



December 1, 2020

Minister of Corrections and Policing
Room 345, Legislative Building
2405 Legislative Drive
Regina SK S4S 0B3

Attention: The Honourable Christine Tell

Minister of Justice and Attorney General
Room 355, Legislative Building
2405 Legislative Drive
Regina SK S4S 0B3

Attention: The Honourable Gordon Wyant, Q.C.

Assistant Deputy Attorney General
Public Prosecutions
300 - 1874 Scarth ST
Regina SK S4P 4B3

Attention: Anthony Gerein, Q.C.

Dear Sirs/Madam:

Re: COVID-19 Outbreak at the Saskatoon Provincial Correctional Centre

The signatories to this letter are organizations who provide legal representation to prisoners in Saskatchewan and advocate for a humane criminal justice system. This letter follows our letters of March 18, 2020, April 2, 2020, and October 28, 2020, enclosed for your reference.

We write following a major outbreak of COVID-19 at the Saskatoon Provincial Correctional Centre. This outbreak is the inevitable result of the policies of the Ministry of Corrections and Policing, the Ministry of Justice and Attorney General, and Public Prosecutions. Such policies have represented, and continue to represent, a greater risk to the general public than the measures that we advocate.

The danger surrounding COVID-19 in the prison context, both to inmates and to the broader community, is detailed in our letter of April 2, 2020. We repeat the concerns outlined

in that letter. This danger has now materialized. We must take proactive steps to contain the virus and protect people from future outbreaks.

Risks Associated with the Current Approach

Saskatchewan correctional facilities are overcrowded. As of writing, we understand that the inmate population has returned to over 90% of its pre-pandemic level, which itself represented significant overcrowding. This situation is untenable and results in the following risks:

Risk of illness and harm to inmates: As laid out in our previous correspondence, the current approach is insufficient to protect the health of inmates. Inmates suffer disproportionately from conditions which exacerbate the harm of COVID-19. The current approach creates strain on their families and communities. As three quarters of inmates in Saskatchewan are Indigenous, it is problematic to permit an approach which unnecessarily and disproportionately causes fear and harm in their communities.

Undue risk to workers: The government has a responsibility to maintain a safe work environment for correctional and other staff in provincial facilities. By permitting the Saskatoon Provincial Correctional Centre and others to be overcrowded, government policy creates undue risk for workers. As these workers return to their families every day, hundreds of Saskatchewan families are exposed to a risk which can and must be better managed.

Pressure on community resources: The broader community and medical system suffer when we create overcrowded conditions in correctional facilities which lead to large outbreaks of COVID-19. The safety of the general public requires that we adopt policies to alleviate such conditions.

Proposed Changes

We call for the immediate release of all prisoners, sentenced or remanded, who are elderly, immuno-compromised, non-violent, at low risk to re-offend, or otherwise likely to disproportionately suffer from complications of COVID-19. Outbreaks have been declared in several Saskatchewan facilities. No court intends to hold a defendant in a setting where they are at significant risk of grave illness or death. No sentence is crafted to permit such a danger.

We call on the recipients of this letter to take all steps necessary to reduce the inmate population to a level where inmates are able to practice social distancing. Inability to practice social distancing is responsible for the breadth of the outbreak at the Saskatoon Provincial Correctional Centre. Public health officials call on us all to practice social distancing in our everyday lives. Inmates must be permitted to take the same measures to protect themselves as are expected of the general public. A previous reduction in the inmate population this spring did not cause any measurable harm to public safety.

We call on Saskatchewan's use of remand to fall into line with other provinces. This province holds defendants on remand awaiting trial at a rate twice the national average. If

Saskatchewan falls in line with other provinces, it will find itself in a better position to fight the spread of COVID-19 in prisons.

We call on the Government of Saskatchewan to make arrangements for hotel accommodation of any person released from a correctional facility at a time when public health officials have recommended or ordered their self-isolation.

We hope that our request will be heard by the Ministry of Corrections and Policing, the Ministry of Justice and Attorney General, and Public Prosecutions. The pandemic is not over and there will be more outbreaks in correctional centres. Anything short of a significant reduction in the inmate population for the entirety of this pandemic puts inmates, workers, families, and communities at undue risk.

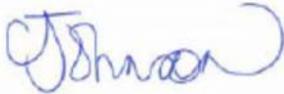
Yours truly,



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Legal Counsel for
Elizabeth Fry Society of Saskatchewan



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CLASSIC



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Executive Director
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This letter delivered with the assistance and support of:

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CC: The Honourable Scott Moe, Premier of Saskatchewan
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