécessaire pour maîtriser la situation et on doit sans tarder prendre des mesures afin de soustraire ceux contre qui on les emploie à leurs effets tardifs. Lorsqu'on s'est servi des gaz lacrymogènes, on doit tenter par tous les moyens de restaurer l'ordre le plus tôt possible.

AUTORISATION

15. L'autorisation d'utiliser les gaz relève ordinairement du Directeur de l'établissement ou, en l'absence de celui-ci, de l'agent responsable de l'établissement. En général, cet agent doit être sur les lieux pour évaluer la situation avant d'autoriser l'emploi de gaz lacrymogènes. Toutefois, en cas d'extrême urgence, et lorsqu'il est impossible ou incommode de demander l'autorisation ou que l'agent responsable ne peut être sur les lieux, les gaz lacrymogènes peuvent être utilisés par tout

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agent de correction qui, par la suite, doit justifier ses actes.

16. L'infirmier en fonction au centre des soins de santé doit être avisé avant d'ordonner le recours au gaz, afin d'avoir l'assurance que les détenus en cause sont en bonne santé. Une fois que le gaz a été utilisé, le chef de secteur et l'infirmier doivent s'assurer que les détenus subissent un examen médical.
17. Des dispositions doivent être prises pour faire sortir les détenus de la zone immédiate où le gaz a été utilisé pour décontaminer cette zone, s'il y a un danger pour la santé des détenus.
18. Un rapport sur tous les incidents exigeant l'usage de gaz doit être établi par le chef de secteur sur la formule "Usage de la force" et envoyé à l'Administrateur régional (Sécurité).
19. Seuls les agents de sécurité qui ont reçu l'entraînement sur l'utilisation des gaz doivent être désignés pour en faire usage et ces agents doivent être avisés de n'utiliser que la quantité requise pour maîtriser efficacement la situation.
20. Si la situation le permet, lorsque l'établissement est fermé, le chef de secteur responsable de l'établissement doit avertir le Directeur adjoint (Sécurité) lorsqu'une situation exige que les gaz soient utilisés. Sinon, cela doit être fait immédiatement après l'usage des gaz.

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21. La personne responsable doit aviser les détenus (avec un haut-parleur si la situation l'exige) que l'on fera usage des gaz, si leurs agissements illégaux ne cessent pas.

UTILISATION DANS UNE CELLULE

22. Le pulvérisateur est utile pour vaporiser une cellule d'environ 6 x 11 x 8 pieds à condition d'être utilisé convenablement. Il faut normalement projeter le gaz vers le sol et le laisser rebondir ou, si la cellule est sombre et que la position de la personne qui s'y trouve n'est pas connue, il faut viser au plafond. Cela permet une dispersion meilleure et plus efficace. Une brève projection d'une seconde, soit cinq grammes de CN, suffit pour une cellule de la grandeur susmentionnée. Une projection de deux ou trois secondes reste toujours dans les limites de la sécurité pour une période de 10 à 15 minutes.

23. Un appareil nouveau et meilleur se trouve actuellement sur le marché; il s'appelle "poudre à larmes", ou poudre lacrymogène. Il contient environ six grammes dans une canette d'aérosol. Même en projetant toute la dose, on ne créerait pas une situation qui pourrait exiger les soins suivis et prolongés du médecin.

24. Il est dangereux de faire fonctionner un pulvérisateur par le guichet à nourriture dans une cellule sans savoir où se trouve le détenu. Faire gicler un appareil à disperser les fouilles dans les mêmes circonstances est une initiative dangereuse, et il pourrait en résulter une blessure permanente comme une lésion à l'oeil.

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PURIFICATION DE L'AIR DES GAZ LACRYMOGÈNES DU TYPE "CN"

25. Lorsqu'une section est contaminée par des gaz lacrymogènes du type "CN", le Directeur adjoint (Sécurité) responsable de l'établissement doit se charger de faire purifier la section le plus tôt possible. Les préposés qui exécutent ce travail doivent procéder ainsi:

PHASE:1

26. Purifier l'air ambiant de ces gaz lacrymogènes en aérant l'édifice. Si la température le permet, ouvrir toutes les portes et les fenêtres. Pour obtenir de meilleurs résultats, il est préférable d'agir le plus tôt possible. Un ventilateur peut aider à une meilleure ventilation trop prolongée serait inutile. Il faut détacher et jeter les contenants ou cylindres vides de gaz lacrymogènes car ils sont susceptibles de propager la contamination des lieux et des personnes.

PHASE:2

27. Si la dispersion de la poussière de CN s'est faite à l'aide d'un appareil de souffle semblable à celui des laboratoires fédéraux, un aspirateur de type commercial est alors nécessaire pour ramasser les poussières. Sinon, un aspirateur ordinaire dont le sac a été préalablement mouillé pour pouvoir contenir les poussières peut servir.

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PHASE:3

28. On doit fermer toutes les portes et les fenêtres et chauffer l'édifice à une température de 95° Fahrenheit ou plus pendant au moins une heure; ouvrir une fenêtre aux extrémités de l'édifice et placer, à une de ces fenêtres, un ventilateur dirigé vers l'extérieur. Cette opération débarrasse l'édifice de la plupart des gaz.

PHASE:4

29. On doit nettoyer les surfaces restées intactes à l'aide d'une solution à 5% de carbonate de soude et d'eau. Ce composé chimique élimine le CN, mais le bicarbonate de soude quoique plus lent, est aussi efficace.

PHASE:5

30. On doit purifier les vêtements et les autres étoffes par le nettoyage à sec. S'il y a eu beaucoup de gaz lacrymogène, mettre la literie, y compris les matelas et oreillers à l'extérieur.

31. Une fois les locaux purifiés, les inspecteurs du service de Santé doivent s'assurer qu'ils peuvent être de nouveau utilisés par les détenus.

RÉFÉRENCE

32. Néant.

Le Directeur,

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Correctional Service
Canada

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STANDING ORDER

USE OF TEAR GAS (CN)

AUTHORITY

1. Authority to issue:

Penitentiary Service Regulations, section 8
Commissioner's Directive 020-1-02.3

2. Authority for content:

Penitentiary Service Regulations, section 8
Commissioner's Directive 020-1-02.3

REVOCAATION

3. Standing Order 864, dated 1982-09-13

PURPOSE

4. To set forth security procedures for the use of tear gas.

COMPOSITION

5. The chemical name for tear gas is chloroacetophenone (CN). It is not in fact a gas, but a crystalline solid. In its pure state, it is white and resembles table salt. It sublimates or vapourizes quickly.

6. The gas is liquid soluble and is used with a pressure device, such as an aerosol can, from which it can be sprayed.

EFFECTS

7. When an individual walks into a cloud of tear gas, the gas causes a burning sensation in the nose, and a stinging

sensation in the eyes which immediately causes the lachrymal glands to secrete tears. The gas also has other effects: running nose and inability to open the eyes.

8. If tear gas touches the skin and remains there for more than one hour, in most cases a rash or redness of the skin similar to sunburn may result. If heavy concentrations of gas settle on clothing, the gas may penetrate to the skin, and its effects will continue. Irritation is felt particularly in the moist areas of the body and is increased by scratching. If the gas is sprayed from a distance of three to four feet, the concentration settles fairly close to the skin, and the individual is not allowed to wash or in some way remove the powder from his skin, redness may result. The gas is highly dangerous when sprayed from a distance of 12 inches. The projection of particles from a spray or other pressure device might force particles up under the eyelids, and this could cause long-term injury. It also causes redness of the skin and, in time, blisters may appear. It is highly dangerous to aim a tear gas spray at a person's head from a distance of less than five feet.

ADVANTAGES OF TEAR GAS

9. Tear gas is one of the most humane weapons used in police and correctional work, compared with billies and riot sticks, fire hoses and firearms.
10. Tear gas avoids injuring inmates and officers. It can help control and subdue unruly or rebellious inmates and prevent property damage by groups of violent inmates.

USE OF TEAR GAS

11. After the use of firearms, the use of tear gas is the most extreme use of force that can be employed by a correctional officer. The rules governing the use of tear gas are the same as those for the use of firearms except, of course, that the use of gas is a less extreme measure. In practice, a correctional officer may use three different measures to combat a given situation:
 - (a) physical handling, including the use of various types of equipment for subduing inmates;
 - (b) tear gas;
 - (c) firearms.

12. When the use of firearms is not appropriate, tear gas may be used to control a situation. Gas is an effective tool, but it shall be used only in cases where all other less extreme measures have proven ineffective and where there is an immediate need to bring a situation under control. It is just as dangerous to use tear gas prematurely as it is to use it too late. In all cases, scrupulous judgment is required for the use of tear gas. The use of force is involved and, consequently, the officer giving the order to use gas shall take responsibility for his action. The use of gas is governed by the following rule: "This measure shall be used only if it is proportional to the danger and justified by the situation".

13. It is important to bear in mind the following rules:

(a) Tear gas shall be used:

1. to prevent death or injury;
2. to prevent or control a riot;
3. to break up groups of inmates causing explosive or uncontrollable situations;
4. to prevent excessive destruction of property by groups of violent inmates (in locked cells or elsewhere).

6. Tear gas shall not normally be used:

- (1) when rioting inmates have already been subdued and the officers on the spot are not in danger of being assaulted by other inmates;
- (2) when the use of tear gas to quell a riot might aggravate the situation;
- (3) when the persons against whom it is to be used have not been warned that it will be used against them if they do not cease their illegal activity.

QUANTITY

14. Only enough gas shall be used to bring the situation under control, and steps shall immediately be taken to prevent those against whom it has been used from suffering any after-effects. When tear gas has been used, all possible means shall be used to restore order as soon as possible.

AUTHORIZATION

15. The Warden, or, in his absence, the officer in charge of the Institution, shall normally be responsible for authorizing the use of gas. Normally, this officer shall report to the scene and assess the situation before authorizing the use of tear gas. In an emergency, however, and where it is not possible or practical to seek authorization or for the officer in charge to be present, tear gas may be used by any correctional officer and he in turn shall justify his actions.

16. The Health Care Officer on duty in the Health Care Centre shall be informed before the use of gas is ordered, to ensure that the inmates concerned are in good health. After gas has been used, the sector head and the Health Care Officer shall ensure that the inmates undergo medical examination.
17. Arrangements shall be made to move inmates from the immediate area in which gas was used, in order to decontaminate it, if there is a health risk for the inmates.
18. All incidents requiring the use of gas shall be reported by the sector head on the "Use of Force" form and sent to the Regional Manager, Security.
19. Only security officers with appropriate training shall be designated to use gas, and they shall be instructed to use only enough gas to bring the situation effectively under control.
20. If circumstances permit, when the Institution is closed, the sector head in charge of the Institution shall alert the Assistant Warden, Security when the use of gas is required. Failing this, he shall do so immediately after gas is used.

21. The officer in charge shall advise inmates (using a megaphone if necessary) that failure to cease their illegal activity will result in gas being used against them.

USE OF GAS IN A CELL

22. The spray is useful for a cell of about 6 X 11 X 8 feet, so long as it is used correctly. Normally the gas shall be sprayed toward the ground and allowed to bounce back up, or, if the cell is dark and the position of its occupant unknown, it shall be aimed at the ceiling. This leads to better and more efficient diffusion. A short, one-second spray of five grams of CN is sufficient for a cell of the size mentioned above. A two- to three-second spray is still within safety limits for a period of 10 to 15 minutes.
23. A new, improved device is currently on the market: it is called "tear powder", and is available in six-gram aerosol cans. Even if the total contents of the can were sprayed, sustained medical care would not be required.
24. It is dangerous to operate a spray through a cell food slot when the inmate's position is unknown. Spraying a crowd-dispersal device under such circumstances is dangerous and could lead to permanent injury such as eye damage.

CLEARING THE AIR OF CN-TYPE TEAR GAS

25. When a section has been contaminated by CN-type tear gas, the Assistant Warden, Security in charge of the Institution shall attend to decontaminating the section as soon as practicable. The officers carrying out this work shall proceed as follows:

PHASE 1

26. Clear the ambient air of tear gas by ventilating the building. Weather permitting, open all doors and windows. For best results, act as quickly as possible. A fan may provide increased ventilation, but the prolonged use of a fan is not helpful. Empty tear gas containers or cylinders shall be removed and thrown out, since they are liable to spread the contamination of premises and individuals.

PHASE 2

27. If the CN gas is sprayed by means of a federal laboratory-type blower, a commercial-type vacuum cleaner will be required to collect the dust. Otherwise, a regular vacuum cleaner with a previously wetted bag to hold the dust may be used.

PHASE 3

28. All doors and windows shall be closed and the building heated to a minimum of 95° F for at least one hour; windows shall then be opened at each end of the building, and, at one of these windows, a fan shall be placed to blow air outward. This operation will force most of the gas out of the building.

PHASE 4

29. Where necessary, surfaces shall be cleaned with a solution of 5% sodium carbonate and water. This chemical compound removes CN, but sodium bicarbonate, while slower working, is also effective.

PHASE 5

30. All clothing and other material shall be dry cleaned. If a large amount of tear gas was used, bedding, including mattresses and pillows, shall be aired outside.
31. When the premises have been decontaminated, Health Care Service inspectors shall ensure that they can once again be used by inmates.

REFERENCES

32. Nil

Warden,

LIBRARY
MINISTRY OF THE SOLICITOR
Aug 8 1984
BIBLIOTHÈQUE
MINISTÈRE DU SOLICITEUR GÉNÉRAL



Environment Canada
Environnement Canada
Atmospheric Environment Service
Service de l'environnement atmosphérique

APPENDIX NO. 17 MONTHLY METEOROLOGICAL SUMMARY SOMMAIRE MÉTÉOROLOGIQUE MENSUEL

MONTH/MOIS

JULY/JUILLET

1982

AT/À MONTREAL INT'L AIRPORT / AEROPORT INTERN. DE MONTREAL (DORVAL)

LAT: 45° 28' N		LONG: 73° 45' W		ELEVATION: 31.1 METRES (ASL) ALTITUDE: 31.1 METRES (INMM)		STANDARD TIME USED: EASTERN HEURE NORMALE UTILISÉE: DE L'EST													
DATE	TEMPERATURE TEMPÉRATURE			DEGREE-DAYS DEGRÉS-JOURS		REL. HUMIDITY HUMIDITÉ REL.		THUNDERSTORM ORAGE	PRECIPITATION PRÉCIPITATIONS			SNOW ON GROUND NEIGE AU SOL	WIND VENT			BRIGHT SUNSHINE INSOLATION EFFECTIVE HEURES			
	MAXIMUM MAXIMALE	MINIMUM MINIMALE	MEAN MOYENNE	HEATING DE CHAUFFE	GROWING DE CROISSANCE	MAXIMUM MAXIMALE	MINIMUM MINIMALE		RAINFALL PLUIE (HAUTEUR)	SNOWFALL NEIGE (HAUTEUR)	TOTAL PRECIP. PRÉCIP. TOTALE		AVERAGE SPEED VITESSE MOYENNE	PREVAILING DIRECTION DOMINANTE	MAXIMUM SPEED AND DIRECTION ETES MAXIMALE ET DIRECTION				
	°C	°C	°C	BASE °C	BASE °C	%	%	mm	cm	mm	cm	km/h		km/h					
1	20.6	7.1	13.9	4.1	8.9	82	46	1	1.0		1.0	19.9	W	WSW	30	13.2			
2	23.3	8.2	15.8	2.2	10.8	94	53	1	8.6		8.6	18.9	SW	SW	35	7.0			
3	20.1	6.1	13.1	4.9	8.1	93	42					8.9	W	NNW	20	14.4			
4	22.8	6.4	14.6	3.4	9.6	93	35					8.1	W	WSW	19	12.9			
5	25.0	7.6	16.3	1.7	11.3	87	39					7.3	S	SW	17	10.2			
6	29.4	14.1	21.8		16.8	83	52					10.6	SSW	SW	26	12.8			
7	32.2	19.4	25.8		20.8	83	59	1	1.0		1.0	11.9	SSW	W	28	9.8			
8	29.9	17.8	23.9		18.9	88	48					16.0	WSW	SW	24	13.1			
9	29.1	14.5	21.8		16.8	77	37					17.6	SW	SW	26	13.4			
10	27.2	14.2	20.7		15.7	88	37					3.8	SW	N	9	11.1			
11	31.0	17.7	24.4		19.4	78	45		0.6		0.6	13.2	S	SSE	24	7.7			
12	27.4	17.1	22.3		17.3	88	45		2.2		2.2	21.6	WSW	WSW	33	8.8			
13	24.4	13.9	19.2		14.2	82	47		TR		TR	15.3	W	W	30	9.2			
14	27.6	11.2	19.4		14.4	94	42					3.8	SW	SW	9	13.1			
15	30.4	14.5	22.5		17.5	94	33					4.7	W	W	13	12.5			
16	32.3	19.7	26.0		21.0	83	46					5.4	WSW	SSW	11	12.1			
17	32.2	19.3	25.8		20.8	94	52		0.4		0.4	8.5	SW	SW	15	12.0			
18	33.1	21.3	27.2		22.2	94	59	1	4.4		4.4	15.2	SW	W	26	10.5			
19	30.2	19.4	24.8		19.8	88	46		0.2		0.2	10.5	W	NNE	17	8.0			
20	24.7	13.4	19.1		14.1	88	41					8.4	NNE	NNE	17	8.9			
21	27.3	10.6	19.0		14.0	88	30					5.4	N	NNE	11	13.8			
22	31.3	12.4	21.9		16.9	94	31					5.9	W	W	17	12.3			
23	27.9	15.9	21.9		16.9	78	30		2.4		2.4	8.8	N	N	15	12.6			
24	26.8	11.4	19.1		14.1	88	37					5.3	SSW	N	11	10.0			
25	28.7	19.5	24.1		19.1	88	54		2.4		2.4	12.6	SW	WSW	26	1.8			
26	27.3	13.6	20.5		15.5	94	42					10.3	WNW	WNW	20	13.4			
27	28.1	14.6	21.4		16.4	88	39					5.7	SSW	S	13	10.2			
28	20.7	16.0	18.4		13.4	94	69		25.8		25.8	6.1	E	SE	11	0.0			
29	26.3	14.6	20.5		15.5	94	44		TR		TR	12.7	WNW	W	22	7.1			
30	26.6	13.5	20.1		15.1	100	41					7.1	S	SSW	11	11.0			
31	24.1	17.0	20.6		15.6	100	65	1	14.4		14.4	4.5	SE	SE	11	3.3			
MEAN MOYENNE	27.4	14.3	20.9	TOTAL 16.3	TOTAL 490.9	89	45	TOTAL 5	TOTAL 63.4	TOTAL 63.4	TOTAL 63.4	10.1	PREVAILING DOMINANTE SW	MAXIMUM SW	35	TOTAL 316.7			
NORMAL NORMALE	26.1	15.6	20.9	8.3	493.4			5.5	90.0	90.0		11.8	SW			263.6			
DEGREE-DAY SUMMARY - SOMMAIRE DE DEGRÉS-JOURS										DAYS WITH TOTAL PRECIPITATION: JOURS AVEC PRÉCIPITATIONS TOTALES:					DAYS WITH SNOWFALL: JOURS AVEC CHÛTE DE NEIGE:				
BELOW 18°C AU-DESSOUS DE 18°C	THIS YEAR ANNÉE EN COURS	PREVIOUS YEAR ANNÉE PRÉCÉDENTE	NORMAL NORMALE	ABOVE 5°C AU-DESSUS DE 5°C	THIS YEAR ANNÉE EN COURS	PREVIOUS YEAR ANNÉE PRÉCÉDENTE	NORMAL NORMALE	mm					cm						
								0.2 OR MORE OU PLUS	1.0 OR MORE OU PLUS	2.0 OR MORE OU PLUS	10.0 OR MORE OU PLUS	50.0 OR MORE OU PLUS	0.2 OR MORE OU PLUS	1.0 OR MORE OU PLUS	2.0 OR MORE OU PLUS	10.0 OR MORE OU PLUS	50.0 OR MORE OU PLUS		
TOTAL FOR MONTH TOTAL DU MOIS	16.3	10.6	8.3	TOTAL FOR MONTH TOTAL DU MOIS	490.9	492.5	293.4	12	9	7	2								
ACCUMULATED SINCE JULY 1 ACCUMULÉE DEPUIS LE 1 ^{er} JUILLET	16.3	10.6	8.3	ACCUMULATED SINCE APRIL 1 ACCUMULÉE DEPUIS LE 1 ^{er} AVRIL	1218.9	1211.8	1205.6												

UDC 561.508.1 (714.29)

TR = TRACE

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COMPARATIVE RECORDS RELEVÉS COMPARATIFS		MONTH MOIS		JULY JUILLET		RECORD FOR THE MONTH RECORD POUR LE MOIS						YEARS OF RECORD ANNÉES D'OBSERVATION	
Temperature/Température Precipitation/Précipitation Rainfall/Hauteur de pluie Snowfall/Hauteur de neige Wind speed/Vitesse du vent Station pressure/Pression à la station		THIS MONTH CE MOIS-CI		PREVIOUS YEAR ANNÉE PRÉCÉDENTE		NORMAL NORMALE	HIGHEST MAXIMUM ABSOLU			LOWEST MINIMUM ABSOLU			
- Celsius - Millimetres (mm) - Centimetres (cm) - Kilometres per hour (km/h) - Kilopascals		VALUE RELEVÉ	DATE	VALUE RELEVÉ	DATE		VALUE RELEVÉ	DAY JOUR	YEAR ANNÉE	VALUE RELEVÉ	DAY JOUR		YEAR ANNÉE
HIGHEST TEMPERATURE TEMPÉRATURE LA PLUS ÉLEVÉE		33.1	18	32.4	8		35.6	22	1955	28.9	2	1966	41
LOWEST TEMPERATURE TEMPÉRATURE LA PLUS BASSE		6.1	3	10.2	23		12.6	1/26	1975	6.1	3	1982	41
MEAN MONTHLY TEMPERATURE TEMPÉRATURE MENSUELLE MOYENNE		20.9		20.9		20.9	23.7		1955	19.2		1956	41
TOTAL MONTHLY RAINFALL HAUTEUR TOTALE MENSUELLE DE PLUIE		63.4		85.4		90.0	182.6		1980	38.4		1979	41
TOTAL MONTHLY SNOWFALL HAUTEUR TOTALE MENSUELLE DE NEIGE													
TOTAL MONTHLY PRECIPITATION PRÉCIPITATION TOTALE MENSUELLE		63.4		85.4		90.0	182.6		1980	38.4		1979	41
NO OF DAYS WITH MEASURABLE PRECIPITATION NOMBRE DE JOURS AVEC PRÉCIPITATION MESURABLE		12		11		12	20		1980	6		1955	41
GREATEST RAINFALL IN ONE DAY HAUTEUR DE PLUIE MAXIMALE EN UNE JOURNÉE		25.8	28	14.6	1		55.4	4	1951				41
GREATEST SNOWFALL IN ONE DAY HAUTEUR DE NEIGE MAXIMALE EN UNE JOURNÉE													
GREATEST PRECIPITATION IN ONE DAY PRÉCIPITATION MAXIMALE EN UNE JOURNÉE		25.8	28	14.6	1		55.4	4	1951				41
MAXIMUM RAINFALL RECORDED IN: HAUTEUR DE PLUIE MAXIMALE ENREGISTRÉE EN:													
5 MINUTES		2.2	2	4.8	9		10.7	9	1974				40
10 MINUTES		3.3	2	7.5	4		13.2	10	1966				40
15 MINUTES		4.9	2	8.8	4		17.8	2	1975				40
30 MINUTES		6.5	2	9.2	4		26.9	2	1975				40
60 MINUTES		8.6	2	9.2	4		41.9	2	1975				40
24 CONSECUTIVE HOURS HEURES CONSECUTIVES		25.8	28	24.0	28/29		70.2	21/22	1980				41
MEAN WIND SPEED (km/h) VITESSE MOYENNE DU VENT (km/h)		10.1		11.7		11.8	17.8		1955	9.1		1968	41
MAXIMUM SPEED (1 min.) (km/h) VITESSE MAXIMALE (1 min.) (km/h)		SW 35	2	W 33	8/27		W 94	2	1975	SSW 32	8	1980	41
MAXIMUM GUST SPEED (km/h) POINTE DU VENT MAXIMALE (km/h)		WSW 78	18	W 56	8		WNW 125	2	1975	SW 51	26	1951	41
TOTAL HOURS OF SUNSHINE TOTAL DES HEURES INSOLATION		316.7		280.6		263.6	327.3		1911	178.1		1925	99
MEAN STATION PRESSURE (kPa) PRESSION MOYENNE À LA STATION (kPa)		100.93		100.95		101.00	101.27		1946	100.69		1980	41
GREATEST STATION PRESSURE (kPa) PRESSION MAXIMALE À LA STATION (kPa)		102.22	14	102.69	2		102.69	2	1981				41
LEAST STATION PRESSURE (kPa) PRESSION MINIMALE À LA STATION (kPa)		100.49	29	99.22	21					98.96	11	1976	41
CLIMATOLOGICAL DATA FOR THE PAST 10 YEARS DONNÉES CLIMATOLOGIQUES POUR LES 10 DERNIÈRES ANNÉES													
YEAR ANNÉE	MAXIMUM TEMP MAXIMALE	MINIMUM TEMP MINIMALE	MEAN TEMP MOYENNE	RAINFALL HAUTEUR DE PLUIE	SNOWFALL HAUTEUR DE NEIGE	TOTAL PRECIP TOTALE	MEAN WINDSPEED VITESSE MOYENNE DES VENTS	MAXIMUM WINDSPEED VITESSE MAXIMALE DES VENTS	HOURS SUNSHINE HEURES INSOLATION	HEATING DEGREE DAYS DEGRÉS-JOURS DE CHAUFFE	GROWING DEGREE DAYS DEGRÉS-JOURS DE CROISSANCE		
1973	32.2	8.9	21.7	76.0		76.0	14.1	WSW 43	308.9	1.0	492.8		
1974	30.0	9.4	20.1	145.0		145.0	15.4	SW 48	269.3	4.4	456.1		
1975	32.3	12.6	22.4	154.7		154.7	17.8	W 94	301.1	0.0	540.8		
1976	29.5	8.2	19.3	104.5		104.5	11.9	W 37	237.4	12.4	444.2		
1977	32.0	8.6	19.9	72.6		72.6	12.4	SW 39	279.9	15.1	461.3		
1978	31.4	7.4	20.7	50.5		50.5	12.9	WNW 39	304.1	15.7	485.5		
1979	32.3	7.0	21.7	38.4		38.4	13.2	NNW 37	293.6	15.1	517.2		
1980	29.0	8.5	19.9	182.6		182.6	10.4	SSW 32	230.8	9.7	463.6		
1981	32.4	10.2	20.9	85.4		85.4	11.7	W 33	280.6	10.6	492.5		
1982	33.1	6.1	20.9	63.4		63.4	10.1	SW 35	316.7	16.3	490.9		

*Normales et extrêmes sont de McGill
Normals and extremes are from McGill

WIND SUMMARY (Kilometres per hour) SOMMAIRE DES VENTS (Kilometres par heure)												MONTH MOIS		JULY JUILLET		1982												
Date	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	Peak Gust Rate maximum	Hour Heure		
1	WNW 19	WNW 19	WNW 9	W 13	W 13	W 17	W 26	W 24	W 22	WSW 17	W 20	WSW 24	W 28	WSW 28	W 20	WSW 30	W 22	W 20	W 20	WSW 13	W 13	SW 20	SW 22	SW 19	WSW 46	1250		
2	WSW 15	WSW 13	WSW 13	SW 9	WSW 13	WSW 13	SW 17	SW 20	SW 26	SW 22	SSW 22	SW 26	SSW 26	SW 26	SW 26	SW 35	SW 24	SW 19	SW 17	SW 20	W 17	W 11	W 4	W 4	W 6	W 7	1411	
3	NW 11	NW 4	C C	C C	C C	C C	C C	C C	C C	C C	C C	C C	C C	C C	C C	C C	C C	1022										
4	N 6	C 6	NNW 6	WNW 2	WSW 4	NW 4	C 4	N 4	W 2	S 7	SSW 13	WSW 7	WSW 19	W 17	W 19	W 17	W 11	W 11	W 15	W 9	W 6	W 4	W 6	W 6	W 6	W 6	1339	
5	NNW 2	NNW 2	NNW 4	SW 7	WSW 4	C C	ESE 2	C C	S 6	S 6	S 7	S 7	SSW 11	SSW 11	SW 9	SSW 15	SW 17	SW 15	SW 11	SSW 9	SSW 9	SSW 7	SSW 9	SSW 9	SSW 9	SSW 9	1415	
6	WSW 4	SSW 7	SW 7	C C	C C	C C	SE 4	S 6	SW 2	SSW 11	SSW 11	SSW 19	SSW 17	SSW 17	SW 26	SW 24	SW 22	SW 19	SW 13	SW 13	SW 9	SW 9	SW 7	SW 7	SW 7	SW 39	1339	
7	SSW 7	SSW 11	S 7	S 9	S 9	S 9	S 6	S 7	S 7	S 9	S 9	S 11	S 15	S 15	SSW 13	SSW 17	SSW 13	SSW 22	SSW 13	SSW 11	SSW 13	SSW 11	SSW 13	SSW 11	SSW 13	SSW 13	2057	
8	WSW 13	WSW 13	WSW 11	WSW 9	SW 7	SW 9	SSW 11	WSW 11	WSW 17	WSW 19	WSW 19	W 19	W 15	SSW 20	SW 20	SW 24	SW 22	SW 22	SW 19	SW 15	SW 20	SW 11	SW 19	SW 19	WSW 39	1514		
9	WSW 19	WSW 19	WSW 20	WSW 15	SW 15	SW 15	SSW 19	WSW 22	WSW 22	WSW 26	WSW 20	W 22	W 26	SSW 24	SSW 24	SSW 26	SSW 24	SSW 22	SSW 17	SSW 11	SSW 6	SSW 6	SSW 6	SSW 6	SSW 4	SSW 46	1426	
10	NNE 2	NW 2	C C	C C	C C	WNW 2	NNW 2	N 4	N 9	NNE 9	NNE 9	NNW 4	S 2	SSE 2	SW 9	SW 6	SW 7	SW 6	SW 2	SSW 4	S 4	SE 4	SE 4	SE 4	SE 4	SE 6	1426	
11	ESE 9	ESE 7	ESE 6	ESE 6	E 9	E 6	E 7	E 6	ESE 6	SE 9	SE 11	ESE 13	SSE 17	SSE 20	SSE 22	SSE 24	S 19	S 19	S 17	S 19	S 15	S 15	S 15	S 19	S 39	SSE 39	1415	
12	SSE 19	S 17	S 19	SSW 7	S 15	SSE 15	S 15	S 15	S 13	S 11	S 20	WSW 24	WSW 32	WSW 24	WSW 28	WSW 33	WSW 26	WSW 28	WSW 22	WSW 20	WSW 24	WSW 32	WSW 33	WSW 26	WSW 61	WSW 61	1444	
13	W 30	W 22	W 20	W 19	W 15	W 17	W 19	W 20	W 20	W 20	W 22	W 22	W 15	W 15	W 15	W 15	W 17	W 17	W 7	W 7	W 7	W 2	W 2	W 2	W 2	W 4	W 37	0210
14	N 2	C C	C C	C C	C C	WNW 2	W 4	WNW 4	W 4	W 4	W 6	W 7	W 7	W 9	W 7	W 9	W 9	W 9	W 6	W 2	W 4	W 4	W 4	W 4	W 4	W 6	1426	
15	C C	C C	C C	C C	C C	W 4	C 4	WNW 2	W 6	WSW 6	WSW 7	WSW 9	WSW 9	WSW 7	WSW 11	WSW 13	W 9	W 11	W 9	W 9	W 4	W 4	W 4	W 4	W 4	W 6	1426	
16	W 6	W 4	W 4	W 4	NW 2	WNW 6	NW 2	NW 4	W 4	W 4	WSW 7	WSW 6	WSW 7	WSW 7	WSW 9	WSW 7	SSW 11	SSW 9	SW 7	SW 6	SW 6	SW 6	SW 6	SW 6	SW 2	SW 2	1426	
17	SSW 6	SSW 6	SSW 2	C C	C C	C C	SSE 2	S 4	S 4	S 6	S 11	S 13	S 11	S 13	S 15	S 15	S 13	S 11	S 11	S 11	S 11	S 13	S 13	S 13	S 13	S 13	1426	
18	SW 11	SW 15	WSW 17	WSW 15	SW 13	WSW 13	WSW 9	WSW 9	WSW 15	WSW 11	WSW 15	WSW 15	WSW 17	WSW 19	WSW 20	WSW 20	WSW 22	WSW 15	WSW 11	WSW 11	WSW 13	WSW 15	WSW 15	WSW 26	WSW 17	WSW 78	2126	
19	SW 17	SW 11	SW 7	SW 11	SW 9	WSW 11	WSW 9	W 11	W 15	W 9	W 11	W 9	W 11	W 13	W 13	W 13	W 11	W 13	W 6	W 9	W 7	W 4	W 4	W 4	W 4	W 17	1426	
20	NNE 17	NNE 13	NNE 9	NNE 7	NNE 6	NNE 7	NNE 7	NNE 11	NE 15	NNE 13	NNE 17	NNE 15	E 6	NE 9	NNW 6	NNW 6	WNW 4	N 6	NNE 6	N 7	N 9	N 4	NNE 4	NNE 2	NNE 2	NNE 2	1426	
21	NNW 4	N 7	NNW 6	N 2	NNW 2	NNW 2	N 4	N 7	N 9	NNW 6	NNE 11	N 6	NE 6	N 7	NNW 11	NNW 9	W 2	NW 4	W 7	W 6	W 6	W 2	W 2	W 4	W 4	W 4	1426	
22	SW 2	C 4	W 4	NW 2	NW 2	C 2	N 2	NE 4	NNE 2	N 2	SSW 7	SSW 2	SW 6	SW 7	SSW 9	SSW 7	W 13	W 17	W 11	W 9	W 9	W 9	W 9	W 9	W 9	W 6	1426	
23	C C	N 9	N 15	N 13	N 7	NNE 9	NNW 6	N 9	N 15	N 13	NNW 9	N 9	NW 13	NNW 9	NNW 13	NNW 9	NNW 7	NNW 13	N 7	NNW 6	NNW 6	NNW 6	NNW 6	NNW 6	NNW 6	NNW 6	1426	
24	NNW 7	N 4	N 4	C 4	C 4	W 2	NNW 2	N 11	NNE 4	NE 4	SW 4	SSW 9	SSW 7	SSW 7	SSW 9	SSW 11	SSW 6	WSW 9	WNW 6	W 6	WSW 4	C 6	SSW 6	SSW 4	SSW 4	SSW 7	1426	
25	SSW 6	SSW 6	SW 9	SW 6	SW 7	SW 13	SW 9	SW 11	SW 11	WSW 19	SW 11	SW 17	SW 17	SW 22	WSW 22	WSW 26	WSW 13	WSW 15	WSW 15	WSW 13	WSW 11	WSW 11	WSW 7	WSW 6	WSW 6	WSW 52	1447	
26	WSW 6	W 7	W 6	W 6	W 6	W 7	WNW 4	NW 9	WNW 6	WNW 9	W 15	WNW 11	W 20	W 19	WNW 15	NNW 19	NW 19	NW 15	NW 15	NW 9	NW 9	NW 9	NW 9	NW 9	NW 9	NW 9	1217	
27	WNW 4	WNW 4	W 2	C C	C C	C C	WNW 2	NW 2	NNW 4	W 4	SSW 2	S 9	SSW 9	S 11	S 11	S 13	S 11	S 9	S 9	S 6	S 6	S 6	S 6	S 6	S 6	S 6	1217	
28	C C	C C	SSW 2	E 2	SE 4	E 2	SE 6	SE 4	SE 4	SSE 6	ESE 2	ESE 11	E 7	E 9	E 9	E 9	E 9	E 9	E 9	E 11	E 6	E 4	E 7	E 9	E 9	E 9	1217	
29	NW 7	WNW 7	WNW 11	W 13	WNW 15	WNW 17	WNW 15	W 13	W 13	W 20	W 20	W 17	W 22	W 19	W 19	W 22	W 17	W 17	W 17	W 17	W 4	W 4	W 4	W 4	W 4	W 33	1041	
30	C C	S 7	SSW 9	SW 6	WSW 6	WSW 7	WSW 7	WSW 7	SSW 2	S 7	S 6	S 7	SSW 11	SSW 9	S 7	S 6	S 9	SSE 9	SSE 9	SE 11	SE 7	SE 7	SE 6	SE 6	SE 6	SE 6	1041	
31	ESE 6	SE 7	S 6	WSW 7	C C	SSW 2	SSE 6	ESE 6	S 7	SE 6	SE 11	SE 11	SSE 9	SSE 2	C C	SSW 6	SE 9	C C	SSW 4	C C	W 2	C C	C C	C C	C C	C C	1041	

On indique un vent d'ouest par la lettre "W".

C = CALME/CALM

*Indicates later occurrences of same speed

*Indique des donnees posterieures de la même vitesse.



Révisions
and Environment
Canada

Pêches
et Environnement
Canada

Atmosphère
Environnement

Environnement
atmosphérique

MONTHLY METEOROLOGICAL SUMMARY SOMMAIRE MÉTÉOROLOGIQUE MENSUEL

MONTH/MOIS

AUGUST / AOUT

19 82

AT/A MONTREAL INT'L AIRPORT / AEROPORT INTERN. DE MONTREAL (DORVAL)

LAT: 43° 28' N		LONG: 73° 45' W		ELEVATION: 31.1 METRES (ASL) ALTITUDE: 31.1 MÈTRES (NMM)		STANDARD TIME USED: EASTERN HEURE NORMALE UTILISÉE: DE L'EST													
DATE	TEMPERATURE TEMPÉRATURE			DEGREE-DAYS DEGRÉS-JOURS		REL. HUMIDITY HUMIDITÉ REL.		THUNDERSTORM ORAGE	PRECIPITATION PRÉCIPITATIONS			SNOW ON GROUND NEIGE AU SOL	WIND VENT			BRIGHT SUNSHINE INSOLATION EFFECTIVE			
	MAXIMUM MAXIMALE	MINIMUM MINIMALE	MEAN MOYENNE	HEATING DE CHAUFFE	GROWING DE CROISSANCE	MAXIMUM MAXIMALE	MINIMUM MINIMALE		RAINFALL PLUIE (HAUTEUR)	SNOWFALL NEIGE (HAUTEUR)	TOTAL PRECIP. PRÉCIP. TOTALE		AVERAGE SPEED VITESSE MOYENNE	PREVAILING DIRECTION DOMINANTE	MAXIMUM SPEED AND DIRECTION VITESSE MAXIMALE ET DIRECTION				
	°C	°C	°C	BASE 18°C	BASE 5°C	%	%		mm	cm	mm		km/h		km/h				
1	26.8	15.1	21.0		16.0	100	64	1	12.2		12.2		10.6	SW	SW	22	7.2		
2	19.1	11.1	15.1	2.9	10.1	87	34					11.4	NNE	NNE	19	2.1			
3	21.7	9.2	15.5	2.5	10.5	93	43					5.8	WSW	NNE	11	9.6			
4	25.3	11.2	18.3		13.3	94	34	1	16.4		16.4		6.5	NNE	NNE	22	6.7		
5	23.0	15.1	19.1		14.1	94	57					4.2	WNW	SSW	11	6.4			
6	24.6	12.6	18.6		13.6	88	34					6.9	NNE	S	11	13.7			
7	27.5	14.3	20.9		15.9	94	34		TR		TR		9.6	SW	SW	19	7.3		
8	27.5	17.6	22.6		17.6	100	58		18.6		18.6		5.3	ESE	NE	13	6.6		
9	27.3	19.1	23.2		18.2	94	65	1	19.4		19.4		11.7	SSE	SSE	15	1.8		
10	21.8	16.3	19.1		14.1	77	56					14.7	WSW	SW	26	4.5			
11	20.8	14.4	17.6	0.4	12.6	82	60		TR		TR		9.2	WSW	WSW	15	3.3		
12	21.9	13.0	17.5	0.5	12.5	94	50		0.2		0.2		3.5	NE	N	9	4.0		
13	20.8	13.1	17.0	1.0	12.0	94	64	1	16.6		16.6		4.7	W	W	11	2.9		
14	24.3	12.3	18.3		13.3	94	50		1.4		1.4		9.0	W	W	20	9.1		
15	28.3	16.2	22.3		17.3	88	45					9.0	WSW	SW	17	11.4			
16	27.8	16.0	21.9		16.9	88	55					14.4	SW	SW	26	11.5			
17	24.5	11.8	18.2		13.2	88	54	1	0.6		0.6		10.0	WNW	NW	19	6.3		
18	23.9	10.3	17.1	0.9	12.1	93	46					9.5	W	W	17	10.6			
19	24.9	14.8	19.9		14.9	94	54	1	0.2		0.2		14.3	SW	WSW	32	6.8		
20	24.2	7.2	15.7	2.3	10.7	88	47		TR		TR		16.9	W	WSW	28	7.4		
21	16.3	4.1	10.2	7.8	5.2	87	48		TR		TR		11.5	WNW	W	20	8.1		
22	20.9	6.2	13.6	4.4	8.6	100	46		1.0		1.0		9.4	WSW	SW	19	9.7		
23	19.3	12.9	16.1	1.9	11.1	94	83		8.2		8.2		10.2	S	S	17	0.3		
24	23.4	12.9	18.2		13.2	100	57					7.0	W	SW	13	11.7			
25	17.5	10.3	13.9	4.1	8.9	100	82	1	67.2		67.2		14.8	NE	NNE	35	0.0		
26	21.8	10.1	16.0	2.0	11.0	100	64		TR		TR		9.3	WSW	WSW	20	6.5		
27	25.5	6.5	16.0	2.0	11.0	94	50		6.8		6.8		13.9	SSW	SW	32	7.7		
28	16.6	4.7	10.7	7.3	5.7	93	41		0.2		0.2		11.1	W	SW	24	9.5		
29	17.3	4.1	10.7	7.3	5.7	87	42		TR		TR		10.8	W	W	20	6.1		
30	19.3	9.0	14.2	3.8	9.2	93	52		0.6		0.6		8.0	SSW	SSW	17	1.8		
31	20.5	9.9	15.2	2.8	10.2	94	46					8.2	WNW	W	17	11.7			
MEAN MOYENNE	22.7	11.7	17.2	TOTAL 53.9	TOTAL 378.7	93	52	TOTAL 7	TOTAL 169.6	TOTAL 169.6	TOTAL 169.6		9.7	PREVAILING W	MAXIMUM SW	TOTAL 32	12.3		
NORMAL NORMALE	24.8	14.3	19.6	23.1	451.7			4.3	91.9	91.9		12.2	SW				239.6		
DEGREE-DAY SUMMARY - SOMMAIRE DE DEGRÉS-JOURS										DAYS WITH TOTAL PRECIPITATION: JOURS AVEC PRÉCIPITATIONS TOTALES:					DAYS WITH SNOWFALL: JOURS AVEC CHÛTE DE NEIGE:				
BELOW 18°C AU-DESSOUS DE 18°C	THIS YEAR ANNÉE EN COURS	PREVIOUS YEAR ANNÉE PRÉCÉDENTE	NORMAL NORMALE	ABOVE 5°C AU-DESSUS DE 5°C	THIS YEAR ANNÉE EN COURS	PREVIOUS YEAR ANNÉE PRÉCÉDENTE	NORMAL NORMALE	0.2 OR MORE OU PLUS	1.0 OR MORE OU PLUS	2.0 OR MORE OU PLUS	10.0 OR MORE OU PLUS	50.0 OR MORE OU PLUS	0.2 OR MORE OU PLUS	1.0 OR MORE OU PLUS	2.0 OR MORE OU PLUS	10.0 OR MORE OU PLUS	50.0 OR MORE OU PLUS		
TOTAL FOR MONTH TOTAL DU MOIS	53.9	20.4	23.1	TOTAL FOR MONTH TOTAL DU MOIS	378.7	438.4	451.7	15	10	8	6	1							
ACCUMULATED SINCE JULY 1 ACCUMULÉE DEPUIS LE 1 ^{er} JUILLET	70.2	31.0	31.4	ACCUMULATED SINCE APRIL 1 ACCUMULÉE DEPUIS LE 1 ^{er} AVRIL	1584.3	1650.2	1657.3												

COMPARATIVE RECORDS RELEVÉS COMPARATIFS		MONTH MOIS		AUGUST AOÛT		1982									
Temperature/Temperature - °Celsius Précipitation/Précipitation - Millimètres (mm) Rienfall/Hauteur de pluie - Millimètres (mm) Snowfall/Hauteur de neige - Centimètres (cm) Wind speed/Vitesse du vent - Kilomètres/par heure (km/h) Station pressure/Pression à la station - Kilobascals (kPa)	THIS MONTH CE MOIS-CI		PREVIOUS YEAR ANNÉE PRÉCÉDENTE		NORMAL NORMALE	RECORD FOR THE MONTH RECORD POUR LE MOIS						YEARS OF RECORD ANNÉES DE RELEVÉS			
	VALUE RELEVÉ	DATE	VALUE RELEVÉ	DATE		HIGHEST MAXIMUM ABSOLU			LOWEST MINIMUM ABSOLU						
						VALUE RELEVÉ	DAY JOUR	YEAR ANNÉE	VALUE RELEVÉ	DAY JOUR	YEAR ANNÉE				
HIGHEST TEMPERATURE TEMPÉRATURE LA PLUS ÉLEVÉE	28.3	15	28.7	21		37.6	1	1975	27.8	31	1972	41			
LOWEST TEMPERATURE TEMPÉRATURE LA PLUS BASSE	4.1	21/29	8.4	14		10.6	7	1948	3.3	28	1957	41			
MEAN MONTHLY TEMPERATURE TEMPÉRATURE MENSUELLE MOYENNE	17.2		19.2		19.6	22.5		1947	17.2		1982	41			
TOTAL MONTHLY RAINFALL HAUTEUR TOTALE MENSUELLE DE PLUIE	169.6		144.2		91.9	169.6		1982	0.5		1957	41			
TOTAL MONTHLY SNOWFALL HAUTEUR TOTALE MENSUELLE DE NEIGE															
TOTAL MONTHLY PRECIPITATION PRÉCIPITATION TOTALE MENSUELLE	169.6		144.2		91.9	169.6		1982	0.5		1957	41			
NO OF DAYS WITH MEASURABLE PRECIPITATION NOMBRE DE JOURS AVEC PRÉCIPITATION MESURABLE	15		15		12	21		1965	2		1957	41			
GREATEST RAINFALL IN ONE DAY HAUTEUR DE PLUIE MAXIMALE EN UNE JOURNÉE	67.2	25	34.8	5		68.8	21	1952				41			
GREATEST SNOWFALL IN ONE DAY HAUTEUR DE NEIGE MAXIMALE EN UNE JOURNÉE															
GREATEST PRECIPITATION IN ONE DAY PRÉCIPITATION MAXIMALE EN UNE JOURNÉE	67.2	25	34.8	5		68.8	21	1952				41			
MAXIMUM RAINFALL RECORDED IN: HAUTEUR DE PLUIE MAXIMALE ENREGISTRÉE EN:															
5 MINUTES	6.3	9	7.3	5		12.7	16	1966				40			
10 MINUTES	8.8	9	12.9	5		20.6	26	1970				40			
15 MINUTES	9.5	9	16.8	5		26.9	16	1966				40			
30 MINUTES	11.5	9	25.4	5		36.8	16	1966				40			
60 MINUTES	13.2	25	30.2	5		39.9	16	1966				40			
24 CONSECUTIVE HOURS HEURES CONSECUTIVES	67.2	25	34.2	16/17		73.7	26/27	1961				41			
MEAN WIND SPEED (1 km/h) VITESSE MOYENNE DU VENT (km/h)	9.7		10.2		12.2	16.3		1964	7.0		1967	41			
MAXIMUM SPEED (1 min.) (1 km/h) VITESSE MAXIMALE (1 min.) (km/h)	SW 32	27	NE 30	24		N 56	31	1954	W 22	10	1967	41			
MAXIMUM GUST SPEED (1 km/h) POINTE DU VENT MAXIMALE (km/h)	W 52	27	W 43	23		S 104	9	1966	SW 46	5	1952	41			
TOTAL HOURS OF SUNSHINE TOTAL DES HEURES D'INSOLATION	212.3		212.9		239.6	*295.7		1960	*157.4		1936	14			
MEAN STATION PRESSURE (kPa) PRESSION MOYENNE À LA STATION (kPa)	101.02		101.02		101.03	101.42		1947	100.73		1958	41			
GREATEST STATION PRESSURE (kPa) PRESSION MAXIMALE À LA STATION (kPa)	102.44	6	102.14	28		103.23	22	1957				41			
LEAST STATION PRESSURE (kPa) PRESSION MINIMALE À LA STATION (kPa)	99.70	25	99.76	16					99.10	14	1963	41			
CLIMATOLOGICAL DATA FOR THE PAST DONNÉES CLIMATOLOGIQUES POUR LES													10	YEARS DERNIÈRES ANNÉES	
YEAR ANNÉE	MAXIMUM TEMP MAXIMALE	MINIMUM TEMP MINIMALE	MEAN TEMP MOYENNE	RAINFALL HAUTEUR DE PLUIE	SNOWFALL HAUTEUR DE NEIGE	TOTAL PRECIP TOTALE	MEAN WINDSPEED VITESSE MOYENNE DES VENTS	MAXIMUM WINDSPEED VITESSE MAXIMALE DES VENTS	HOURS SUNSHINE HEURES D'INSOLATION	HEATING DEGREES DAYS DE CHAUFFE	GROWING DEGREES DAYS DE CROISSANCE				
1973	31.7	7.2	22.1	88.4		88.4	11.5	S 42	226.2	9.4	517.8				
1974	28.9	9.4	19.3	34.0		34.0	9.8	WSW 35	262.3	7.2	431.7				
1975	37.6	7.2	20.3	87.9		87.9	15.2	WSW 38	247.7	19.6	440.0				
1976	28.6	3.7	18.5	80.2		80.2	11.7	W 35	232.6	37.7	417.2				
1977	31.4	3.7	18.5	81.7		81.7	9.4	WSW 35	232.1	37.5	417.4				
1978	31.8	6.2	19.7	96.9		96.9	12.4	W 41	262.7	18.8	453.1				
1979	30.3	7.8	18.5	99.2		99.2	12.1	NNW 52	204.6	36.0	417.8				
1980	29.6	9.8	20.2	66.4		66.4	8.4	WNW 28	227.2	3.5	472.0				
1981	28.7	8.4	19.2	144.2		144.2	10.2	NE 30	212.9	20.4	438.4				
1982	28.3	4.1	17.2	169.6		169.6	9.7	SW 32	212.3	53.9	378.7				

* Normales et extrêmes sont de McGill
Normals and extremes are from McGill

WIND SUMMARY (Kilometres per hour) SOMMAIRE DES VENTS (Kilometres par heure)														MONTH MOIS		AUGUST AOUT		1982									
Date	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	Peak Gust Maximum	Hour Heure	
1	WSW	C	SW	WSW	WSW	WSW	SW	W	SSW	SW	SSW	SSW	SSW	SW	SW	W	WSW	SW	WSW	SW	W	WSW	NNW	NNE	W	52	1606
2	15	15	19	19	19	13	15	17	13	15	17	13	13	13	11	7	9	7	6	6	2	2	6	2	32	0212	
3	NNE	NNE	NNE	NNE	NNE	NNE	N	NNE	NNE	NNE	NNE	ENE	NE	NNE	N	NNE	NE	E	SE	S	W	WNW	NW	NW	NE	32	
4	NW	C	NNW	NW	N	NNE	NNE	NNE	NNE	N	NNE	N	WNW	W	SSW	SSW	SSW	WSW	WSW	WSW	SW	WSW	WNW	WSW	C	32	
5	2	C	C	C	C	N	N	NNE	NNE	NNE	C	E	ENE	ESE	E	SSE	E	E	ESE	NNW	NNE	N	NNE	NNE	N	NE	
6	NW	N	WNW	WNW	WNW	NW	NNW	NNW	NNW	NW	N	C	W	NW	NNE	NE	SSW	SW	WNW	W	W	W	C	C	32		
7	4	7	6	6	4	2	2	4	4	6	2	4	6	2	6	4	4	11	9	6	6	4	4	2	32		
8	NE	NNE	NE	NNE	NNE	WSW	S	S	SW	SSW	W	SSW	SSW	S	S	SSE	SSE	S	32								
9	4	6	7	9	7	7	7	7	9	6	4	4	9	11	11	9	7	7	7	7	7	4	4	6	32		
10	SSW	SSW	WSW	WNW	WSW	SW	SW	WSW	SW	SSW	SW	SW	SW	SW	SW	SW	WSW	SSW	SW	WSW	W	NW	N	SW	SW	32	
11	6	2	4	4	6	6	4	9	7	11	13	15	15	17	19	17	9	9	11	9	11	9	7	6	32		
12	S	C	C	N	C	NE	NNE	NNE	NE	E	SSE	ESE	SE	ESE	NE	ESE	ESE	SE	SE	SW	N	SE	SE	ESE	SSW		
13	4	4	4	4	4	2	6	6	6	4	7	7	7	6	13	4	6	9	6	9	6	6	4	6	52		
14	SE	SE	SSE	SSE	SSE	S	SSE	SSE	SSE	SSE	SSE	SE	SSE	SSE	SW	SE	SSE	SSE	SSE	S	SW	SW	SW	SW	SE		
15	9	7	15	9	13	15	13	15	13	13	15	15	15	7	11	11	9	13	11	9	13	9	7	9	33		
16	SW	WSW	WSW	WSW	WSW	W	WSW	WSW	W	WSW	W	W	WSW	SW	SW	WSW	WSW	WSW	WSW	WSW	WSW	WSW	WSW	WSW	WSW		
17	11	7	7	7	7	15	13	13	9	11	11	11	13	13	15	15	7	9	7	2	4	6	4	4	39		
18	NW	W	WNW	C	WNW	NNW	NNW	N	NNE	C	C	W	WNW	ENE	NE	NE	N	NNW	NW	N	NNW	NE	NE	WNW	W		
19	2	2	2	4	4	2	4	2	4	2	2	6	6	6	7	9	6	4	4	4	2	4	4	2	33		
20	NNW	WNW	W	NW	NNW	N	S	N	NNW	NNW	WNW	WSW	C	SSW	C	N	W	NW	WNW	W	WSW	WSW	WSW	WSW	WSW		
21	2	4	4	9	4	4	4	4	4	6	6	4	6	4	4	7	11	7	6	6	6	2	2	4	33		
22	WSW	WSW	W	SSW	WSW	WSW	W	W	WSW	WSW	W	W	W	W	W	W	WNW	W	W	WSW	W	WSW	WSW	W	WNW		
23	6	6	6	4	4	6	6	6	7	9	11	13	20	19	13	13	13	11	11	6	4	4	4	11	11		
24	W	WSW	WSW	WSW	WSW	SW	SW	SW	W	W	W	W	WSW	SSW	WNW	W	W	SW	SW	SW	SW	SW	SW	SW	WSW		
25	7	6	6	6	4	6	6	6	7	9	7	7	11	13	13	13	13	17	13	17	13	15	11	6	35		
26	WSW	SW	WSW	SW	WSW	WSW	WSW	WSW	SW	SW	SW	SW	SW	SW	SW	SW	WSW	SW	SW	SW	SW	WSW	SW	SW	WSW		
27	7	11	7	7	7	7	7	13	11	13	13	13	17	17	24	26	26	20	20	15	17	13	15	19	35		
28	WSW	WSW	WNW	W	WSW	WSW	W	W	WNW	W	NW	NNW	WNW	WNW	WNW	NW	NW	NNW	NNW	NNW	NNW	NW	NW	WNW	W		
29	15	9	9	7	11	7	7	6	6	7	13	13	17	17	19	15	19	9	7	6	9	4	2	2	2		
30	W	WNW	NW	NW	N	SSE	C	WSW	W	SW	W	W	WSW	SSW	SW	WSW	WSW	WSW	WSW	WSW	WSW	W	W	W	W		
31	2	6	6	4	4	2	6	2	2	7	13	17	15	17	17	17	15	11	9	13	9	13	9	11	11		
32	9	9	7	9	9	6	6	6	11	11	17	19	20	19	19	20	13	13	11	11	19	24	24	32	52		
33	WSW	WSW	WSW	W	WSW	W	W	W	W	W	W	W	WNW	WNW	W	NW	WNW	NW	NW	NW	NW	NW	NNW	WNW	WSW		
34	28	28	24	19	19	17	13	15	17	17	11	15	13	13	13	24	20	20	15	13	13	15	11	6	46		
35	NW	NW	WNW	NW	W	NW	NW	N	NNW	W	WNW	WNW	WNW	WNW	WNW	WNW	W	WNW	NW	WNW	WNW	W	W	WNW	NW		
36	9	9	2	6	6	9	7	13	11	9	20	19	17	15	17	20	15	17	15	11	9	7	7	6	39		
37	WNW	W	WSW	W	NW	WNW	C	WSW	SSW	SSW	WSW	WSW	SW	SSW	SSW	SW	SSW	WSW	WSW	WSW	WSW	WSW	WSW	SW	C		
38	7	4	4	4	4	6	6	7	9	15	11	19	17	15	17	17	15	15	11	9	6	7	7	6	7		
39	SW	SSE	SSE	SSE	SSE	SSE	S	S	SSE	SSE	SSE	S	S	S	S	SSW	S	SSW	SSW	SSW	SSW	S	SE	S			
40	11	7	9	9	15	11	15	13	13	11	9	9	17	13	11	9	9	7	9	9	9	9	9	4	6		
41	WSW	WSW	SW	WSW	W	WSW	W	W	NW	WSW	WSW	W	SSW	SW	WSW	W	W	W	W	C	W	C	C	SSW	4		
42	7	9	6	7	6	6	7	7	7	6	6	9	11	13	9	13	13	13	7	2	2	2	4	6	11		
43	SSW	S	ESE	ESE	SE	E	ENE	E	NE	NNE	NE	NE	NE	NE	NNE	NNE	NNW	NNW	NNW	WNW	WNW	WNW	WNW	WNW	SSW		
44	4	4	4	6	6	7	7	7	13	7	9	13	20	24	24	35	33	32	24	20	17	13	15	11	52		
45	NNW	W	W	WSW	WSW	SW	SW	WSW	WSW	WSW	WSW	SSW	SW	WSW	W	W	N	NW	NNE	C	SSE	SE	SSW	SSW	6		
46	7	9	4	9	6	11	15	20	13	15	17	17	13	13	7	2	7	2	4	6	11	6	6	6	6		
47	SSW	SSW	SW	SSW	WSW	WSW	WSW	WSW	WSW	WSW	WSW	W															
48	7	6	7	7	7	9	11	13	13	17	20	24	32	24	32	30	15	11	19	6	4	7	7	6	52		
49	NNW	W	W	W	WSW	W	WSW	SW	WSW	WSW	W	W	WSW	W	W	SW	WSW	W	W	WSW	SW	WSW	W	W	W		
50	7	6	4	2	4	2	2	9	13	17	13	22	19	20	20	24	20	11	7	13	9	9	6	7	50		
51	WSW	WSW	WSW	WSW	WSW	WSW	W	W	W	W	W	W	W	W	WNW	W	W	W	W	WNW	C	W	SSW	SSW	SSW		
52	7	7	6	7	6	7	7	11	15	17	20	17	19	20	17	17	20	17	6	4	2	7	4	32			
53	SW	SW	SW	C	W	ESE	ESE	SE	ESE	SSE	SSE	SE	SSE	SSW	WSW	S	S	SW	S	S	SSW	SSW	SSW	SSW	9		
54	6	4	6	2	7	2	4	6	9	11	11	15	13	13	7	7	6	9	7	17	9	11	9	9			
55	SSW	S	SW	W	W	WSW	W	WSW	W	WNW	W	WNW	WNW	WNW	NW	W	WNW	WNW	N	NNE	NNE	NNE	NE	NNE	7		
56	9	9	6	4	4	6	4	4	7	7	4	11	15	11	13	17	11	7	9	11	9	6	6	7			

On indique un vent d'ouest par la lettre 'W'.

C = CALME / CALM

*Indicates later occurrences of same speed

*Indique des données postérieures de la même vitesse.

Date Due

8. 03	11. III 03		
10. 03	10. DEC 03		
20. 03	20. SEP 06		
24. 03	24. OCT 06		
17. 03	17. NOV 11		
28. 03	28. SEP 11		
12. 03			
NOV 25			
01 APR 16			
02 JUL 03			

HV 9510.A6 C33 1984
 Report on allegations of mistreatment of
 inmates at Archambault Institution
 following the events which occurred on
 July 25th, 1982 /

