



CRIMES OF DESPERATION

The truth about poverty-related crime

March 2008

IMAGINE THIS

A woman is riding the C-Train on a Thursday morning, perhaps on her way to work or school. She is caught riding without a ticket because she was unable to come up with the \$2.50 it costs to purchase one. For this she can be fined \$150.

If she cannot afford to pay the fine, and if she has been charged for any previous offences, she may not qualify for community service and may therefore be incarcerated at the Calgary Remand Center at a cost to the system of \$410 to \$690 per day. While incarcerated, the woman can “pay off” \$55 to \$75 of her fine each day. At that rate, it could cost up to \$1,400 to detain her long enough to pay off her original \$150 fine.

What if this woman is a single parent? Where will her children go while she is in the Remand Centre? So many single mothers living in poverty are socially isolated. Without a support system, the children of women who commit poverty-related crimes could well end up under the care of Child and Family Services.

If the woman is lucky enough to keep her job while incarcerated, the loss of income could spell disaster when rent comes due.

All because she was unable to afford a \$2.50 transit ticket.

This report focuses on two types of offences, failure to pay and theft under \$5,000. The project is the work of a collaborative group of stakeholders who, for a variety of reasons, have an interest in addressing poverty-related crimes and identifying solutions to reduce the number of women incarcerated for committing them. The solutions reflect their collective thoughts.



"I have 4 outstanding tickets for not buying a C-Train ticket. If I can't afford to pay my rent or my phone bill or feed my kids, where am I supposed to get money for a bus pass? So now there is a warrant for my arrest; if they catch me again I will go to jail."

Single mother of two

LOW-INCOME WOMEN ARE REALLY STRUGGLING

What we know is that a significant amount of crime committed by females is rooted in poverty and the costs to the individual, her children, and the system are significant.

According to the Elizabeth Fry Society of Canada (2007) 80% of incarcerated Canadian women are there for poverty-related crimes, 39% of which are for failure to pay a fine. Additionally, approximately 70% of incarcerated women are single mothers (Cassidy, 2007; Addario, 2002) struggling with the high cost of living. As a result, crimes of desperation are sometimes committed.

THE TRUE COST OF POVERTY-RELATED CRIME

The cost of poverty-related crimes to the system is staggering. Alberta has the most charges and incarcerations for failure to pay a fine among the Canadian provinces at a rate of 60.7 offences per 10,000 people in 2000. Based on Alberta's current population this translates into 21,165 people being incarcerated annually for failure to pay a fine. Even if all of these crimes were at the level of a transit pass failure to pay offence, the provincial costs for the incarceration of offenders of this crime would be approximately \$29,631,000 annually.

These costs might seem warranted if the goals of incarceration, to punish and rehabilitate the offender, were achieved, but they are not. Incarcerating a woman for a poverty-related crime does punish her, but the punishment is for being poor and trying to cope by using a socially inappropriate but readily available means. Given this, the rates of re-offence are significant and costly.

Incarceration of women, particularly lone parents, for minor offences, has serious social consequences. Many women who live in poverty are also socially isolated. Many lose their jobs, their homes and often their children when they are incarcerated.

WHAT'S TO BE DONE?

On the one side, there is an argument to be made for individual responsibility and consequences, 'if you do the crime, you should do the time'. On the other side, we must consider existing systems issues and inadequate policies. At the Calgary Remand Centre there are three women to a cell for as long as 23 hours per day, there are lengthy wait lists for addictions treatment beds, a serious affordable housing shortage and major disconnects between justice systems and community-based resources. These all require immediate action.

Incarcerated women are not separated by the severity of their crimes. An informal system endeavours to keep women who are in for minor infractions from sharing a cell with women who have been charged with more serious offences. But there is no guarantee, especially when space is limited.

This study examined the issue of poverty and its relationship to gender and crime, mapping the justice system from infraction to incarceration specifically for failure to pay and theft under \$5,000. Potential points for intervention and alternatives to incarceration for minor offences have been identified.

"The single parent, the impoverished person on welfare ... who doesn't even make enough to buy a bus pass, never mind feed four children, and pay rent, gas, telephone ... 'cause you need that at least. Never mind giving your kids cable, never mind bus passes."

Lone mother in Calgary

Given the emerging themes, recommendations have been developed in an effort to advance systems and policy reform in areas that could reduce or eliminate the number of poverty-related crimes being committed and the number of women incarcerated as a consequence of committing them.

Government Recommendations

- Reduce costs and strain on the system by diverting women charged with poverty-related offences to community-based supports rather than incarceration.
- Increase funding for community-based services to ensure adequate supports for women and their families including mental health services.
- Expand addictions treatment beds from 50 to 400 adult beds. Dedicate 50% of these to address women's needs.
- Increase and index social assistance payments to Low Income Cut-Off rates for families.
- Provide incentives for employers to support the transportation and child care needs of female employees.
- Increase peace officer training to enhance awareness of issues and service agencies.
- Revise the Crown Prosecutor's system to ensure seamless file processing.
- Implement a municipal, ethnoculturally appropriate human resources recruitment and retention plan for the judicial system to address current labour shortages.
- Eliminate the use of civil loss recovery strategies by retail security personnel and implement a code of conduct for security officers.
- Create a municipal task force to address the reduction of poverty-related crimes.

Program Funder Recommendations

- Adequately fund case management systems of support that are long-term, individualized, and based on coordinated services.
- Adequately fund niche organizations so they can enact a comprehensive community impact agenda.

Research Community Recommendations

- Create a Women's Studies Chair at a post-secondary institution with a research agenda around women, poverty, and crime.
- Complete a review of existing services for children of incarcerated women to ensure adequate supports are available.
- Investigate current processes as they apply to the protection of women who have shoplifted, who, because of previous violations, do not qualify for community service or alternative measures.
- Develop a directory of promising practices for community-based intervention and judicial reform including such possible options as night court.
- Review current justice and judicial policies and legislation to identify promising policy amendments to reduce the incarceration of women for poverty-related crimes.
- Research re-offence rates of low-income women who are unable to complete their sentence due to sometimes restrictive administrative requirements such as consistent attendance at probation appointments and the completion of 40 hours of community service despite child care issues.

Repeated incarceration is not always the result of the commission of a new crime. Many women fail to meet the conditions of their parole or probation when they encounter difficulty getting time off work or finding child care in order to meet those conditions on the expected schedule.

Typically the groups in Calgary most vulnerable to poverty and its effects include aboriginal, immigrant and lone parent families. Community supports compete for limited funding and staffing and the result is damaging to Calgary's most vulnerable populations. Those that need the most support are the hardest hit.



From Crime to Conviction

The consequences of poverty-related crime

Failure to Pay for Retail Items or C-Train Fare

Peace Officer Contact
Police, Transit or Bylaw Officer responds to illegal behaviour

Arrest
Woman is charged, arrested or issued a Summons, Appearance Notice or Recommendation for Alternative Measures Program

Failure to Pay
Woman is unwilling or unable to pay the fine or respond to the Summons or Appearance Notice

CONVICTION

SENTENCING

JAIL

It can cost up to \$1,400 to incarcerate a woman for the length of time it would take her to pay off a \$150 fine

FINE

If a woman is unable to pay the \$2.50 it costs to ride the C-Train, how can we expect her to find \$150 to pay the resulting fine?

PROBATION/ ALTERNATIVE MEASURES

For every \$1 spent on alternative measures we can save \$6 down the road

COSTS TO THE INCARCERATED WOMAN

- Loss of custody if there is no one to care for the children
- Risk of housing loss
- Loss of possessions if housing is lost while incarcerated
- Employment is put at risk
- Company Civil Recovery Action means another financial loss

CONSEQUENCES

- Up to 23 hours a day in cell with two to three other women
- 1 hour a day to access one of three available phones to connect with children, legal aid, support system
- Incarcerated with approximately 80 other prisoners in an institution designed for no more than 40
- Violent offenders and petty thieves jailed together



Poverty Reduction Coalition

The Poverty Reduction Coalition is a community collaborative, initiated and supported by United Way of Calgary and Area.



For the full version of this report or for further information, please contact us at (403) 410-2573 reducepoverty@calgaryunitedway.org or visit www.reducepoverty.ca.

c/o United Way of Calgary and Area, 600, 1202 Centre St SE, Calgary, AB T2G 5A5
(403) 410 2573, Fax (403) 266 1271