

I am a 28-year-old federal prisoner. My complaint is against Correctional Service Canada (“CSC”) for failing to provide me with appropriate (including culturally appropriate) mental health care or with access to my religious, cultural and spiritual practices, for using excessive and traumatic force against me, including when I am in emotional distress, and for holding me in conditions that exacerbate my mental health disabilities.

My background and history of trauma

I am Cree from the Piapot First Nation in Saskatchewan and I was born in North Vancouver. My mother and her family are residential school survivors. I am also Jewish. I have serious mental health issues and a history of childhood trauma and abuse. I have been in psychiatric hospitals and I have tried to kill myself many times. Sometimes I have needed blood transfusions as a result of self-harm. I also have a history of drug use.

This is my third federal sentence. I was in youth custody off and on starting around age 12, and I first came to federal custody when I was 18. I have seen and experienced a lot of violence, including being assaulted many times by other prisoners. Guards have used force against me a lot. CSC has not meaningfully helped me with or for the most part even acknowledged the trauma of these experiences.

My psychiatric diagnoses have included post-traumatic stress disorder (“PTSD”), schizoaffective disorder – bipolar type, attention deficit hyperactivity disorder and antisocial personality disorder. Among others, symptoms of PTSD include always being on guard for danger and angry or aggressive outbursts.

History of solitary confinement and maximum security placements

I am classified as maximum security. I have a history of long-term solitary confinement, including an approximately 7-month continuous segregation placement in CSC custody in 2012. This was an awful experience. I didn’t have a TV or radio to occupy my mind, and I remember only getting out of my cell for one 20-minute phone call every other day. The rest of the time I was locked in my cell with nothing to do. I was also in segregation for very long periods in provincial custody, where I tried numerous times to kill myself. Most recently, I was in the Structured Intervention Unit (“SIU”) at Kent Institution (“Kent”) in BC for about three months from approximately April 11 – July 2, 2020, where I rarely left my cell. I was also locked up a lot on units at Kent.

Inappropriate and harmful treatment for suicide and self-injury

Since I started my current sentence in November 2018, I have been moved back and forth numerous times between maximum security institutions and CSC treatment centres for self-harm and suicide attempts. I have swallowed glass and razor blades, climbed the razor wire, tried to hang myself, refused blood transfusions and gone on hunger strikes to try to kill myself. I have been placed in Pinel restraints several times. I am not aware of ever having a full psychiatric assessment in CSC custody, even though the psychiatrist has questioned some of my historical diagnoses. CSC mental health staff have labeled my behaviour as manipulative. My medications have been changed multiple times against my will, causing me to destabilize. I have not met with a psychiatrist in about six months even though I have been self-harming so severely that I have almost died and I am hearing voices.

I have been placed in isolation cells (known as observation cells) on suicide watch, including at Kent, where I am stripped of my clothing and placed in a suicide smock. Sometimes I don’t even have a mattress. I don’t have any belongings. Rarely, I will get a book. One hour can feel like a whole day when you’re in conditions like that. Sometimes they say I have to spend the weekend in observation, since there are no mental health staff around, and get assessed by the doctor on Monday. A weekend can feel

like forever and it makes me feel hopeless. It makes me feel worse than I did before and want to kill myself more. But I know if I try to do something I could be strapped to a Pinel board. It also makes me not want to tell anyone when I'm feeling suicidal because of what might happen.

I have also been held in conditions of isolation and deprivation at CSC treatment centres, including the Regional Treatment Centre ("RTC") in BC, where I was denied clothing, books or pens (which prevented me from filing grievances) and I was not given shoes (only sandals) or warm clothing, even though it was winter. I could not go outside for fresh air and I had very little meaningful human contact. Some of the officers antagonized me, including by telling me they hoped I would die. When I asked for a copy of my treatment plan, staff told me they did not have it.

Traumatic uses of force against me

Guards have used force against me several times when I have self-harmed. For example, in early January 2020, I was taken to outside hospital after I self-harmed, and when I got back to Kent the warden ordered that I be placed in Pinel restraints. I didn't see why this was necessary and it felt very unfair. The Emergency Response Team ("ERT"), which is like a riot squad, put me in Pinels, which made me feel a sense of hopelessness. After about three hours they finally let me use the washroom and afterwards I refused to be strapped down again. They hosed me down with pepper spray. I tried to pull the sprinkler to wash myself off but they cut off the water. They took me to the shower and I swallowed a razor blade and broken glass. Instead of taking me to the hospital, the ERT put me back in the Pinel bed until the next morning. When I told a nurse I had to urinate, she brought a jug and -- without my consent -- forcibly put my penis in the jug, even when I said no. I have a history of being sexually abused and this was extremely traumatic. I was not allowed to go to the bathroom myself and I eventually soiled myself with urine and feces. It was several hours before I was allowed to clean myself. I was so distressed that I flipped the Pinel board over twice, hitting my head on the ground. At some point I began spitting up blood. No one took me to the hospital for an x-ray or examination. I am still haunted by this experience.

When I was at Saskatchewan Penitentiary around September or October 2019, I was in segregation. A bunch of us had our windows blocked. Even though I had taken my blocker down, the ERT cell extracted me as I was trying to go to sleep. They brought me to an area to do a strip search, but when I refused to spread my buttocks cheeks, the ERT started grabbing me from different angles and forcing my legs apart. They did this a second time later the same week. I told them I did not consent. This was extremely traumatic and afterwards I was so stressed out and paranoid, constantly waiting for the ERT to come back. I couldn't sleep for days. They checked my blood pressure and my heart rate and healthcare wanted to send me to the hospital because they were worried I might have a heart attack.

When I was at the CSC Regional Psychiatric Centre, I was certified under the Saskatchewan *Mental Health Services Act* on or around April 12, 2019. They said I was unstable and wanted to give me an injection, but I refused. The ERT came and emptied a huge quantity of pepper spray on me, put me in a suicide cell, and forcibly injected me. I didn't get medical treatment for four days after that.

Lack of access to my cultural and healing practices

Despite experiences like the one with the ERT, I liked being at RPC because I got to go to the cultural centre and participate in talking circles. The Elders would let me stay there sometimes to be away from the officers. I also got to start taking correctional programming (I have been referred to the Aboriginal multi-target high intensity program), but then I was transferred out of the treatment centre and then to Kent, where they do not offer this program.

At Kent, where I was moved around the beginning of November 2019, I have had almost no access to my Indigenous culture or practices. I occasionally got to talk to an Elder but I didn't connect with them. It's hard for me to trust and open up to people. I have only been offered one sweat since I arrived at Kent. I signed up to go but they said I missed movement so I wasn't able to attend.

I have also had a hard time practicing my Jewish traditions, including getting Kosher food, seeing a Rabbi and celebrating Jewish holidays. On several occasions I have gotten expired Kosher meat.

Current circumstances and ongoing discrimination

I have a hard time being on regular units at Kent. I struggle to cope with all the pain and suffering and end up using drugs and smashing things.

In April 2020, I ended up in the SIU, where I was for about three months. I was barely leaving my cell. An Independent External Decision Maker reviewed my SIU placement and concluded: "[t]here is a strong probability that, should serious intervention not be taken, [Ms. Dinardo] will die in jail as a result of a successful suicide, or that she will enter back into society with the same issues that brought her there." He also recommended I "be placed into an environment where [my] mental health issues can be given serious and thoughtful consideration, and that a successful treatment regime be developed" and that I be offered immersive cultural programming.

On or around July 2, 2020, I was in my SIU cell and I was trying to make a legal call, but officers tried to grab the phone away with force by pulling the cord. It caused a friction burn under my arm, and when I wouldn't let go they hit me on the head with a baton through the food slot. When I put my hands out of the food slot and asked to speak to a correctional manager, officers hit them with the baton and tried to force my hands back in. They slammed the food slot on my fingers, pulling the skin off of two of them. After that, I made a big cut to my arm that bled a lot and swallowed a razor blade. The ERT took me to the hospital, where I swallowed another razor blade, and then to RTC.

A few days later, on July 9, 2020, CSC forced me to go back to Kent, but I couldn't handle the idea of being on a unit. Officers shot me with tear gas and shot me in the face with an impact round. They put me in an observation cell, where I cut myself and was bleeding profusely. I was ultimately taken back to RTC, where I am now. This is my sixth or seventh time at RTC since December 2019. I don't know yet if I'll be allowed to stay or if I'll be sent back to Kent.

I have tried to request accommodation of my mental health and cultural needs, including with the help of Prisoners' Legal Services. It is difficult for me to write complaints about how I am being treated because I have a hard time with spelling and with concentration, and CSC does not offer any way for me to file official complaints verbally.

I will not be able to cope if I get sent back to Kent. I would like to stay at RTC or go to an Indigenous unit, a community hospital or an Indigenous healing lodge. My statutory release is March 2022 and I am worried that I will not be ok when I get out.