

The Ion Scanner: Arbitrariness at the Front Gate

Over the last several months I have received many emails and telephone calls from visitors to federal prisons in which they painfully describe their experiences of being barred from visiting solely because of positive hits on the ioncan, in the absence of any other evidence suggesting that they are associated with illegal drugs or that they pose a risk to the security or safety of the institution. Contrary to the *CCR Regulations* and standing orders, in many of these cases visitors are neither given an opportunity to provide an explanation for the positive reading nor permitted to consent to a more complete search that would eliminate all suspicion. Even though a federal court judgement handed down last year (*Wedow v. Canada (CSC)* 2001 FCT 1427 (December 21, 2001)) unambiguously held that a visitor refused entry because of a "positive hit" is entitled to a written copy of the ionscan reading at the time of the refusal, at William Head Institution a request for a written copy of a positive hit was denied because it was deemed to be evidence!

Although William Head is not the only institution in which non-compliance with the law is evident, the use of the ionscan at William Head raises serious questions regarding the operational accuracy of the machines resulting in false positives, the consequential unfair stigmatization of visitors and the demoralizing impact on the prisoners. Recently, an elderly mother of a prisoner who was not otherwise suspected of drug involvement tested positive for cocaine. She was denied entry and several days later her son hanged himself. On September 22, three visitors, acting on the previous advice of a correctional officer, cleaned their personal possessions with Clorox wipes before entering the institution. Their keys and bracelets registered positive for LSD. One of the visitors asked that the Clorox wipe be tested to see if it was the culprit; the request was refused on the basis that only one item per person could be tested. On the same day, two Aboriginal elders and grandmothers, who were coming into the institution for a powwow, were refused entry when one tested positive for Ecstasy and the other for amphetamines. One of the visitors who was at the powwow sent me a letter that dramatically highlights the real victims of arbitrary correctional policies:

Dear Mr. Jackson,

As someone lucky enough to be living outside the parameters of the criminal justice system in Canada, I must object to how my tax dollars are being spent and how my children and grandchildren are being put in jeopardy by the punitive attitudes and practices of Corrections Canada. We have been misinformed. We understood our prisons were for rehabilitation and healing of prisoners and their families and not for retribution.

I visit William Head prison and participate as a volunteer in Creative Writing Workshops, Writing to the Light, in the hope that telling the stories may be healing to prisoners, many of whom have been disadvantaged by our social priorities, by unaddressed learning disabilities, poverty and abuse.

Many of these men are from the First Nations.

Last week-end, there was a pow wow at William Head. Elders from the Saanich Nation were invited to lead healing circles. Healing is critical at this time as the prison is downsizing and many inmates live in fear of being moved away from family and friends, their only connection to emotional support. Last week, there was a suicide that followed the rejection of one inmate's elderly mother, a very straight middle class lady, because she failed the ion test for drugs at the gate. This lady lost her pride when her son went to jail. The test took away her dignity. The aftermath took her son.

The ejection of the two elderly First Nations ladies who had come to help was an insult to their culture and another demoralizing experience for the inmates. In all, I believe, eleven people were rejected yesterday by a machine that, I have heard, is notoriously inaccurate. Mothers, wives, children and sisters, many of whom had travelled long distances to be with their loved ones in a positive setting, were humiliated. The healing day was a shambles. I saw men women and children in tears, and I wouldn't be surprised to see more suicides.

It is not the mandate of Corrections Canada to destroy families. This is a prescription for cultivating another generation of rage and despair.

I have decided to act because I perceive this system to be an attack on the family. I have no family in prison, by the grace of God, but I do belong to the human family and we are all responsible. Society prepares the crime, and the criminal commits it.

Thank you for listening,

Decisions made at the front gates of prisons are what criminologists refer to as "low visibility". One of the purposes of ***justicebehindthewalls.net*** is to make these decisions more visible and the authorities that exercise them more accountable to the Rule of Law. If you have had experience with the ionscan which you believe has resulted in unfair treatment, please send me an e-mail through the [Contact](#) section of this site detailing your experience.