

✓ THE NATIVE INMATE IN ONTARIO

A Preliminary Survey

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FOREWORD

The reader is cautioned at the outset to bear in mind that this is a preliminary survey, the purpose of which was breadth not depth and problem identification rather than solution. Therefore, many questions are posed for which, at present, there are no answers. Nevertheless, the data presented do raise many issues which can be dealt with directly. Obviously, some of the data point to areas which require further, in depth-study before any conclusions can be made. The reader must decide in which areas sufficient evidence is presented to warrant immediate action.

ACKNOWLEDGEMENT

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The interest and support of the Ontario Native Council on Justice is also appreciated. The council is comprised of the following organizations:

The Association of Iroquois and Allied Indians
Grand Council Treaty #3
Native Law Students' Association
Ontario Federation of Indian Friendship Centers
Ontario Metis and Non-Status Indian Association
Ontario Native Women's Association
Union of Ontario Indians
Grand Council Treaty #9

In addition, the presence and participation of representatives of native inmate groups is encouraged on a rotating basis.

Data collection for the present study was funded by the Provincial Secretariat for Justice.

OVERVIEW

File data and interview data collected from a sample of 213 native incarcerates in Ontario indicate that the majority were Status Indians, coming from a reserve or a rural environment. They had predominantly poor employment and education histories and were heavily dependent on public financial assistance. A high proportion of the native sample had recidivated in the past and property and alcohol related offences were prevalent. Native Court Worker services were used by only a small proportion, however three-quarters of the sample were reported to have used duty counsel, legal aid or both.

Only 10% of the natives declined an option to have been released on bail during their trials and only 9% were incarcerated in default of fines. Economic factors centered in almost all of these cases. Alternative forms of sentencing, for example community work orders, were attractive to almost all of the natives.

Alcohol abuse was found to prevail with the present sample. A large minority were charged or convicted of alcohol offences and almost all stated that alcohol consumption was involved at the time of their offences. The majority claimed to be accessible to some form of alcohol treatment however, only a small number were actually involved in the programmes.

The native inmates generally receive very few visits with their families. This, however, was not found to be related to distances that were involved. Although interest in native organizations was expressed, very few of the inmates were actually aware of or had been contacted by any of the various specific community-based native organizations. By comparison, Indian Friendship Centers enjoy the widest exposure to native incarcerates.

Almost half of the sample stated that they would like to see more native-oriented programmes in correctional institutions. The report suggests that programmes, initiated and operated by outside organizations and monitored internally by a volunteer coordinator, be considered. Generally speaking, few additional and unanticipated problems were commented on. A list of suggestions for future research is provided.

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Background and Focus

The disproportionate number of incarcerated natives has long been a source of much concern⁶. Although natives account for only 2.1% of the Ontario population^{7*}, data collected by the Ministry of Correctional Services indicates that natives comprise 8.8% of the provincial jail populations⁵. Indeed, natives have been found to form the largest ethnic minority within prisons in Canada. Additional data compiled by the research branch indicates that natives were responsible for 7.84% of all of the offences committed in Ontario during 1977 (see Appendix A). In this latter survey, natives were found to be over represented in some offence categories and yet, less responsible for other types of crimes. The native offenders were heavily involved in liquor offences, assaults, firearm offences, willful damage, auto theft, parole violations and contributing to juvenile delinquency. On the other hand, crimes which were less frequently committed by natives included fraud, drug related offences and extortion. These disproportionalities notwithstanding, the indication is clear; an inordinate number of natives are being admitted into the Ontario correctional system.

The incarcerated native, because of cultural distinctions, poses unique problems for correctional jurisdictions. To date, very little empirical work has been done on the native offender. There is a paucity of information on the impact of incarceration on natives and indeed, there has been very little information at all on the native offender in Ontario. Recent studies conducted in British Columbia⁸ and in Federal Penitentiaries throughout Canada⁴, describe the typical native inmate as a young, Status Indian, coming from a predominantly rural environment, seasonally mobile with an unstable employment history and having a reduced concern for a cash economy. He had a greater tendency to default on fines and was less reluctant to opt for a jail sentence in lieu of a fine⁸. A recent national survey revealed that native offenders are typified by high degrees of welfare dependency, unemployment, alcohol abuse and recidivism¹.

The present study was conducted jointly by the Ontario Native Council on Justice together with the Planning and Research Branch of the Ministry of Correctional Services. The purpose was to identify and describe the native offenders, to determine their problems and needs as inmates, to assess the extent of non-payment of fines, the use of alternative sentences, and the extent to which various community-based native organizations are providing contact with the incarcerated natives. The present survey was considered to be a possible initial step in the provision of improved services to native offenders.

The information for the present survey was gathered from two principal sources: a brief interview with each native inmate in the sample; and selected information obtained from the inmates' files. In total, the information was expected to provide insight into a number of dimensions:

* It is possible that the 2.1% estimate is conservative and that many natives were either not enumerated or were improperly identified. Nevertheless, the disproportionalities prevail.

- demographic description
- past and present criminal involvement
- awareness of the judicial process
- alcohol abuse and treatment
- cultural isolation
- preference for future programmes
- additional problems

Time restrictions precluded the surveying of all native inmates in Ontario. Instead, interviews were conducted with natives in those institutions that tend to have large proportions of native offenders. Thus, the majority of institutions that were selected are located in Northern Ontario, the area in which the majority of natives reside. This selective sampling may have biased attempts to assess the provision of services to native inmates, however, it is hoped that a sufficient cross-sample of types of institutions has been made and that as a result, the findings are generalizable to all native inmates in Ontario.

The information for the present survey was gathered in March 1978. In total, 213 native inmates were interviewed (185 males, 28 females). This figure represents approximately 90% of the natives that were incarcerated in the various institutions at the time of the study and approximately 75% of all of the native inmates in provincial institutions. The institutions that were involved and the relative numbers of natives that were included in this study are listed on Table 1.

TABLE 1

Number of Natives in Each Institution

	<u>Male</u>	<u>Female</u>
Kenora Jail	52	16
Kenora Bush Camps (Red Lake, Pistol Lake)	8	
Thunder Bay C.C.	40	
Thunder Bay Jail	13	
Ontario Native Women's Centre (Thunder Bay)		3
Sudbury Jail	18	1
Blind River Community Resource Centre	2	
Monteith C.C.	29	
Guelph C.C.	23	
Vanier C.C.		8
	<u>185</u>	<u>28</u>

RESULTS

I. Demographic Description

Descriptive information on the personal backgrounds of the native offenders in the present study generally failed to identify possible reasons for the natives' criminal involvement, although some interesting results were obtained.

- A total of 79% of the natives were Status Indians, the majority of whom (72%) were living on a reserve. Metis accounted for 9% of the sample and Non-Status Indians comprised the remaining 13%.
- The native offenders were from predominantly rural environments (i.e. village or small town). Only 16 (8%) came from larger urban centers (i.e. Toronto, London).
- Appendix B contains information on the number of native offenders coming from the various Indian Reserves. Of the total 121 offenders, the majority were from reservations in Northern Ontario, in particular those in the Kenora District and on Manitoulin Island.
- The average age for the inmates was 27.7 years (SD = 11.33) and the average native offender had achieved only a grade 8 level education.

These results are not unexpected. The high proportion of Status Indians, the predominance of rural home environment and the low level of educational achievement are consistent with other surveys^{4, 8}. In addition, the information gathered on family and employment backgrounds does not appear to differ too much from studies conducted on all inmates in various Ontario correctional institutions.

- 62% of the native inmates were single and 24% reported themselves to be either married or living common-law. 29% (N=62) of the natives reported having an average of 3.9 children.
- Only 33% of the sample were employed immediately prior to incarceration. Slightly more than half of these (N=38) did not feel that incarceration was affecting their jobs. It is unfortunate, but only sketchy and unreliable information was available on the types of occupations. Nevertheless, for 82% of the native inmates, incarceration will likely be followed by some period of unemployment.
- Of 129 natives unemployed prior to incarceration, 47% were dependent on some public assistance, usually either welfare or unemployment insurance.

The remainder were mostly dependent upon their families for support.

- 63% of the inmates' dependent families were on welfare during the respondents' incarceration. In total, 75% were receiving some form of public assistance.

In general, the survey reveals a typical native offender who is a Status Indian, either from a reserve or a small rural center in Northern Ontario. In comparison with other inmates, he is slightly older than the average Ontario inmate³ but is equally poor in employment history and educational achievement and similarly, tends to be less likely to be married. A common characteristic of all Ontario inmates is a heavy dependence on public financial assistance. In this respect, it appears that the native offender and his family tend to be over-represented. The results indicate that at all times a minimum of approximately half or more are dependent to some degree on the public for support. This is perhaps the only major demographic factor underlying criminal involvement. Inasmuch as the other factors are equally applicable in all criminal cases, the very poor economic stability of the natives would seem to be more pervasive.

II. Criminal Involvement

In determining the extent of past and recent criminal activity, information was gathered on the number of previous convictions, the types of crimes for which the offenders are presently incarcerated and the relative sentences imposed.

Some of the findings were not particularly appealing. Recidivism, for example, was found to be a very serious problem in the present survey.

- 93% of the present sample were recidivists. 20% had had only one or two previous convictions but as much as 43% were found to have had at least 10 or more previous convictions.
- 69% report having been on probation at least once in the past.
- Of those who had been convicted of an offence, the average number of conviction charges was 2.4. The number of convictions ranged from one to six. The total length of sentence imposed in these cases ranged from 3 to 1583 days; the average being 256 days or approximately 8.5 months. More than 75% received sentences greater than one month.

As to the types of crimes committed by the native offenders, some of the present findings were revealing. It is of interest that many offence categories were over-represented by natives and others under-represented, as was indicated in other surveys reported earlier.

- The most common offence category was "crimes against property". Crimes in this category, which include break and enter, theft, fraud and property damage were committed by slightly more than half of the present sample (N=109).
- Alcohol related offences, for example public intoxication and impaired driving were the second most frequent types of crimes committed by the present sample. A total of 80, or 38% of the native offenders were convicted of crimes directly related to the abuse of alcohol. In total, 86% of the natives in the present survey admitted that the use of alcohol was involved in the crimes for which they were currently incarcerated.
- Violent offences were committed by only 21% of the native inmates. The most common offence in this category was assault. Nine inmates (4%) were either charged or convicted of manslaughter or murder.
- 29% of the respondents were incarcerated for crimes "against public order and peace". The most common violations in this category were Breach of Probation, Failure to Comply with a court order and Failure to Appear in court.

- Drug abuse was not found to be a major factor leading to incarceration. Drug related offences (i.e. possession, trafficking) were involved in less than 2% of the cases, however, the extent to which the natives are actually involved in drug abuse is not clear.

In a number of respects the present results are similar to those obtained with surveys of non-native inmates³. Property offences generally comprise the largest offence category and recidivism is a real problem with a majority of the inmates. In some aspects, however, the native offenders are found to be distinctive from other offenders. In particular, alcohol offences are over-represented in the present sample. It is not possible with the present data to determine the extent to which natives are incarcerated for alcohol offences whereas other, non-native offenders might receive some alternative disposition, however, the trends indicated by the data are suspicious. Further research is needed to assess this possibility. With 86% of the natives admitting that alcohol was involved and 38% convicted of specific alcohol offences, it would be reasonable to state that alcohol abuse is a very real problem for the Ontario native offender. Section IV deals with the availability and use of alcohol treatment programmes.

According to the present data, recidivism appears to be somewhat more serious for native offenders than for the regular inmate population². More detailed information in this regard is however needed before definite inferences should be drawn.

In one significant area, native offenders were seen in the present data to be less involved than other inmate samples. Convictions for narcotic and drug related offences were less prevalent than is generally found in other non-native samples. This is consistent with the results of other studies reported earlier.

III Awareness of the Judicial Process

During the interview, the native inmates were asked questions related to their comprehension of the court procedure and the extent to which they made use of the various services available. The findings, presented below, reveal some interesting and, in some cases, disquieting information.

- 25% of the native inmates were aware of the available services of a Native Court Worker during their trial. 75% of these natives (9% of the total sample) made use of these services.

Independent of the actual availability of the Native Court Worker services, 75% of the natives report that they were not aware of the services and hence did not receive assistance. It would appear therefore that improvements in the Native Court Worker services are warranted. This problem is however complex and further study is needed to determine the direction in which changes are to take place.

- 53% used duty counsel during their trials. An additional 9% were aware of but chose not to use this service. 59% of the sample had applied for legal aid, of whom almost all were successful (57% of the total sample). In total, 76% of the native inmates used either duty counsel, legal aid or both. The extent to which the remainder had no legal assistance or had their own lawyer is unknown.

Some interesting results were found regarding the use of legal aid. The 121 natives who used this service tended to have more previous convictions ($p < .05$)* and tended to have received longer sentences for the present convictions ($p < .001$). Legal aid therefore, was of some benefit to the recipients, however it appears that the service was used primarily by natives with more serious criminal involvement and who were, therefore, more likely to receive more severe sentences. More research is needed, however, particularly for determining the reasons why natives choose not to use legal aid and the role played by past negative experiences.

For a substantial minority, there was some confusion or poor communication about the court proceedings.

- 20% did not know if they were on remand.
- 16% felt that they did not understand the court procedure during their trial.

*The p or probability level is a measure of the degree of confidence one can have in the results. Thus a $p < .05$ indicates that the result, or value will be obtained only by chance in less than 5 out of 100 cases.

Thus, the results indicate that although many native offenders make use of available legal assistance, there are many who could benefit from some assistance and who, in fact are not fully aware of their status. Indeed a sizable minority felt uncomfortable with their awareness of the judicial process. Furthermore, the above information does not include relevant information from the following group of native offenders.

- 10% of the respondents report that they were tried in absentia; that they were not present for their trial, nor sentencing. In almost all cases, the charges were for alcohol offences.

A current issue of concern is the extent to which native inmates are serving jail sentences in lieu of some other alternative.

- 28% (N=59) were released on bail during their trial.
- An additional 10% were given an opportunity to be released on bail but remained in custody. The most frequent reasons for this were lack of money to pay the bail and/or having no one to vouch for them. Some also stated a preference for serving time.
- 18 natives (9%) had been given an option of paying a fine rather than serving a jail sentence. For these natives, incarceration resulted from an inability to pay the fine. A few (N=3) also reported that already serving concurrent time obviated payment of fines.
- Altogether, 76 native inmates (36%) in the present sample reported having at one time served time rather than pay a fine. The reasons given were consistent with the others reported; lack of money, concurrent time or preference for serving time rather than paying a fine.

It is clear from the present data that economic reasons account for the majority of cases where sentences are served in default of fine. The practice of concurrent sentences accounts for a smaller proportion. Only a very few natives stated that they actually preferred incarceration. Indeed alternative sentences and forms of incarceration were attractive to the respondents.

- Only 44% of the natives were aware of Community Resource Centres as alternative forms of incarceration. However, 94% of the native offenders indicated a willingness to perform community work service as an alternative form of sentencing.

Thus, although many of the natives could be made more aware of alternative forms of incarceration, alternative sentences which circumvent the common economic problems are attractive to them.

IV Alcohol Abuse and Treatment

Because of the unique role that alcohol abuse plays in native offences, special attention was given to this problem in the present survey. In order to present a complete summary of this issue, some of the information disclosed in early sections is repeated in this chapter. As was noted earlier, natives committed 8.25% of all of the offences in 1977 but committed 26.42% of all the liquor offences. An extensive involvement with alcohol abuse was also evident in the present survey.

- 57% of the present sample (N = 122) were listed on their files as "intemperate" drinkers. Only 8% were listed as "abstainers".

Furthermore, alcohol abuse was directly involved in the criminal charges of many of the native offenders. Liquor offences were second only to property offences in frequency.

- 38% (N = 80) were specifically charged or convicted for alcohol offences. Almost all of these charges were for "public intoxication".

Not only were a large number of natives convicted of alcohol offences, but an exceedingly high proportion admitted that the use of alcohol was involved in the crimes for which they were incarcerated.

- 86% (N = 183) admitted that the use of alcohol was involved to some extent in their present convictions.

Given the preponderance of alcohol, in relation to criminal activity, the availability and use of alcohol treatment programmes is crucial to corrections.

- 70% of the native incarcerates reported that some form of alcohol treatment is available in their institution.
- Only 31% (N = 46) of the natives accessible to alcohol treatment were in fact taking part in the programmes offered.

Caution is advised in the interpretation of these findings. No information is available on the actual form of treatment available. Indeed, it is suspected that few real "programmes" per se are offered, but rather only discussion groups and alcohol counselling. In other words no real planned intervention is available. In many cases however, the absence of real treatment can be attributed to the short-term nature of the sentences given to inmates in the institution (i.e. jails, detention centers).

There was no significant relationship between those taking part in the programmes that were offered and those who were convicted of liquor offences. Of the large proportion who chose not to engage in treatment, 37% did not feel that they had a problem, 33% were apathetic or just not interested and 12% did not feel that the

programmes would be helpful. The remainder either wanted a different programme, had to wait their turn or did not have a sufficiently long sentence.

Thus, the results indicate that although a large number of native offenders have alcohol related problems, many of them do not agree that they have a problem, and many show little inclination to obtain treatment. The majority are incarcerated in institutions which provide some opportunity for treatment, however, for the various reasons indicated, many who could benefit are not taking part. Future research and surveys could do well to address themselves to this issue with the aim of improving the acceptability and usefulness of the programmes and increasing the involvement of those most in need of the treatment.

V Cultural Isolation

Correctional jurisdictions are concerned about cultural alienation of incarcerated natives. The present study sought to determine the extent of isolation of the present native sample, the degree of involvement with outside native organizations and whether native staff are desirable within corrections.

Current data were not available on the actual numbers of native staff within Ontario Corrections. A few of the native inmates polled, specifically commented on staff prejudice and some suggested hiring more native staff. 72% of the native inmates stated that were they to go on probation, it is important to them that their Probation Officer be native.*

The results also indicated that natives are not receiving very many, if any, visits during their incarceration.

- 65% of the sample reported that they were not receiving visits from their families. Only 21% reported having had visits with friends. Only 11% reported receiving visits on a weekly basis.
- In total, less than half of the present sample (N=97) had received any visits during their incarceration. As might have been expected, single inmates were the most neglected, with 71% not ever having a visit. Interestingly, the least neglected group were those living common-law.
- On the average, the incarcerated natives were 185.6 miles from their homes. There was no reliable relationship between this distance and the number of visits that the inmates received.

Since the majority of the native inmates receive little or no visits, it is clear that community based native organizations could, through visits, provide a beneficial impact on the incarcerated native. On TABLE 2, is provided a list of 12 major native organizations currently in operation in Ontario. The list is arranged in descending order of the extent to which the natives in the present survey were familiar with the various groups. Information is also provided on the extent to which the natives have been contacted by the organizations and the proportion who are members of the organizations.

* It should be noted that this need could be met by the Volunteer Probation Service currently in operation in the Ministry.

TABLE 2

Contact with Native Organizations

<u>Organizations</u>	<u>% Aware</u>	<u>% Contacted</u>	<u>% Members</u>
Indian Friendship Centers	43	24	1
Ontario Metis and Non-Status Indian Association (OMNSIA)	22	2	2
Grand Council Treaty #9	22	1	1
Grand Council Treaty #3	18	2	1
Ontario Native Women's Association	16	1	0
Nelson Small Legs Jr. Foundation	16	3	1
Native Sons Organization	13	13	12
Union of Ontario Indians	9	1	0
Allied Indian and Metis Society	9	1	0
Association of Iroquois and Allied Indians	5	0	0
Nishnawbe Fellowship	5	3	2
Native Law Students Association	4	1	0

Inspection of TABLE 2 reveals some interesting findings:

- No organization was familiar to a majority of the native inmates.
- The most familiar organizations were the Indian Friendship Centers. 43% were aware of the Centers and 24% had visited them. These 24% had had contact prior to incarceration.
- With the exception of the Indian Friendship Centers the other native organizations were familiar to less than 25% of the native offenders in the present study.

A significant minority of the natives had visited Indian Friendship Centers. However since these centers also provide the Native Court Worker services, it appears that many of the native offenders may not be completely aware of the full role that these centers play in the community.

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There is a considerable difference between the extent to which the natives were aware of the Native Organizations and the extent to which they had been contacted or visited by the organizations. The one exception to this trend was the Native Sons Organization. The difference with this group stems from the fact that a chapter of this organization has been formed at the Guelph Correctional Center. All of the native inmates at that institution are members of this group which at the present time, is the only specific self-help native inmate organization operating within an institution.

In all fairness to the other Native Organizations, it must be pointed out that the principal focus of these groups is not on the native offender. The results and findings of the present survey cannot be interpreted as indicating that these organizations have failed. Indeed, it must be pointed out that other organizations were also not responding to the needs of the native inmates. The results do indicate that the native inmates receive few visits and would like to see native oriented programmes and visits (see next section). There is, therefore a definite need which can be alleviated somewhat by the various native organizations. Many of these organizations previously interested primarily in natives within the community, could well suit their purposes by also contacting and providing assistance to incarcerated native offenders.

VI Preference for Future Programmes

It was consistent with the thrust of the interview that reference be made to the need for future programmes specifically for natives. It is interesting that almost half of the inmates saw the need for more programmes.

- 46% of the native inmates indicated that they would like to see more programmes for natives in their institution.

Sixty-two inmates made 77 specific suggestions for future programmes. Thirty-seven natives were unable to suggest anything specific beyond the need for more programmes in general. The specific suggested programmes included starting a native organization in the institution (27), establishing native arts and crafts programmes (20), general recreation (7), job-training programmes (7), organized visits with outside native organizations (6), native sports events (5) and, improved education programmes (5).

Thus only 29% of the native inmate sample had specific suggestions and those that were made, clearly emphasized a need for native identity groups. Although the proportion offering suggestions is low, it may well be that the majority do not desire special programmes or do not believe that changes are possible. This, somewhat low percentage is perhaps not too surprising when compared with the fact that only 31% are involved in the alcohol treatment programmes. Indeed, the majority of native inmates may not wish for special programmes to be made available or may not know or believe that changes are possible. Those programmes which were suggested clearly emphasized the need for Native identity groups.

VI Additional Problems

Few inmates commented on additional problems that were not specifically dealt with in the interview. Only 27% of the natives mentioned problems, many of which were so specific and isolated that nothing of import can be inferred from them (i.e. C.R.C., T.A.P., Transfer). A small number (10) complained of staff prejudice and the need for more Native staff within corrections and an equal number complained of poor communication about institutional programmes and procedures.

In general however, although the number of inmates commenting on problems may be an under estimate of the extent to which additional problems may have occurred, the issues that were specifically commented on were not uncommon to any inmate population and may have been more endemic of being an inmate.

DISCUSSION AND CONCLUSIONS

The present findings are not dissimilar from results reported in other studies of native offenders. Indeed, in some respects the present native sample was similar to inmate samples in general. The native offenders are characterized primarily as coming from rural rather than urban centers and having low socio-economic background. Employment histories and educational achievement were not particularly auspicious. The natives and their families are heavily dependent on welfare or some other form of public financial support and in the present sample, recidivism is exceptionally high when compared with non-native offenders.

The majority of natives surveyed in the present study were incarcerated in Northern Ontario institutions. Comparisons of these inmates with those incarcerated in Southern Ontario revealed no substantial differences. The lengths of sentences and severity of crime tended to be higher for those in Southern Ontario, however this was expected because no small jails were included from Southern Ontario; only institutions tending to house recidivists and inmates with more than three-month sentences.

Male-female comparisons were also non-discriminating. Truly accurate comparisons were not possible because of the relatively small number of females however the indications are that their behaviours and attitudes are similar to those of male native offenders.

The serious implications of the economic plight of natives were evident throughout the present survey. Indeed much of the incidence of native criminality and incarceration can be ascribed to economic factors. This conclusion is suggested by a number of findings in the present study. The high percentage of property related offences, high welfare dependency, high unemployment and the heavy use of publicly assisted legal counsel all indicate economic need. In addition, financial difficulties were the primary factor in the majority of cases of incarceration in default of fines and cases where bail was not provided.

Alternatives to normal sentencing which circumvented the economic difficulties were acceptable to the natives in the present survey. Indeed almost all of the respondents were willing to perform community work service as an alternative to incarceration or payment of fines. More information is needed on the parameters of this process but it is nevertheless attractive not only from the Ministry's standpoint but also as a stepping-stone in the alleviation of cultural and family alienation as well as employment difficulties.

The present survey indicates that natives may experience greater than average isolation, as measured by the number of visits received. There is a strong indication however that community-based native organizations could play a large role in alleviating this isolation. On the one hand interest was expressed in having contact and visits with these groups. On the other hand, there was a striking lack of familiarity, contact with and membership in the various organizations. The actual establishment of self-help groups for incarcerated natives would be inappropriate in many of the institutions which basically house only short-term incarcerates. Thus in order to ensure continuity of service, community organizations should provide the impetus for visitation programmes and other forms of assistance. In addition perhaps, a volunteer coordinator as a

corrections staff member may be useful as a facilitator and to provide focused attention on Native inmates.

As has been the case in most other research with native offenders, the role of alcohol abuse has been established in the present survey as a major factor in native criminality. A highly disproportionate number were convicted of liquor offences and nearly all of the natives admitted that alcohol consumption was involved to some extent in their present convictions.

Despite the prevalence of alcohol abuse, only a small minority are engaged in some alcohol treatment. In addition, the "treatment programmes" which are available tend to be more related to alcohol counselling and less related to behaviour intervention. In addition to the inappropriateness of the programmes, many inmates are not interested, do not feel that they have a problem or are apathetic. It is possible that more intensive programmes that are oriented to moderation rather than abstinence or perhaps programmes oriented specifically for natives are needed to provide more attractive alcohol treatment programmes.

With regard to the court process and sentencing procedures, the present study only hints at certain issues that could be pursued. Communication appears to be the only specific, consistent problem identified by the findings. A sufficient number were not altogether sure of the processes around them including the options which may have been available. The availability and use of the native court worker system was limited to only a quarter of the present sample. Improvements in this system could alleviate much of the communications problems that were also indicated.

Suggested improvements included the provision of native oriented activities, including organizations, crafts and recreation. The two most prevalent institutional problems were staff related (i.e. prejudice) and a lack of communication regarding programmes and procedures.

Although relatively few native inmates commented on problems and preferences for future programmes, the results should not be interpreted as indicative of little need for improvement. It is possible that the majority of native inmates actually feel no need for improvement and in fact would prefer no special programmes, or they feel that no improvement is possible. Future research should however explore this possibility more fully.

The present report has been an initial attempt to systematically compile information and data on native criminality in Ontario. Admittedly, there is much information which would be useful but is still lacking at the present time. It is hoped however, that the results of the present survey have helped to quantify some matters and identify other areas which need more detailed investigation. It is also hoped that interest in the Native Offender will be encouraged to continue. The present findings especially indicate a need for future study in the following areas:

- 1) Alcohol abuse and improved acceptability of treatment programmes.
- 2) Comparisons of male native offenders with female native offenders.
- 3) Community work service as an alternative sentence especially for economically affected natives.
- 4) Expansion of native visitation programmes by community organizations.
- 5) Expansion of services for Natives in court.
- 6) On a more theoretical note, investigate the extent to which special services and attention to native offenders are both advisable and welcome.
- 7) The extent to which offences are committed on reserves as opposed to in towns or cities.
- 8) The extent to which natives are more likely to receive incarceration for alcohol offences whereas non-natives may receive alternative dispositions.
- 9) The extent to which Legal Aid system is not chosen by all natives and the role played by past negative experiences.
- 10) The factors contributing to the high degree of recidivism among natives and possible preventative programmes.
- 11) The effect of involvement in Native Organizations (i.e. Native Sons) on rehabilitation potential.

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APPENDIX A

Offences Leading to the Incarceration of Natives
in 1977

OFFENCES LEADING TO INCARCERATION OF NATIVES IN 1977*

TYPE OFFENCE	NUMBER OF CHARGE COUNTS	% OF ALL NATIVE CHARGES	% OF ALL SIMILAR CHARGES IN ONTARIO**
Against Person			
Abduction, kidnapping	2	0.02	1.6
Assault	363	3.98	10.0
Assault Police Officer	67	0.73	7.7
Murder, Manslaughter	12	0.13	4.9
Attempted Murder	4	0.04	3.0
Rape, Attempted Rape	20	0.21	8.1
Threatening, intimidation	10	0.10	2.9
Any Offences Against Person	478	5.25	8.5
Against Property			
Arson	19	0.20	6.9
Theft, B. & E. and related charges	874	9.59	5.4
Damage Property	96	1.05	13.1
Forgery, Fraud, Uttering ...	95	1.04	1.7
Possession of Stolen Property	184	2.02	3.9
Robbery	96	1.05	5.6
Auto Theft, Joyriding	53	0.58	19.1
Extortion	1	0.01	1.5
Any Property Offences	1418	15.59	4.8
Against Morals and Decency			
Breach of Child Welfare Act, Non-support	3	0.03	20.0
Charges Related to Prostitution	7	0.07	1.2
Indecent Acts	31	0.34	4.2
Any Offences Against Morals	41	0.45	3.2
Against Public Order			
Breach of Probation	152	1.66	7.9
Breach of Recognizance			
Failure to Appear	330	3.62	5.8
Cause Disturbance, Mischief	267	2.93	7.8
Conspiracy	5	.05	0.9
Escape, Unlawfully at Large	18	0.19	4.1
Abstract Justice, Resist Arrest	73	0.80	6.1
Weapons Offences	137	1.50	6.6
Other Public Order Offences	103	1.13	4.9
Any Offences Against Public Order	1085	11.91	6.2

TYPE OFFENCE	NUMBER OF CHARGE COUNTS	% OF ALL NATIVE CHARGES	% OF ALL SIMILAR CHARGES IN ONTARIO
Liquor Offences			
Impaired Driving	428	4.69	4.9
Fail or refuse Breath Test	35	0.38	4.6
Other Liquor Offences (includes unspecified)	4142	45.47	28.4
Any Liquor Offences	4605	50.56	19.1
Drug Offences			
Simple Possession	45	0.49	1.5
Trafficking	10	0.10	0.6
Other Drug Charges (includes unspecified)	5	0.05	4.1
Any Drug Offences	60	0.66	1.2
Traffic Offences			
Careless, Dangerous Driving	33	0.36	4.9
Criminal Negligence	10	0.10	4.6
Drive While License Suspended	140	1.53	3.3
Leave Scene of Accident	16	0.17	3.3
Other Traffic Offence (Includes unspecified)	423	4.64	5.1
Any Traffic Offences	622	6.83	4.5
Breach of Municipal By Law	128	1.41	1.2
Breach of Provincial Statute	174	1.91	9.0
Breach of Federal Statute	113	1.24	6.7
Juvenile Delinquents Act	17	0.18	20.7
Other (not specifically known)	367	4.03	7.7

* This information was compiled for the Planning and Research Branch by the Adult Information System (A.I.S.) of the Ministry of Correctional Services. The figures relate to the proportion of offence categories committed by natives.

** This third column refers to the extent to which all similar offences committed in Ontario were committed by natives. It is important to compare these proportions with the actual proportion of natives in the Ontario population (2.1% estimated in 1971).

APPENDIX B

Number of Native Inmates from
Respective Indian Reserves

Reserve	N
Attawapiskat	3
Birch Island	1
Calstock	2
Couchiching	1
Constance Lake	2
Duck Lake	1
Fort Hope #64	3
Garden River	1
Gibson	1
Grassy Narrows	12
Gull Bay	6
Islington-Whitedog	11
Kettle Point	1
Lac Seul	1
Lansdowne	3
Long Lac	3
Mackenzie Portage	18
Mattagami	1
Mobert	2
Nestor Falls	1
N.W. Angle Res.	1
Oneida-Six Nations	4
Rankin	2
Sandy Lake	2
Sarnia	2
Saugeen	1
Savant Lake	2
Shoal Lake	5
Sheguiandah	2
Spanish River	2
Sucker Creek	1
Tyandinaga	1
Wabauskang	1
Walpole Island	1
West Bay	3
Whitefish Bay	6
Wikwemikong	11

APPENDIX C

Number of Native Inmates from
Respective Court Locations

Court Location	Code #	N
Attawapiskat	529	1
Belleville	1321	1
Brantford	221	2
Cayuga	1122	1
Chapleau	4125	2
Cochrane	521	3
Cornwall	3922	1
Dryden	1522	6
Espanola	4022	1
Forrest	1724	1
Fort Francis	3621	9
Geraldton	4225	1
Gore Bay-District	2211	7
Guelph	4611	1
Haileybury	4122	1
Hearst	524	3
Ignace	1523	1
Kapuskasing	523	3
Kenora	1521	76
Kenora-District	1511	4
Kenora-Family	1551	1
Kirkland Lake	4121	1
London	2321	4
Milton	1223	1
Moosonee	525	1
Nipigon	4224	1
North Bay	2521	1
Peel Region	564	1
Peterborough	3321	1
Red Lake	1524	6
Sarnia	1721	2
Sault Ste. Marie Provincial	121	4
Sault Ste. Marie District	111	1
Sudbury	4021	14
Sudbury Region	620	2
Sturgeon Falls	2522	1
St. Catharines	2121	1

Court Location	Code #	N
Temagami	4126	1
Thunder Bay-Citizen	125	8
Thunder Bay-District	4211	10
Timmins	522	2
Toronto	4822	1
Toronto-Supreme	4842	2
Wallaceburg	644	1
Wiaraton	324	1
WIKWEMIKONG	2222	6
Windsor	821	1
OPP and local Police		10
Unknown		8