

1 MS. MONTURE

2 Thank you.

3 MS. DERRICK

4 Nothing arising out of that.

5 MR. COMMISSIONER

6 Well, I'll thank you as well.

7 MS. MONTURE

8 Thank you very much.

9 _____
10 MR. COMMISSIONER

11 Now, do you have the next witness?

12 MS. DERRICK

13 Yes. Mike Grattan.

14 MR. MIKE GRATTAN (Sworn)

15 DIRECT EXAMINATION BY MS. DERRICK

16 Q. Your name is Mike Grattan?

17 A. Yes, it is.

18 Q. And is that G-R-A-T-T-A-N?

19 A. Yes, it is.

20 Q. Mr. Grattan, in 1971 you were sentenced to life, is
21 that correct?

22 A. Yes, it is.

23 Q. And how old were you when you were sentenced?

24 MR. COMMISSIONER

25 1971?

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 MS. DERRICK

2 Yes.

3 BY MS. DERRICK

4 Q. How old were you when you were sentenced?

5 A. 15.

6 MR. COMMISSIONER

7 That was 15?

8 MR. GRATTAN

9 Yes, sir.

10 BY MS. DERRICK

11 Q. And how many years did you serve before you were
12 released?

13 A. Approximately 11.

14 Q. When was it that you were released?

15 A. In 1981.

16 Q. Where did you serve your time?

17 A. Dorchester at first and then Springhill Institution
18 for the most part.

19 Q. What is the security level at Dorchester?

20 A. Maximum security.

21 Q. And at Springhill?

22 A. Medium security.

23 Q. Can you tell us how you felt arriving at Dorchester
24 to serve your life sentence, when you actually
25 walked in the door?

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 A. Very frightened, very afraid, very unsure stepping
2 into the unknown. It's a massive structure and it's
3 very bleak and very forbidding.

4 Q. What process were you put through when you arrived
5 there?

6 A. Basically, a haircut, being stripped of the clothing
7 that I came in with, being given uniform clothing
8 several sizes too large, then being marched through
9 the yard of the prison to a cell and locked in.

10 Q. And was this in the general population that you were
11 placed?

12 A. Not initially. Initially, it's in a reception area
13 which is segregated from the general population.

14 Q. And how long were you at this reception area?

15 A. About 2 or 3 months.

16 Q. I take it that that's an institutional term, is it,
17 that it's called the "reception area"?

18 A. It's called "reception".

19 Q. So, after 2 or 3 months, were you then placed in the
20 general population?

21 A. At that point, I was supposed to be placed in the
22 general population and was shipped to Springhill.

23 Q. When you were serving time at Dorchester, what did
24 the population consist of, the population of the
25 prison itself?

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 A. Approximately 300 men.

2 Q. And how many guards?

3 A. I would say there would be one for every two
4 prisoners. I'm not certain on that.

5 Q. And what was the atmosphere like in the prison?

6 A. Extremely cold, extremely gray, if I can use a color
7 to describe it. I think gray describes it very
8 well. Gray walls, gray cement floors, gray bars,
9 gray cell doors, gray-faced people, gray food.
10 Everything was extremely monochrome.

11 Q. And what did it feel like? What was the atmosphere
12 amongst the people there?

13 A. Extremely tense. I had arrived there right after a
14 riot. There was a lock-down in progress, which
15 means that all the inmates were locked in their
16 cells almost 24 hours a day and for many of them it
17 was 24 hours a day for long periods of time, weeks
18 or months.

19 Q. And what would happen during the course of a
20 lock-down?

21 A. Very little, actually. You would be placed in a
22 cell and kept there and your meals would be brought
23 to you, sandwiches or whatever, and you would remain
24 there until the lock-down was lifted.

25 Q. Did you get to exercise?

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 A. There was no exercise, no.

2 Q. Did you get to go to work?

3 A. There was no work.

4 Q. Did you get to do any form of recreation?

5 A. No.

6 Q. And I think you've just said you had your meals
7 brought in to you, you didn't get to go out to
8 meals?

9 A. That's right. No.

10 Q. You started to say that the atmosphere at Dorchester
11 was very tense because there had just been a riot.
12 Can you describe what sorts of things contributed to
13 the tension in the atmosphere?

14 A. The very feeling that something was about to happen,
15 that something bad was going to happen, because
16 nothing good happens, it's always something bad,
17 creates the tension itself and then the tension just
18 keeps building until it explodes somehow and, when
19 it does explore, it's a relief.

20 Q. And what would precipitate these explosions?

21 A. Quite often it could have been an incident between
22 inmates, it could be an incident between an inmate
23 and a guard, it could have been simply somebody
24 blowing up, blowing off steam, if you will,
25 releasing the energy that they had.

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 Q. And what was the atmosphere like once there had been
2 such an explosion?

3 A. Well, immediately there's a repression that follows,
4 eh? If anybody explodes like that or "flips out",
5 as we called it, any kind of action of that nature
6 is seen by the administration as very dangerous, so
7 they clamp down even harder, which increases the
8 tension and makes the next explosion that much more
9 inevitable.

10 Q. And how do they clamp down? Short of a lock-down,
11 what sorts of other things would happen?

12 A. Generally, by placing people either in solitary
13 confinement, which they call disassociation or
14 segregation for various periods of time, and other
15 punishments as well, loss of recreation, that sort
16 thing.

17 Q. And how would the inmates be affected by this sort
18 of thing, the loss of privileges, the removal of
19 people to disassociation?

20 A. It increases their tension, their fear, it makes
21 them wonder if they're next. "Who are they going to
22 grab next? Is it going to be me? Is it going to be
23 the guy in the next cell to me? Will they come for
24 me at 3 o'clock in the morning," because they do
25 that occasionally, "Will they just pull me out of my

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 cell and drag me down the hallway? Will they gas
2 us? Will someone get shot?" Those are all
3 possibilities and they're all very real.

4 Q. Did you witness actual violence in prison?

5 A. Yes.

6 Q. And what kinds of violence?

7 A. Beatings, stabbings, frequently physical assaults of
8 various kinds, sometimes tear gas.

9 Q. Where would these assaults take place?

10 A. Generally, in an open recreation area. In
11 Dorchester, the gymnasium which is where all the
12 recreation took place except for the inside yard,
13 the yard of the prison itself, which was basically
14 just a baseball field. The gymnasium is where the
15 weight pit was. There were killings in the weight
16 pit, people beaten to death with steel bars.

17 MR. COMMISSIONERS

18 You mean by prisoners?

19 MR. GRATTAN

20 By prisoners, yes, by prisoners.

21 BY MR. GRATTAN

22 A. There were other incidents as well where things took
23 place in the gymnasium. There were people shot in
24 the gymnasium while I was in Dorchester. That was
25 by the guards and as a result of a riot situation

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 that they saw.

2 Q. How were inmates affected personally by -- and
3 perhaps you can use yourself as an example -- by the
4 witnessing of violence or the knowledge that there
5 was violence going on?

6 A. It's very, very frightening and it makes you pull
7 into yourself quite a bit, but at the same time it's
8 the nasty thing that you've been waiting to happen,
9 it's the storm that the thunder has been building up
10 to that finally takes place and the lightening
11 strikes and there's almost a breath of relief for a
12 moment that this terrible thing has just happened
13 and then the process begins again.

14 Q. And is part of the terrible relief the fact that it
15 didn't happen to you on that occasion?

16 A. Yes, it is, certainly.

17 Q. Other than aggressive or violent contact in prison,
18 is there any other physical contact?

19 A. Not much. To touch another person is not something
20 one does spur-of-the-moment. You walk around with a
21 sort of zone of invulnerability around you, if you
22 want, where nobody is supposed to come in that area.
23 If they get in your space -- the old prison saying
24 is, "If you get in my space, you get in my face,"
25 and that's seen as a very negative thing, it's an

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 assault, it's an invasion, and it's seen as a
2 physical attack.

3 Q. Even if it's a mere touch, is that ---

4 A. Even if it's a mere touch, even if it's not a touch,
5 even if it's just somebody stepping up too close to
6 you.

7 Q. I think you've told us -- it's contained in one of
8 your previous answers -- that there were weapons in
9 Dorchester of various kinds?

10 A. Yes.

11 Q. What were they and who had them?

12 A. Well, starting first and foremost, the guards were
13 armed with rifles and shotguns and tear gas guns and
14 whatever else they needed, I'm sure, clubs. Some of
15 the inmates were armed, some of the prisoners had
16 knives that they had made themselves, others,
17 sticks, bits of wood, whatever they could find.

18 Q. And were these weapons kept in an inmate's cell or
19 were they hidden on their person?

20 A. Sometimes. They would have to be hidden at any
21 cost. If you were caught with one, you were placed
22 in disassociation.

23 Q. So, when you were in the general population, you
24 wouldn't know whether the person next to you might
25 have a knife hidden somewhere?

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 A. No idea. You would assume that everyone next to you
2 had a knife on.

3 Q. Mr. Grattan, can you tell us what Dorchester smelled
4 like?

5 A. It smells terrible. It's an antiseptic, cold stone,
6 sweaty smell with overtones of ammonia, acids and
7 urine. It's a horrible smell.

8 Q. And it consistently smelled like that?

9 A. Always.

10 Q. What did it sound like?

11 A. Noisy, extremely noisy, with a heavy metallic
12 harshness.

13 Q. And where was the sound coming from? What generated
14 it?

15 A. All around the place, the gates, doors, cell blocks,
16 people banging things, doors opening and closing,
17 gates closing, the wheels spinning when they locked
18 the doors. Everything is metal, everything is
19 concrete, everything is steel, so no matter what you
20 do that's what it sounds like. And footsteps.
21 Always footsteps.

22 Q. And was the sound a constant -- was it a constant
23 noise?

24 A. 24 hours a day.

25 Q. So, at night as well?

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 A. At night as well, but lesser. There were different
2 sounds at night.

3 Q. What were some of those different sounds?

4 A. Screams, cries for help, moans, wimpers, people
5 laughing maniacally, people having nightmares,
6 people banging their heads against the cell bars,
7 people calling for the guards, people screaming at
8 the guards.

9 Q. Would those noises carry on throughout the night or
10 would there be period of lull when the noises would
11 stop and peace would descend on the institution?

12 A. I can't remember any time when it was really quiet
13 or peaceful in Dorchester.

14 Q. In the whole time you were there?

15 A. In the whole time I was there.

16 Q. What about at Springhill?

17 MR. COMMISSIONER

18 May I ask how long were you at Dorchester?

19 MR. GRATTAN

20 I was at Dorchester approximately 3 months.

21 MR. COMMISSIONER

22 And then you went to Springhill?

23 MR. GRATTAN

24 And then I went to Springhill ---
25

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 MR. COMMISSIONER

2 And you stayed there?

3 MR. GRATTAN

4 --- for the remainder of my sentence, yes.

5 MR. COMMISSIONER

6 Thank you.

7 BY MS. DERRICK

8 Q. What about at Springhill, what was the noise level
9 like at Springhill?

10 A. It's a different atmosphere because it's open and
11 there are four separate buildings in which the men
12 live. So, each building is slightly different, but
13 I know from myself and from other people there that
14 it was equally noisy and the only slight difference
15 being that there are fewer doors to open and close,
16 so there's a slight lowering of the noise factor and
17 that there's tile on the floor rather than concrete
18 and that the stairs are made of terrazzo rather than
19 steel, galvanized iron or whatever. So, there's a
20 little bit less of noise than in Dorchester, but
21 it's a different noise, it's a different sound.

22 Q. Was it consistent the way the noise was at
23 Dorchester?

24 A. Pretty well, there was noise all the time. It
25 wasn't quite so severe and it wasn't quite so

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 long-lasting and there were small periods of lull.

2 Q. At night?

3 A. At night.

4 Q. Were there still noises of other prisoners screaming
5 and yelling and banging at their cells?

6 A. Yes.

7 Q. Mr. Grattan, what was the food like in prison?

8 A. Very dull, very bland, very much like the prison
9 itself, gray, and basically tasteless and
10 unappetizing.

11 Q. And at Dorchester, for example, was there a choice
12 as to what you were fed?

13 A. No. You got what was on the tray or you didn't eat.

14 Q. And what about at Springhill?

15 A. You took what was there or you didn't eat.

16 MR. COMMISSIONER

17 You had a choice, take it or leave it?

18 MR. GRATTAN

19 Or leave it, yes, exactly.

20 MR. COMMISSIONER

21 I don't wish to interrupt you, but what about the
22 weapon situation at Springhill vis-a-vis Dorchester?

23 MR. GRATTAN

24 Well, I'm going back some years. This would be --
25 when I arrived in Springhill would be in late summer

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 of 1971 and there were -- all the prisoners who were
2 in Springhill at that time had done at least one
3 dit, one sentence, in a Federal penitentiary, in a
4 maximum security, all of them that I knew were
5 armed.

6 MR. COMMISSIONER

7 Um-hmm.

8 MR. GRATTAN

9 There were no stabbing incidents in the early years
10 that I was in Springhill, largely because everyone
11 assumed everybody else was armed.

12 MR. COMMISSIONER

13 And what about later years there?

14 MR. GRATTAN

15 There were some incidents.

16 BY MS. DERRICK

17 Q. Mr. Grattan, I was asking you about noise at night.

18 At Dorchester, what was the lighting like at night?

19 A. Well, you couldn't get away from the light. It was
20 like that. It was in your face all the time. If
21 you were in the old dome, which is the oldest part
22 of the penitentiary, there are great big windows and
23 the search lights from outside shine through those
24 windows into your cell. As well, there are lights
25 called police lights which are left on so that the

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 guards can monitor your movements. Besides that,
2 the guards have flashlights and they shine them on
3 you to make you move so that they can see if you're
4 alive or dead.

5 Q. And the police lights, where were they located?

6 A. They were set inside the cells, generally recessed
7 and covered so you couldn't smash them.

8 Q. And were they on all the time?

9 A. Well, generally. They were supposed to be. In some
10 cases if it was a good guard on, he might turn them
11 off so you can get some rest. But a lot of the
12 times they were left on. Certainly, in the hole and
13 during lock-down situations they were left on.

14 Q. At night when you would try to go to sleep then,
15 what was the brightness level in your cell? Could
16 you have read a newspaper?

17 A. Oh, I frequently did, I frequently read quite late
18 at night just by the light coming in through my
19 window.

20 Q. Without your having to turn on or activate any other
21 light?

22 A. Without my having to activate any light at all.

23 Q. What about at Springhill, was the same true there?

24 A. At Springhill, you have control over your light
25 system. They do as well. There's a master switch

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 set up down in the control for the guards to use,
2 but generally they left the other controls in your
3 hands. However, the light switch for the police
4 light is outside the cell. So, when you were locked
5 in, quite frequently they would leave the light on.
6 When turning it on to do the count, which is every
7 hour or so, they would turn that light on and
8 sometimes forget it on deliberately and sometimes
9 forget it on just by accident.

10 Q. So, it would get left on even after the count had
11 been finished?

12 A. Yes.

13 Q. What about counts? What are they and how often did
14 they occur?

15 A. A count is both a security check and a safety fire
16 check that the guards conduct on a regular basis.
17 Usually, it's around every hour at night. They vary
18 the times, they stagger them a bit so we don't hear
19 them coming or see them coming, supposedly. There
20 are other set times through the day when they count,
21 when men go to work, when men come from work, when
22 men go to meals, when they return from meals, and
23 before they go to recreation and before they're
24 locked in their cell blocks or units for the night.

25 Q. You mentioned a few minutes ago about counts every

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 hour. I'm sorry, I didn't catch -- which
2 institution did that happen at?

3 A. That would be Springhill, but Dorchester also. They
4 would be counting very frequently in Dorchester.

5 Q. Can you tell us what a routine day was like and how
6 it was organized?

7 A. Is this in ---

8 Q. And if there's a difference between Dorchester and
9 Springhill, perhaps you could do each one
10 separately.

11 A. In Dorchester when I was there, as I said, there was
12 a lock-down situation, so I really didn't see a
13 normal day.

14 Q. In the entire 3 months you were there?

15 A. No, I saw no normal day there at all. They locked
16 us up, people were locked up almost all the time.
17 Those of us in reception were allowed out for 2 or 3
18 hours in the afternoon for recreation, but all the
19 population were locked up, and when we were let out
20 we were taken downstairs and we would march down and
21 pick up our meal, our supper meal, and march up and
22 take it back to our rooms and be locked in with our
23 food. Springhill I know much better because I was
24 there much longer. It was a different situation.
25 You would get up in the morning at 7:00 when they

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 would yell, "Time to get up", they would open the
2 cell doors electronically, so they would all buzz,
3 click, and then snap open. They would slam the gate
4 shut at the end of the range. Their gates are very
5 much like the ones in Dorchester, but they're made
6 to look a little bit more artistic, sort of like
7 cloisonné work in jewelry, and ---

8 Q. Sort of more intricate?

9 A. Yes, more intricate, and they would slam those shut
10 to hold you on the range after they open the cell
11 doors. Then you would wait range by range until
12 they called, "First call for dinner", "Second call
13 for dinner", or whatever. When I first got there,
14 it was called "First Feeding", "Second Feeding".

15 Q. And that was what was announced, was it?

16 A. That's right, yes, "First Feeding".

17 Q. And you went according to range?

18 A. You went according to range, generally half a unit
19 at one time, either the upper tiers or the lower
20 tiers.

21 Q. And how many men at one time are we talking about
22 now?

23 A. 50.

24 Q. 50?

25 A. Yes, depending on the population of the prison at

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 the time. In the early 70's, the population in
2 Springhill was quite low compared to what it is now,
3 so there would probably have been maybe 35 or 40 at
4 any one time.

5 Q. And did you go to a central eating area?

6 A. Yes, we did, a dining hall.

7 Q. And just keep walking us through. What, you'd have
8 your meal, your breakfast?

9 A. They would call "First Feeding" and announce which
10 ranges were going, "A", "B", "C", "D", "E" or "F",
11 and we would march down two-by-two, supposedly
12 silently, shirts buttoned, coats buttoned. We would
13 march through the walkway, which is a tunnel about a
14 quarter of a mile long that leads through the heart
15 of the institution itself to the dining hall. The
16 gymnasium was on one side, the officers' dining hall
17 on the other side, and then the inmates' dining hall
18 next to that. There were two dining halls for the
19 prisoners.

20 Q. And this was a cafeteria style dining hall?

21 A. Cafeteria style, 4 chairs to a table.

22 Q. So, you'd get your tray, have your breakfast,
23 and ---

24 A. Take the tray to the dish room, hand it in to the
25 people who were cleaning off the trays, and then you

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 would go back to your unit and await a call for
2 work.

3 Q. And how did you get back to your unit? Did you go
4 back in an orderly crocodile ---

5 A. Generally walked back as you finished your meal.

6 Q. As you finished, I see. And then you would wait
7 inside your cell for your call?

8 A. For a count. They would count, yes. And then they
9 would call, "Time for work" between 8:00 and 8:15,
10 and everyone was due to be at work at 8:30.

11 Q. And you would go then to the part of the prison
12 where you were designated to work?

13 A. Yes, whatever shop or area.

14 Q. How did work get -- how did you get chosen to do
15 certain kinds of work?

16 A. They decided what you did.

17 Q. I see.

18 A. "You will do this," and that's what you did.

19 Q. And when you were serving time at Springhill, what
20 were the range of options that they could choose for
21 you?

22 A. They went generally in the most part from cleaning
23 to working in the industrial shops. The industrial
24 shops would involve sheet metal, carpentry and
25 painting.

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 Q. And what sort of work was being done in these shops?

2 A. Not much, make work generally. The cleaning jobs,
3 of course, were just mopping and cleaning. The
4 industrial shops were not at that time really
5 putting out any output, that was not expected. They
6 had things to keep you occupied and the idea was to
7 keep as many inmates occupied and out of mischief as
8 possible.

9 Q. And what kind of work did you do?

10 A. Initially, when I went there, because of my age and
11 because of my lack of work experience, they didn't
12 know where to put me, so they put me in the industrial
13 paint shop, sign painting shop, and I worked there
14 fetching and carrying stuff for the guys who were
15 doing sign painting basically as a helper, and I was
16 there for a while and then I was moved into a
17 cleaner's job in the offices of the industrial shops
18 sweeping the offices and the shops.

19 Q. And did you do that for 8 hours a day? Was that the
20 work day?

21 A. Well, the full work day in the prison is less than 8
22 hours, it's more like 6.

23 Q. Yes.

24 A. 3 in the morning, 3 in the afternoon, because the
25 counts and meals take so long.

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 Q. And when did the work day finish?

2 A. Around 4:30.

3 Q. They would yell, "Down tools" and "Clean up shop"
4 and people would clean up the shop one last time.
5 They would then do a check to make sure that there
6 were no tools missing, then everybody would leave
7 the shops and go back to their unit for a count. As
8 soon as you got in the unit, they would count you.

9 Q. And what time of day was that then?

10 A. 4:30, quarter to 5:00.

11 Q. Did you then have your evening meal?

12 A. At 5 o'clock or so.

13 Q. And did you go to your evening meal in the same
14 fashion that you've described going for the morning
15 meal?

16 A. About the same. They would call, you know, "First
17 feeding for supper" and people would march down to
18 get their meal, whichever ranges they were on. It
19 would usually be, "First feeding, 'A', 'B', and
20 'C'."

21 Q. And I've just got a question about working in prison
22 and it may sound like a stupid question. But were
23 there vacations?

24 A. No, there were no vacations.

25 Q. So, during the term of your sentence when you were

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 in there, did you work steadily throughout every
2 day, 5 days a week, week after week?

3 A. Yes, unless there was a lock-down.

4 Q. I see.

5 A. That's the only exception.

6 Q. Or sickness?

7 A. Sickness, yes. You could go to the hospital and
8 maybe get the day off.

9 Q. What about if you just said, "I'm fed up, I don't
10 want to go to work today"?

11 A. You went to the hole.

12 MR. COMMISSIONER

13 You had lunch, though, didn't you?

14 MR. GRATTAN

15 Pardon?

16 MR. COMMISSIONER

17 Didn't you return? Didn't you have lunch?

18 MR. GRATTAN

19 Oh, yes.

20 MR. COMMISSIONER

21 You talked about breakfast and dinner, but I didn't
22 hear anything about ---

23 MS. DERRICK

24 Sorry. No, he did -- Mr. Gratton did mention about
25 counts and dinner time taking up some time during

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 the day.

2 MR. COMMISSIONER

3 Yes.

4 BY MS. DERRICK

5 Q. But to follow up on that, you would in the middle
6 of the day go and have lunch in the same cafeteria?

7 A. Exactly the same way.

8 Q. From your work site?

9 A. Well, you would come back from the work site, back
10 to the unit, be counted again ---

11 Q. Oh, I see.

12 A. --- then go to eat and come back from your meal and
13 go right to work.

14 Q. I see. At the end of the day after you had had your
15 evening meal and you had returned to your cell area,
16 what would the evening be like?

17 A. After supper, there's another count before
18 recreation is opened. If there were no incidents or
19 problems in the prison, they would open recreation
20 between 6:00 and 6:15. They would announce, "Yard
21 is open", if the outside yard was open, and people
22 would then go out and play baseball or lift weights.
23 That's about the only choice there was.

24 Q. Play baseball outside and lift weights inside?

25 A. Outside at that time. They had the weights outside

MR. GRATAN, DIRECT EXAM. BY MS. DERRICK

1 a -- well, they called it the "weight pit". And in
2 foul weather, supposedly we would use the gymnasium,
3 though sometimes that didn't apply and instead they
4 would just show a movie, in which case that would be
5 the whole population jammed into a very small
6 gymnasium to watch a film.

7 Q. And we're talking about Springhill now, are we?

8 A. Springhill. This is Springhill.

9 Q. Did everybody recreate together?

10 A. Generally. There was no division there. In
11 Dorchester, there is a division ---

12 Q. Yes.

13 A. --- not all the guys would get out for recreation at
14 the same time. In Dorchester, they divided up
15 according to block, each block alternating. One day
16 it's my turn for recreation, the next day it's the
17 block that my buddy might be in, so I might never
18 get a chance to spend time with a friend or talk
19 about something with someone from another block
20 except if we met at the hospital or somewhere like
21 that.

22 Q. And how long did recreation go on for in the
23 evening?

24 A. Springhill or Dorchester?

25 Q. Taking Dorchester first.

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1 A. Well, in Dorchester, very short, like 2 hours. At
2 that time, there was almost no recreation because of
3 the lock-down. In Springhill, recreation goes from
4 6 o'clock till 9:30, quarter to 10:00 when they
5 would close the yard and they would announce, "Yard
6 closed, go back to your units", and the inmates
7 would go back to their various units and there would
8 be a count at 10 o'clock to make sure no one had
9 escaped.

10 Q. And staying with recreation for the moment, in the
11 dead of winter when there was snow on the ground and
12 it was, you know, 6 o'clock at night, what
13 recreation was available?

14 A. In the early years, they left the outside yard open
15 and the inmates themselves went out and with their
16 own labour built a skating rink or a hockey rink and
17 they played hockey and things. In the later years,
18 the guards got tired of going out in the cold to
19 watch us, because we had to be observed while we
20 were out there, so they closed the yard in late
21 September and it's not opened again until the
22 following May or June.

23 Q. So, when you say "the later years", when did that
24 start to happen?

25 A. I would say around 1978 or 1979.

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1 Q. And what did that mean then about inmates getting
2 outdoors?

3 A. It meant you didn't get outdoors except to walk from
4 your living unit to the gymnasium, which at that
5 time was a bigger gymnasium that had been built.

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1 Q. If you didn't want to go to recreation, because you
2 wanted to stay in your cell and write a letter to your
3 girlfriend, or whatever, what happened? Were you able
4 to exercise that option?

5 A. Oh, yes. If you wanted to stay in, there was no
6 problem there. In fact, many people did. Lots of
7 people preferred to just do that.

8 Q. And you would be locked in?

9 A. In Dorchester, you would be locked in. If you didn't
10 go to recreation, you were locked down. That's all
11 there was to it. In Springhill, no. You are in your
12 living unit. But you're free to come and go from that
13 unit to say the Chapel, the library, the recreation
14 areas. In Dorchester, you could not do that.
15 Everything was on a pass system, as we've already heard
16 from Doctor Monture.

17 Q. And what did that involve, the pass system?

18 A. Well basically, you were given a little slip of paper,
19 say to go to the hospital. And you would ask your boss
20 in your shop. You'd say, "Look, I'm sick. I need to
21 go to the hospital." And if he felt that it was
22 justified, he would give you a slip of paper, signed
23 by his name, with the time when you left the shop. You
24 would take that to the hospital. On the way, you would
25 stop off at the control, and show it to the keeper.

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1 The keeper would initial that, put the time that he saw
2 you, and you would take it on to where you were going,
3 your destination. Once you got there, you would have
4 it signed. And then you would bring it back with you
5 when you returned, and have it signed again. So you
6 had to have the average piece of paper, just a little
7 slip, signed about six times. Initially, in
8 Springhill, they used the same system, though it was
9 a medium security. They used that for years and years,
10 until the guys started forging the slips. And then
11 they decided they would eliminate them.

12 Q. I think when we left you, in the sort of routine day
13 at Springhill, it was 10 o'clock at night, and there'd
14 been a further count.

15 A. The last count of the open period, yes.

16 Q. And when what would happen?

17 A. Then they would generally call, "Time for lock-up," at
18 a quarter to 11.

19 Q. What happened between 10 and quarter to 11?

20 A. The guys would be usually just hanging around the unit,
21 because you couldn't go outside, at that point. The
22 doors were locked -- the outside doors. So you're
23 still in the unit. There's two T.V. rooms. Or there
24 were at that time, two small T.V. rooms. You go watch
25 television. Or you could just sit on your range and

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- 1 play cards, or talk to people, or stay in your cell.
- 2 Q. And then at quarter to 11, what happened?
- 3 A. They would call, "Time for lock-up. Go to your cells."
- 4 Q. And you'd go into your cell and be locked in?
- 5 A. You would go to your cell and lock yourself in.
- 6 Generally, in Dorchester, you go in, and they turn the
- 7 big wheel. And it locks everybody's door. In
- 8 Springhill, the doors are all individual. And to lock
- 9 them, they can't be locked electronically. They have
- 10 to be locked manually. So you are required there, to
- 11 lock your own door.
- 12 Q. And then are you expected to settle down for the night
- 13 and go to sleep, or could you read?
- 14 A. You're free to do what you want, as far as that goes,
- 15 in terms of reading or sleeping. If you wanted to try
- 16 sleeping, it's kind of hard because, as I said, there
- 17 is noise. So generally, a lot of guys would stay up
- 18 later, until things would start to quiet down a little
- 19 bit. Or if you wanted to do like I did, I used the
- 20 night as my time to study and read, because it was a
- 21 little more quiet than the day.
- 22 Q. And what you've described, I take it, was a routine
- 23 work day, a Monday to a Friday?
- 24 A. Identical. Monday to Friday.
- 25 Q. And would that replay itself, day after day, week after

1 week?

2 A. Yes.

3 Q. What about on the weekends? Were there differences,
4 in terms of what the routine was like on the weekend?

5 A. Very slight differences. Breakfast is at eight
6 o'clock. They would open the doors at eight, which is
7 an hour later. They would yell, "Breakfast," and
8 that's all. Just the one word. And if you got up at
9 that point and went down to breakfast -- they didn't
10 send people by ranges, you just went, because there
11 weren't all that many guys who would go to breakfast.
12 The food wasn't that great.

13 Q. On a weekend morning.

14 A. On a weekend especially. You could sleep in on those
15 weekends. And guys would take advantage of that.

16 Q. And if you didn't have breakfast, when were you
17 expected to get up? And what would happen when you
18 did?

19 A. Well you were allowed to sleep in, in Springhill, until
20 dinner time, or later if you wanted to. But I mean,
21 that would involve missing your meals. They would
22 count you while you slept. And if they locked your
23 door, they would slam your door shut, and then open it
24 later, after the count was complete.

25 Q. Were you expected to do anything on the weekends?

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1 A. No.

2 Q. Were you required to do anything?

3 A. No, except to be present for the counts. That was it.

4 Q. So you could exercise the option not to eat all day,
5 and just stay in your cell?

6 A. That's true.

7 Q. Were there any additional privileges that were
8 available on weekends? Was there any greater
9 recreation time, and greater access to any resources
10 or facilities?

11 A. Recreation was opened all day, from the morning, nine
12 o'clock, until 11 o'clock, when they would have the
13 count.

14 Q. Eleven o'clock at night?

15 A. In the morning, no. And then after lunch, from one
16 o'clock until four, and then after supper, from six
17 o'clock, again until 9:30 or so. Generally that would
18 be it for the weekend.

19 Q. And what about your having said that they closed the
20 yard at Springhill in the later years, in around '78
21 or '79? What did that mean, with respect to weekends?

22 A. Well it meant that if you wanted to go somewhere, you
23 could go out to the inside yard only, in the winter
24 time.

25 Q. What was the inside yard?

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1 A. Springhill is set up as a court yard within a court
2 yard. The area where the buildings -- where the
3 inmates live are all connected, is the inside yard.
4 It's the area within the perimeter formed by the four
5 buildings. The area outside that, is the outside yard,
6 and the areas for the shops and administration
7 buildings. And that is much larger. And that, of
8 course, is separated from the other, by a series of
9 gates and security locks.

10 Q. And was it that outside yard that was closed during
11 those winter months that you described?

12 A. Yes. Yes. And still is, as far as I know. The last
13 I was there, it was closed during the winter.

14 Q. But the inside yard was kept opened?

15 A. The inside yard is always kept opened. And guys walk
16 around in a circle. It's the only thing you can do
17 there.

18 Q. And is that basically what it is, just a square?

19 A. It's a square.

20 Q. Is there grass?

21 A. No, not much. There's a little bit of it in front of
22 each of the living units. But by dent of guys lying
23 on it, it's pretty well dead.

24 Q. So it's just dust or dirt?

25 A. Dust.

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1 Q. That's what it is?

2 A. Yeah.

3 Q. Mr. Grattan, can you describe for us what affect this
4 environment had on your emotions?

5 A. It squashes everything. It makes you turn everything
6 off. It makes you repress everything, and hold
7 everything inside, and sit on it. You don't let
8 anybody see what you feel. Sometimes, you don't even
9 let yourself know what you feel. You especially don't
10 let people know when they've gotten at you,
11 particularly dealing with guards, because to let your
12 emotions show, in any way, means you will be punished.
13 You will be punished by a guard, if you let him know.
14 And you will be punished, in other ways, by the other
15 inmates, if you let them know that they've gotten to
16 you. If they know they've gotten to you, they can ride
17 your case more. They can bother you more. In the case
18 of the guards, the same thing applies. And they have
19 more possibility of hurting you, or punishing you. If
20 you show you're angry at a guard, he can charge you,
21 and put you in the hole. There's a variety of things
22 like that.

23 Q. If I ask you about emotional effects, do you know what
24 I'm talking about?

25 A. Um-hmm.

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1 Q. Would the emotional effect of the inmates be pretty
2 uniform then, from what you're describing?

3 A. I would think. I would think that would apply to most
4 of the guys that I knew. There's a -- I don't know if
5 it's a psychological term or what, but they talk about
6 "affect," as well. And most guys in prison don't show
7 any. They don't have any "affect," because they've
8 repressed everything and squashed it. So what you see
9 is a mask.

10 Q. And is that a pretty uniform thing that you see?

11 A. Yes.

12 Q. So inmates' "affect" is very uniform.

13 A. Oh, yes, very.

14 Q. Mike Grattan, it would be accurate to describe you as
15 a lifer.

16 A. Certainly.

17 Q. Is that correct?

18 A. Certainly. I take pride in that.

19 Q. And I want to ask you about that, and what it means to
20 be a lifer. Can you tell me if a lifer experiences
21 prison differently from a short-term prisoner?

22 A. I believe so, in very many ways. First and foremost,
23 is the term lifer. It signifies someone who is serving
24 a life sentence, who is never getting out. Generally,
25 to the rest of the prison population, that scene is

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1 pretty heavy duty. Among the lifers -- because it's
2 not something voluntary, it's involuntary -- it's not
3 seen as any such big deal. But it does carry with it,
4 a whole bunch of responsibilities. Lifers are supposed
5 to be, in a real sense, at the top of the hierarchy.
6 There's a pyramid in prison.

7 Q. So you're talking about how lifers are regarded in
8 prison. Is that ---

9 A. Oh, yes.

10 Q. If you would tell us about that?

11 A. Well by the lifers themselves, there's generally -- the
12 feeling is quite common among lifers, that they're at
13 the top. This feeling generally, is shared by most of
14 the population. These are all men who have expressed,
15 in one way or another, their willingness to face
16 ultimate violence, even to the risk of their own lives,
17 or the lives of other people. So they're dangerous
18 men. And they're seen as dangerous men by the rest of
19 the population. Whether they actually or not, that
20 doesn't matter. Once you're seen in that light, you
21 are expected to behave in a certain way.

22 Q. And what do those expectations consist of?

23 A. Lifers are -- it sounds almost like the Boy Scout code
24 -- but lifers are expected to be solid. They're
25 expected to be trustworthy. They're expected to be men

1 of their word, regardless of what that word might be.
2 If a lifer says he's going to do something, regardless
3 of what he is, he's expected to do it. They're
4 expected to do their time, without whining and crying.
5 They're expected to keep their mouth shut. They're
6 also expected to lend themselves to whatever they can
7 do, to help the other prisoners. This is all
8 expectations lifers have of themselves. The other
9 prisoners really just avoid the lifers. They tend not
10 to bother them, because they know that these are not
11 men that one should trifle with. And particularly in
12 Springhill, where most of the inmates are doing two-
13 year sentences, they don't harass the lifers very much.

14 Q. And so the lifers, therefore, associate with other
15 lifers. Is that correct?

16 A. Yes, almost exclusively. And the reason for that is
17 two-fold. One, the other lifers understand you. It's
18 a community, in a very real sense. And you know these
19 guys. You know who they are. You've known them for
20 maybe 10 or 12 years. You know what their beef is.
21 You know what they came into prison for. You know that
22 it's a so-called clean offense. There are some
23 offenses in prison, that prisoners don't consider
24 clean. Sex offenses, rape, sexual -- anything of a
25 sexual nature, is seen as a dirty crime. Murder is not

1 seen as a dirty crime. It's violence. And violence
2 is not seen quite the same way, in certain ways.

3 Q. So this would form part of the sort of unwritten code?

4 A. It's part of the inmate code, which, at that time,
5 existed. And I'm sort of dating myself, by even using
6 it. It really doesn't exist per se, now, as it did
7 then, among the whole population.

8 Q. But you're saying that it existed between 1971 and the
9 approximate time of your release, around 1985?

10 A. Oh, certainly. Oh, certainly. Particularly from '71
11 to '78, it was very, very strongly inbred almost. It
12 was really just driven right into you.

13 Q. And this code consists of these expectations you've
14 described, and these characteristics?

15 A. And others. The expectation that if somebody crosses
16 your path, or pushes in front of you, or does something
17 to you, that you will stand up for yourself, that you
18 will deal with this.

19 Q. As a lifer, you were expected to follow through. Would
20 that be the way you'd describe it?

21 A. Oh, yes. You would have no choice. A challenge, a
22 direct challenge to you, was a challenge to all the
23 lifers. And if you didn't respond to it appropriately,
24 you were seen as N.G. -- no good. And that meant that
25 no one else would ever associate with you again, or

1 that they would just, every chance they got, attack
2 you.

3 Q. Were lifers any more likely to be the subject of
4 challenges, because of their status in prison?

5 A. It's like the old gunslinger, and the young
6 gunslingers. There's always some young punk coming
7 into the jail, that wants to try his spurs, so to
8 speak, who wants to make a name for himself, and show
9 that he's a tough guy. It doesn't do much for him to
10 pick on some poor young fellow doing two years for car
11 theft. But if he gets in some lifer's face, then he's
12 going to make a rep, one way of the other.

13 Q. A rep being a reputation?

14 A. A reputation.

15 Q. And this young punk that you've described, this is
16 someone who is doing a short-term sentence?

17 A. Generally. Generally. They have little to lose. On
18 a two-year sentence, they do 16 months, 13 days. The
19 average lifer, on a life sentence does anywhere from
20 10 years, to 25. And he's not going anywhere.

21 Q. As a lifer, how do you learn to adapt to these
22 expectations? How do you learn this code? What
23 happens when you get into the prison?

24 A. It's almost by osmosis. When I walked into Dorchester
25 Penitentiary, the Sheriff took me in. And when he took

1 the cuffs off me, there were six lifers standing in a
2 hallway, across from me, looking at me. Rather large,
3 scary guys. I was about 5'6", and weighed about 145
4 pounds. And these guys were like giants. And tattoos,
5 and scars, and broken glasses fixed with tape. And
6 they said, you know, "Hey, you're a lifer. We're
7 lifers. If you're clean, you keep your mouth shut, you
8 mind your own business, you're one of us. We'll look
9 after you." And my reaction, at that point, because
10 I was a young punk I suppose, was to say, "I don't need
11 you guys. I can look after myself," which they liked,
12 because it was a cocky attitude. And they said, "Okay.
13 We like this guy. He's one of us."

14 Q. Is that what happened though, that you looked after
15 yourself? Or did you become part of the sort of lifer
16 community?

17 A. Well as soon as the word went out that, "There's a
18 young fellow just got sentenced to life, he's 15," the
19 word went out around the older guys in the population,
20 the other lifers, "Don't bother this guy." And they
21 made very sure that the rest of the population knew
22 that. They told them that for two reasons. One, "If
23 you bother this guy, he's going to kill you. He's
24 crazy." Two, "If you bother this guy, we're going to
25 kill you, because we're crazy."

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1 Q. And that was in 1971.

2 A. Yes.

3 Q. After you had been there for a few years, is that a
4 role that you occupied, with respect to other young
5 lifers coming into the institution? In other words,
6 is this a role that keeps getting handed down?

7 A. I would think that, yes, that would be the case. But
8 it's a role that changed over the years. Most of the
9 guys, after they're in for a while, that threat of
10 wildness from them sort of fades. And they sort of
11 almost become -- I don't want to use the term "father
12 figure" -- elder brother is a good term. They become
13 elder brothers, to a lot of the guys in the joint.
14 Junior was an elder brother to a lot of guys inside.
15 A lot of them. And that entails protecting the weaker
16 guys from the stronger guys, and making sure that
17 things stay quiet.

18 Q. I'm going to ask you specifically about Junior, because
19 I know that you knew him inside. But I do just want
20 to ask you some of these more general questions first.
21 Why was it important to the lifers, that things be kept
22 quiet? What are you referring to when you described
23 that?

24 A. Well first of all, the lifers want quiet for
25 themselves. We were seen by the population, as not

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1 having a whole lot to lose. You know, they figured,
2 "Oh, these guys are never getting out." But the actual
3 case was, that since we knew that for us to get out,
4 things had to go, over a very long period, with no
5 trouble, we didn't want trouble. It wasn't to our
6 benefit to have riots and problems break out. When
7 something like that goes down, it's bad for everybody.
8 And we knew that. Also, having been around through
9 some of those things, we had seen the violence, we had
10 seen the deaths, and we knew what was coming. So where
11 the young kids, out of ignorance or whatever, would
12 start something, just to see what would happen, we knew
13 what would happen. We knew that, if necessary, the
14 guards would come in and shoot. So we didn't want any
15 trouble. So we kept things quiet that way.

16 Q. Can you tell me, in perhaps elaborating on this a bit,
17 how lifers are regarded by, or treated by, the
18 institution? Do you have a role there?

19 A. Yeah, they're used. They're used by the institutions,
20 as a control mechanism, as a control group. Generally,
21 in Springhill -- Springhill, because it's broken up
22 into four buildings, and each building is broken up
23 into six tiers -- they would try to put two lifers on
24 each tier, as a steadying influence, is the term that
25 they would use. And they would tell us that, right to

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1 our faces, "Oh, you lifers are a steadying, stable
2 influence." You know, this sort of thing. Where
3 anything went wrong, naturally, they would usually grab
4 the lifers right first, and throw them in the hole, or
5 punish them first.

6 Q. For what reason?

7 A. Well you were seen as a ring leader then, you see. On
8 the one hand, they wanted you to control things. But
9 if you tried to, they grabbed you, and sometimes just
10 shipped you to a maximum security.

11 Q. So is it fair to say, then, that lifers stood out in
12 the prison population, both from the perspective of the
13 institution, and from the perspective of the other
14 prisoners?

15 A. Yes, it is.

16 Q. Are there any features of being a lifer that are
17 unique, that you haven't told us about, in answering
18 these questions?

19 A. It's a difficult kind of thing to put into words. It's
20 almost -- you're doing time in the prison. But you're
21 within a prison, within a prison, that you've created
22 around yourself. And you've set your own limits, your
23 own perimeters within that. Lifers know what the
24 limits are. So we create our own smaller limits, just
25 slightly smaller, within that, so we don't have to come

1 into contact with the forces of authority. If they
2 tell us we can walk 100 yards in one direction, we'll
3 go 98, and stop, of our own volition. It's as though
4 you try as hard as you can to ignore the physical
5 prison that you're in, and try to find the space within
6 yourself, or within those in your community.

7 Q. Why do you do that?

8 A. For your sanity. For your sanity. To keep from going
9 mad.

10 Q. For what reason? Because of the length of sentence?

11 A. Because of the length of sentence, primarily. I think
12 maybe initially as well. But also, because it fits
13 with that feeling of community, of strength that you
14 get, of solidarity from forming a bond with guys that
15 you are going to live with for 10 or 12 years. There's
16 a very strong bond that forms between lifers. And
17 they're like brothers. I mean, it's deeper than
18 family. It's deeper than blood. These are guys who
19 have stood back to back with you, in life and death
20 situations. These are people you trust, because you've
21 known them for 10 years.

22 Q. And I'm going to ask you more about this shortly, but
23 now that you've mentioned it, do these connections with
24 other lifers, do they survive out into the street,
25 once, as a lifer, you do get released?

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1 A. Well they do, in many ways. In some, you lose track
2 of the guys. But in others, the guy might be released.
3 You might see him 10 years later. And that's still
4 there. That feeling is still there. You don't lose
5 that, because these are people who have been through
6 the worst times of your life with you, and have
7 survived, and have been strong enough not to bend, not
8 to give in. And you know these people, as I said. And
9 you respect them. And in a very deep sense. There's
10 real affection there.

11 Q. If you're once a lifer, are you always a lifer?

12 A. I think so. I think there are some cases, where
13 somebody might do something to dishonour themselves,
14 where the other lifers would look down on him. Yeah,
15 there are cases where you're no longer a lifer. But
16 generally speaking, lifers are lifers, and always.

17 Q. How would you describe the experience of getting older
18 in prison, in your particular case?

19 A. You don't notice it. I didn't notice I was getting
20 older, until I got out. And I don't know whether
21 that's because the guys around me were the same
22 relative age to me. I never noticed them getting
23 older. You don't age in prison. A lot of guys say
24 that. You don't age in prison. It's not that you
25 don't age, you don't mature. You don't mature in

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1 prison. You don't grow, through life experiences,
2 because every day is the same as every other day,
3 barring those experiences you create for yourself, or
4 which are imposed on you from outside. And they're
5 generally negative. So you don't like those. I think
6 it's a matter of your emotional growth doesn't really
7 happen in there. But the grey hairs come, and hairs
8 go.

9 Q. Mr. Grattan, you experienced the parole process in
10 prison. Is that correct?

11 A. Yes, I did.

12 Q. Can you tell us how this process made you feel?

13 A. Well it's like going to court again, and again, and
14 again, and again, for the same offense. And you're
15 always guilty. And they've decided that, before you
16 go in, that you're guilty. And they want you to admit
17 that. And they want you to tell them you're sorry.
18 In fact, parole papers are called by prisoners, "Sorry
19 Papers," as in, "I see you've got your Sorry Papers
20 with you. Going up for parole"? You know, snicker,
21 snicker. That's the sort of thing. Yeah, that's true.
22 It's a very legalistic, but already pre-determined
23 course. You have to go up -- if you're a lifer, you
24 have to go up for parole -- you have to go before the
25 Board for passes, to go out of the prison for a few

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1 hours. And then it's passes again, for a few days.
2 Then you go up before the Board again, to get day
3 parole. Then you go up before the Board again, to get
4 parole. And anything that's a change in your parole
5 status, involves returning to the Parole Board, and
6 again, going through that tribunal, which already knows
7 you're guilty.

8 Q. And how does it make you feel personally, about that
9 experience?

10 A. It's a very hard, humiliating experience. You have to
11 go to these people, hat in hand, with all the little
12 certificates, and little gold stars you've earned,
13 through the years that you've been in prison, and take
14 it to them, and say, "This is what I have done to
15 change myself, to improve myself, to make myself a
16 better human being, more able to live in your society.
17 Please let me out." And whether you're sincere about
18 that or not, they will decide. You don't.

19 Q. Mr. Grattan, what function did illegal drugs have in
20 prison, when you were there?

21 A. It was an escape. It was the ultimate escape. It was
22 the only effective escape, short of death. Guys used
23 drugs as an escape. But even guys who didn't use
24 drugs, were involved in watching the goings on of those
25 who were seeking drugs, or hunting drugs. The search

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1 for drugs, became a quest for life, a quest for
2 meaning. They would go, you know, on this wild search
3 for drugs. And, "I hear there's drugs in. I hear
4 they're in #9." So everybody would go over to #9, and
5 look for drugs. And then, that was exciting. It was
6 something happening. It would interest people. "Hey,
7 did you hear about the drugs"? And everybody would go
8 over there. And that sort of thing. It was also an
9 entertainment. It was an activity that kept guys busy.
10 It gave them something to focus their minds on. As
11 well as, when they would get drugs, they would get a
12 bomb. You know, they'd get high.

13 Q. And were drugs readily available?

14 A. Oh, yes. Oh, yes. When I was there, primarily it was
15 hashish and marijuana. Mostly marijuana. That was a
16 very big drug of choice, at that time. And it was
17 freely available. And there was all kinds of it.

18 Q. You knew Donald Marshall Jr., while you were in prison?

19 A. I was there when he came to Springhill.

20 Q. And you served time with him at Springhill?

21 A. Yeah. I was upstairs. He was downstairs, in the same
22 living unit.

23 Q. And did he change over the years that you knew him in
24 prison?

25 A. I think so.

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 Q. Can you tell us in what ways?

2 A. I think Junior became more withdrawn, and more quiet.
3 He was quiet to begin with. He always was. It was one
4 of the reasons people liked him. But he was also more
5 withdrawn, and more pulled away from others. He drew
6 towards himself, what strength he had, and kept it
7 within him. And Junior was a dignified person. And
8 his dignity was quiet. And he kept it to himself. And
9 as he got older, I think he got more quiet, and became
10 even more within himself.

11 Q. Did you know him quite well?

12 A. Oh, yeah. Junior's my friend.

13 Q. And Junior is/was a lifer. Is that correct?

14 A. Yes, that's correct. Is/was.

15 Q. So who did he associate with at Springhill? I don't
16 mean names. I mean was it other lifers?

17 A. Quite frequently ---

18 Q. Was it white prisoners? Was it aboriginal prisoners?

19 A. Quite frequently, Junior didn't associate with lifers
20 at all. He knew three or four, that were his close
21 friends. And I considered myself privileged to be one
22 of those. There were a great many of the aboriginal
23 prisoners, the Native population in Springhill, that
24 he was with. He was very close to them. And they
25 looked up to Junior. From the day he got there, he had

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 an influence over the guys that were there.

2 Q. And were they lifers only?

3 A. No, they were not. They were generally not lifers.
4 There were very few. Junior was -- I think, for most
5 of the time I was there, Junior was the only Native
6 lifer in Springhill.

7 Q. When you were at Springhill, was there a Native Indian
8 Brotherhood?

9 A. Not initially. Not when I first got there. That came
10 around the middle of the '70s -- '74, '75, something
11 like that.

12 Q. And do you have any knowledge of Junior's involvement
13 in the Native Brotherhood?

14 A. Oh, yeah. Junior was involved with it. There was a
15 guy named Augustine, and Junior. And several other
16 people I knew were involved with it.

17 Q. And what was your knowledge of the Native Indian
18 Brotherhood based on? How did you acquire knowledge
19 of that?

20 A. Well first of all, I didn't know much about it at all,
21 except that I was working in the prison newspaper,
22 which still existed at that time. It was called the
23 Communicator. And I had been invited by the
24 Brotherhood to a social, to report on it, for the guys
25 in the general population, and let them know what the

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 Native Brotherhood was doing.

2 Q. Do you have any knowledge of who got the Native
3 Brotherhood started?

4 A. There were about five or six guys. But Junior was one
5 of them, on the inside. I know there were people on
6 the outside, as well, working very hard for them.

7 Q. Yes. I was asking, actually, about the people on the
8 inside.

9 A. Yeah.

10 Q. And when you left Springhill, was the Native Indian
11 Brotherhood still there?

12 A. Oh, certainly, and very active.

13 Q. And while you were there, following the start of the
14 Native Indian Brotherhood, what sorts of functions or
15 role did it play? What did it do?

16 A. They didn't have a lot of things happening at first,
17 because the prison administration was against them.
18 They didn't like the idea of people coming in. They
19 didn't like the idea of Indians, and family of Indians
20 coming in. They were afraid drugs would be smuggled
21 in. They were afraid this was all some kind of gaff,
22 some kind of game. But over the years, they've come
23 to accept the Native Brotherhood, and to see that they
24 do have a deep influence on the guys inside,
25 particularly, as Dr. Monture was just saying, in the

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 spiritual aspect. They have a sweat lodge now, in
2 Springhill. They never had one.

3 Q. When you were there?

4 A. When I was there.

5 Q. And the social that you were invited to report on, what
6 did that consist of? What was going on at that event?

7 A. It was basically a family visiting day, where the
8 family of guys who were Natives, would come and visit,
9 and be allowed to visit with them privately, in the
10 gymnasium, away from the population, and not in a
11 visiting room. A more open setting.

12 Q. Was this something special or different from what would
13 happen routinely, with respect to visits?

14 A. Well this is very different, yes. All the different
15 groups in the prison, generally had one of these, once
16 a year. I think they started out initially, as once
17 a year. The Native Brotherhood had one. The Black
18 Inmate Association had one. I believe that there were
19 three or four. The A.A.'s had one. The Narcotics
20 Anonymous had one. They all had a social every year.
21 And this was the one that the Brotherhood had.

22 Q. Mr. Grattan, with respect to your observations of
23 Junior's experience of prison, did you make any? Are
24 you able to comment on that?

25 A. Yeah, I think I can comment on that.

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 Q. What can you tell us?

2 A. In fact, I'd like to. Junior had it harder than most
3 of us, largely because of the fact that he was
4 innocent. It's not just the fact that most of us
5 didn't believe in Junior's innocence. I mean, like the
6 old saying in prison is, "Everybody's innocent, but
7 we're all still here." With Junior, that wasn't true.
8 Junior was innocent, and he knew that. And he stuck
9 to his guns. But being a lifer, I know what the prison
10 authorities think like. And the first thing they want
11 from you, is an admission of guilt. And the last thing
12 they want from you, is an admission of guilt. They
13 want you to admit your guilt again, and again, and
14 again, and again. And if you don't, they'll label you
15 as a compulsive liar. And they'll say you're crazy.
16 And they'll try everything they can, not to get you
17 anything, not to allow you passes, not to get you out
18 of the prison, not to allow you any privileges. Only
19 because they're trying to force you to admit your
20 guilt. And I saw Junior stick to his guns for 12
21 years, of saying, "No, I didn't do it." And he stuck
22 to that. And for that, no one stands higher, in my
23 estimation.

24 Q. Mr. Grattan, what can you tell us about visiting at the
25 prison? And I guess, would your experience have been

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

- 1 only at Springhill, with respect to visiting?
- 2 A. Oh, no. I had visits in Dorchester, from my father.
- 3 Q. Can you tell us, in terms of just the setting? How did
- 4 visits happen? How were they experienced? What was
- 5 the setting in which they happened?
- 6 A. Well the guard would come up and get you.
- 7 Q. We're talking about Dorchester now, are we?
- 8 A. Dorchester. You would be told, "You have a visit."
- 9 Officer So and So would come and get you. He would
- 10 take you down to the visiting room, which would mean
- 11 marching you through sections of the building, and out
- 12 through the gate. And he would hand you over to
- 13 another guard, who would march you over to a stool, and
- 14 sit you on it, facing a pane of glass with holes
- 15 punched in it. And then your visitor would be brought
- 16 in, on the other side of the pane of glass. And that's
- 17 how you would have your visit.
- 18 Q. And you communicated through the holes?
- 19 A. Well you yelled at each other, is what you did. Yeah.
- 20 Q. And who else was in the room?
- 21 A. A guard at each end of the table.
- 22 Q. And was anybody else having visits at the same time?
- 23 A. Yes, all in little booths, all connected. They were
- 24 like little telephone booths, all connected all along.
- 25 Q. So is it likely that someone would have been sitting

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 right next to you, having a visit at the same time you
2 were having a visit?

3 A. Oh, yes. Oh, yes, always. Always.

4 Q. Was this a noisy experience?

5 A. Oh, yes.

6 Q. What else would you describe about it?

7 A. It was not a pleasant experience. There's no contact,
8 none.

9 Q. No physical contact?

10 A. No physical contact, whatsoever. They couldn't pass
11 through a cigarette. You couldn't shake hands. You
12 couldn't hug. Parents couldn't hold their children.
13 Children couldn't touch their parents.

14 Q. So that was the whole visit? There wasn't a part at
15 the end, where you got to go and embrace and say good
16 bye?

17 A. No. And the visit lasted a half hour max. That was
18 it.

19 Q. What about the ability of other people having visits,
20 to hear what you were saying in the conversation you
21 had?

22 A. Oh, yeah. They could hear everything you said.

23 Q. Was there any way of preventing that?

24 A. Well you could try to whisper. But generally, there
25 was no way. I mean, they'd hear you. The guards were

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 there, just for that. That's why there were there, to
2 listen to what you were saying.

3 Q. What about visits at Springhill? What were they like?

4 A. Very different. Open visit system there. They have
5 a visiting room, with little tables and little chairs.
6 And you go in. And your visitor comes in from outside.
7 And you sit together, at a table. And you can touch,
8 you can shake hands, you can hug. There's contact, to
9 a certain extent. You're watched very carefully,
10 through glass windows, by guards, all the time during
11 your visit. You're searched, sometimes before and
12 after. Often strip searched. Sometimes every time
13 you get a visit, sometimes occasionally, like a spot
14 check. But you were always searched in one way or
15 another. At least patted down.

16 Q. Before you went in, and after you left. And this room
17 where you are with your visitor, is there anybody else
18 in the room with you?

19 A. Oh, yes. There are other visitors, all at their little
20 tables. It's very much like a room like this.

21 Q. I see. So it's still an open room ---

22 A. It's still an open room.

23 Q. --- with other visits being conducted?

24 A. With other visits there.

25 Q. And are you able to have more than one -- or were you

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 able, because I want to focus on the time period, when
2 you were there -- were you able to have more than one
3 visitor on these occasions?

4 A. Generally, no, unless it was something very special.
5 Generally, it was like one visit at a time. But if
6 your mother and father came, that was considered one
7 visit. If your mother and father and your brother and
8 sister came, that might be considered one visit also,
9 because they were family. But if you had two or three
10 different friends that came, they would often make the
11 first one leave, before they would let you see the
12 second one, if they came together.

13 Q. And how long did these visits last?

14 A. They were generally supposed to last no more than an
15 hour. But they usually didn't limit them quite that
16 much. They'd usually give you at least a couple of
17 hours, sometimes all afternoon.

18 Q. And how often would you get these visits?

19 A. You were allowed to have a visit every day, except
20 Christmas Day. Christmas Day being the only day you
21 weren't allowed to have a visit.

22 Q. Why was that?

23 A. The visiting room is closed on Christmas Day.

24 Q. Can you give us an explanation for why they closed it?

25 A. I have no idea, except that maybe the staff who run it,

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 would like to go home for Christmas.

2 Q. So what was Christmas Day like?

3 A. Christmas Day is a day like any other day, except that
4 you get breakfast from eight o'clock in the morning
5 until 10 o'clock in the morning. And you don't have
6 to rush there to get it. You can eat with guys from
7 other units, rather than eating in your own, because
8 they only use one dining room.

9 Q. Oh, I see.

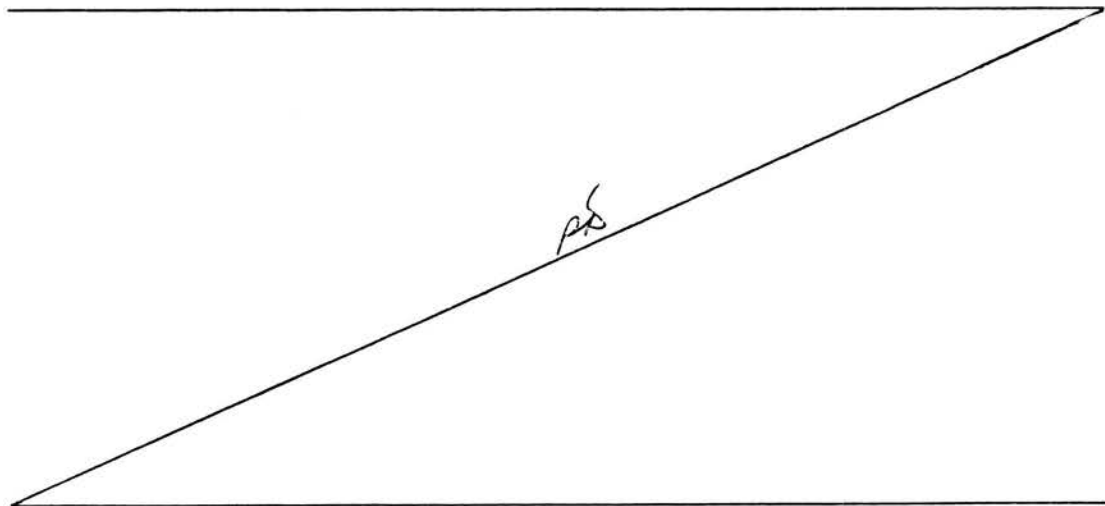
10 A. So if you want to go sit with a friend of yours, who
11 lives in another building -- because there is no
12 contact between inmates from one building to another.
13 You can't go visit your friend, where he lives, unless
14 you live on the same range. So if he lives in another
15 unit or cell block, you can't go visit him. Except at
16 Christmas time, you can go have breakfast together.

17 Q. There are a few other things I'd like to ask you about,
18 Mr. Grattan. One is -- we're talking about Christmas
19 -- what about receiving presents, or getting things
20 from people, at the prison?

21 A. No. There are no gifts given or received. It's just
22 -- that's not allowed. They don't allow us to receive
23 gifts.

24 Q. So you served 11 years inside, and effectively, 11
25 Christmases. Then you never got a gift?

1 A. I won't say I never got a gift, but not legally.
2 Q. That was a very good answer. With respect to telephone
3 calls, who could you call, and under what
4 circumstances? Could you receive calls from people?
5 A. At that time, they said no, you couldn't have phone
6 calls. But within a few years of my arrival in
7 Springhill, they had started allowing certain guys to
8 have phone calls, to family only, and only for certain
9 reasons. Like for instance, if your family lived in
10 Vancouver, and you were doing time in Springhill, or
11 an emergency, or an illness in the family, or something
12 like that, they would let you have a phone call. But
13 it was not a regular thing. And it was very hard to
14 get.



MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 Q. When you have a phone call, does that mean that they
2 let you receive a phone call? What about if you
3 wanted to make a phone call?

4 A. Generally the same. They would let you receive it
5 sometimes and sometimes they wouldn't even tell you
6 you had one. Sometimes they would let you make one
7 and sometimes they wouldn't. It all depended entirely
8 at that point on whether the guard wanted to bother
9 sitting there and listening to you.

10 Q. That was another question I was going to ask you. So,
11 were phone calls monitored?

12 A. Yes. Oh, yes.

13 Q. You mentioned strip searching. What is a strip search
14 and when did they occur and for what reason?

15 A. A strip search is basically the administration's way
16 of telling you, "We are in control." They would walk
17 you through, take you into a small room, sometimes
18 with other people walking by, sometimes not. And they
19 would strip you and take your clothing and look at it
20 bit by bit, and sometimes rip it apart. And then they
21 would give it back to you and tell you to get dressed
22 and go back to your unit, or march you off to the hole
23 if they found anything.

24 Q. What about searching your person on these occasions?

25 A. They would look through your hair, in your ears, make

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 you take your false teeth out, make you take your
2 glasses off. The whole bit.

3 Q. And did they look in other places as well?

4 A. Only in certain cases. If they were deliberately
5 looking for drugs, they would generally tell you to
6 bend over and crack a smile.

7 Q. Mr. Grattan, what are some of the emotions you felt
8 upon being released from prison after 11 years?

9 A. It's the scariest thing I can think of. It's as scary
10 in its own way as going to prison was when I was 15.
11 It's very much a frightening experience, going out of
12 jail.

13 Q. Why is that?

14 A. It's the unknown. You don't know it any more. You
15 know what you think it was when you were there and
16 maybe that's changed. And you know what you dream it
17 will be, but those are only dreams and you don't know
18 if they're real or not. So you just don't know where
19 you're going and you're scared.

20 Q. What sort of things had changed from the time that you
21 had gone into prison to the time when you got out?

22 A. I just loved video games. I had never seen any video
23 games. Those computer -- you put a quarter in things
24 with the little boom boom. I just loved those. I
25 thought they were great. I had never seen those.

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1 Personal computers, never saw them. All kinds of
2 weird stuff. You know, the little mini tape
3 recorders, the Walkman. Didn't have those. There
4 were a lot of things like that that I had never heard
5 of. They just didn't happen.

6 Q. What about things that had been there? Was everything
7 -- you know, tell us about style, about language.
8 What other things did you ---

9 A. Style was kind of a major change. Basically, we went
10 from long hair, beards and Roman sandals to the preppy
11 look. And, you know, at that time period, there was a
12 major change in styles. When I went in, everybody had
13 long hair and headbands and the whole bit. And, when
14 I came out, people were into, like, sweatsuits and
15 jogging and -- you know, a beard.

16 Q. Had you expected this?

17 A. No. In fact, I kept telling myself all the time that
18 I was in prison, "Oh, I'm keeping up with the styles.
19 I know what's happening. But, at the same time, it
20 really didn't internalize itself until I got out
21 there and realized that everything had changed.

22 Q. What about the effect of having been in an all male
23 environment for a long period of time? How did that
24 affect your ---

25 A. It makes you very shy with women because you tend to

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 see them as some sort of unattainable goddess. You
2 look at women as a Madonna figure. And, in prison,
3 guys that I knew, at least, were always extremely
4 respectful to women. Largely because we never saw
5 any. And, when we did, this was the only feminine --
6 I don't want to say perspective but something Dr.
7 Monture was talking about, the male and the female.
8 The female was special because we never had any
9 contact with it. We missed out on that particular
10 focus. It wasn't there. The principle was lacking.
11 If the principle was there, well then it was elevated.
12 It was above us. And most guys that I knew tended to
13 think women were very special. So when you get out,
14 you're very shy around them. You don't want to say
15 anything to them that might offend them or hurt their
16 feelings. And you're unsure of yourself anyway as to
17 how you can talk to them. And, certainly, you're
18 very, very shy when you get out of prison.

19 Q. What are some of the ways that a lifer is not equipped
20 to deal with life on the outside?

21 A. Making decisions. You haven't made any decisions for
22 11 years. There are no decisions to make. You're
23 told what to do all the time and that becomes very,
24 very anxiety inducing, having to make all these
25 decisions. What socks do I wear? And that may seem

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1 small but it's repeated all through the day again, and
2 again, and again. Do I eat in this restaurant?
3 There's people there. Will I feel comfortable there?
4 I don't know. Maybe I won't go there. I'll go
5 somewhere else. And, you know, you just sort of check
6 in and check out but you never really feel
7 comfortable. You never feel at home.

8 Q. Describe some of the other ways that life is stressful
9 outside for a lifer? Can you give us some specific
10 examples?

11 A. It's difficult to be specific. It's from everything
12 to -- well, it's from everything like getting a
13 transit pass on a bus, asking for a bus pass. You
14 don't ask strangers for things in prison. If you
15 don't know a guy, you don't talk to him. So you don't
16 talk to strangers out here. You really are so very
17 much within a certain framework yourself. You know,
18 like when I was talking about when somebody's in
19 prison, you don't touch them and you don't come too
20 close to them. Well, outside here, everybody comes
21 close to you. They come right into your face. They
22 jar you. They bump into you on the sidewalk. Whoa,
23 this is like really weird. This is uncomfortable.
24 It's somewhat frightening. And there's so many
25 people, and there's so many cars, and there's so much

MR. GRATTAN, DIRECT EXAM. BY MS. DERRICK

1 noise. And it's a different noise. It's a weird
2 noise, unfamiliar noise. Some guys can't sleep when
3 they get out. Now, there are lot of people who can't
4 handle the change from a maximum security prison to a
5 medium security prison. So it's that much more
6 difficult to go from any prison to go the street.

7 Q. How would you say being in prison for 11 years
8 affected your ability to express emotion?

9 A. It made it very difficult for me to express emotion.
10 I can talk about emotions. It's just very hard for me
11 to bring them out so people see them. I don't cry or
12 anything like that very easily though I can if I need
13 to. I had to take therapy and things to learn how to
14 release feelings, even anger and things in appropriate
15 ways. I didn't know how. And I did that for a long
16 time. While I was in prison I started doing that and
17 continue to do it to this day. It's something I think
18 I will probably continue to have to work with for the
19 20, 30, 40 years.

20 Q. Thank you very much, Mr. Grattan.

21 A. You're welcome.

22 MR. SAUNDERS

23 I have no questions for the witness.

24 CROSS-EXAMINATION BY MR. SPICER

25 Q. Mr. Grattan, are there services available to you when

MR. GRATTAN, CROSS-EXAM BY MR. SPICER

1 you get out of prison and you're on parole? Are there
2 any services available to you through Corrections
3 Canada or through the parole service to assist you in
4 trying to re-integrate into society?

5 A. Many. Yes, there were many services available.

6 Q. Can you tell me -- give us some description of what
7 they are and what they do for you or what they fail to
8 do, if any?

9 A. Well, the initial release -- when you're released,
10 you're handed over to a parole officer. That's either
11 a parole officer in a halfway house -- if you go to a
12 halfway house on release, which all lifers have to do
13 -- you go to a halfway house and you live in a
14 structured environment where you are safe and where
15 they can watch you and evaluate your every movement.

16 Q. If I could just stop you there for a second. Did that
17 happen to you. Were you in a halfway house for a
18 while?

19 A. Oh, yes. Oh, yes.

20 Q. How long were you there for?

21 A. I was there a year.

22 Q. Was that long enough?

23 A. At that time, I thought it was. And, perhaps, it
24 wasn't. I was told by one of my parole officers that
25 he didn't feel it was but my opinion at that time and

MR. GRATTAN, CROSS-EXAM. BY MR. SPICER

1 his were different. The parole board felt that the
2 year was enough and they released me from that halfway
3 house at that time.

4 Q. Okay. What happens then after you get out of the
5 halfway house?

6 A. Then you go to another parole officer. You're handed
7 over to a parole officer from the district office
8 wherever you live.

9 Q. In your case, was the halfway house the Carlton House?

10 A. Yes. As a matter of fact, it was.

11 Q. Was Jack Stewart at the halfway house when you were
12 there?

13 A. He was the director at that time?

14 Q. Okay. Was Junior at the halfway house at all during
15 the time you were there?

16 A. Yes, he was. But for a very short period of time.

17 Q. Okay. At the beginning or the end of when you were
18 there?

19 A. Oh, after I left.

20 Q. After you left.

21 A. After I had left.

22 Q. So when did you actually get out?

23 A. I got out in 1981.

24 Q. And your halfway house experience then was the period
25 of '81 and part of '82?

MR. GRATTAN, CROSS-EXAM. BY MR. SPICER

1 A. Yeah, pretty well. It was about eight or nine months.

2 Not quite a year. A little less than a year.

3 Q. So you're telling us you were in the halfway house,
4 the Carlton House, for the best part of a year and
5 then you left that and went to a parole officer. Now,
6 at that stage of the game, where were you living?

7 A. Oh, well, at that point you have to have a place of
8 your own.

9 Q. Okay.

10 A. You're -- before you can leave the halfway house, you
11 must have your own dwelling.

12 Q. So you got your own dwelling?

13 A. I got an apartment, yeah.

14 Q. You got an apartment. All right. Now, tell us what
15 the parole officer's role is with you after you get
16 out of the halfway house?

17 A. The parole officer's role is to both advise and
18 supervise. They watch you and see if you're having
19 any problems or they give you advice and help you to
20 find employment and give you ideas on what you can do.
21 And send you to the various social agencies that can
22 assist you.

23 Q. And was that function of the parole officer helpful to
24 you?

25 A. Many times. I had very good parole officers.

MR. GRATTAN, CROSS-EXAM. BY MR. SPICER

1 Q. And then what happens? Is it the same process then
2 for a period of time that you liaise with a parole
3 officer?

4 A. That's the process forever. I'm a lifer so it never
5 ends. They hand me from one parole officer to another
6 as they go or whatever.

7 Q. And as you are longer and longer out of prison, does
8 your -- does the frequency of your contact with the
9 parole officer decrease?

10 A. At one time, it did. I was eventually on reduced
11 parole. But now they no longer do that as much. Now
12 they tend to keep the controls on and keep the -- I
13 don't know exactly how they put it. Keep the contact
14 up, I suppose, to a regular thing. Like, every month
15 or so, you're supposed to see a parole officer.

16 Q. Okay. So you've been out now about nine years, I
17 guess. Haven't you?

18 A. No. Actually, I went back in 1986.

19 Q. Oh, did you?

20 A. Yeah.

21 Q. Okay. And you're out again now?

22 A. I am out again now.

23 Q. And is the frequency that you have with your parole
24 officer been affected by the fact that you went back
25 in in '86 or would it be ---

MR. GRATTAN, CROSS-EXAM. BY MR. SPICER

1 A. Well, I'm back in a halfway house again.

2 Q. I see. Okay. So are you able to tell us, if you
3 hadn't gone back in '86, what the frequency of your
4 contact with the parole officer would be at this
5 stage, after nine years?

6 A. It would probably have been the same.

7 Q. About once a month?

8 A. About once a month.

9 Q. Do you find the contact with the parole officer still
10 useful to you?

11 A. Yes.

12 Q. And what ways is it still useful?

13 A. Well, basically, it's almost like an umbilical cord.
14 As much as I hate prison, as much as I hate everything
15 about prison and all the things it does to people, I
16 am a product of it and I need, in some ways, to keep
17 some contact with it. It helps me as an individual
18 sometimes. Sometimes, it's just an annoyance but,
19 sometimes, it does actually help. Have you had any
20 contact with Junior Marshall in the years since '81?

21 A. Oh, yes. I've run into Junior various times.

22 Q. Do you know whether or not any of the services that
23 are available to you were available to Junior after he
24 got out?

25 A. I don't know that for a fact but I know that unless

MR. GRATTAN, CROSS-EXAM. BY MR. SPICER

1 you're on parole, you're not supposed to have access
2 to some of these things. They're for parolees.

3 Q. Have you ever been in a situation where you've
4 discussed with Junior how he's getting along and how
5 he's doing over the years?

6 A. Not really. I've asked Junior how he is. And he
7 says, "I'm fine" or whatever. And he asks he how I
8 am. And I say, "I'm fine."

9 Q. Is that about the limit of your discussions then,
10 pretty well?

11 A. No. We talked about generally other people that we
12 had known. The people we have in common, friends,
13 people who have died or are still in prison, people
14 who are ---

15 Q. Other than saying, "I'm fine, I'm fine", was there any
16 other discussion about how -- did he ever describe to
17 you how he was doing other than this short comment
18 that he was fine.

19 A. Occasionally.

20 Q. What kinds of things did he say to you?

21 A. You'd have to ask Junior that.

22 Q. Okay. Thank you.

23 A. You're welcome.

24 **EXAMINATION BY THE HONOURABLE GREGORY T. EVANS**

25 Q. Mr. Grattan, I'd like to ask you ---

MR. GRATTAN, EXAM. BY MR. EVANS

1 A. Yes, sir.

2 Q. --- some questions about -- what education did you
3 have when you went in?

4 A. I had a Grade IX half completed in the French school
5 system in New Brunswick.

6 Q. Were you proficient in English then?

7 A. English and French.

8 Q. Both. Now what educational -- were there any
9 educational courses that you could take?

10 A. When I went to Springhill there were a few but most of
11 them were below my level at that point. They were
12 upgrading courses that would go from Grade I to Grade
13 VI. I took courses by correspondence from outside the
14 prison.

15 Q. And was that something provided by the Correctional
16 Service?

17 A. That was something that at that time was funded by the
18 Correctional Services. They supported that very much.

19 Q. And so then did you follow a particular course?

20 A. I completed high school in French by correspondence
21 and then I took the GED course in English and got my
22 Grade XII from that. And took some University credit
23 courses by extension and by correspondence.

24 Q. And when would you take that in the prison time? You
25 were working the six hours a day or whatever it was.

MR. GRATTAN, EXAM. BY MR. EVANS

1 A. Well, I would gear my day around it. As I said, I
2 found a job eventually as a cleaner, working in the
3 unit where I lived. So that I could get up at eight
4 o'clock in the morning, scrub the floors, get that
5 done by 8:30 or 9:00 and then sleep all day. Then I
6 would go to supper, come back, lock myself in my cell
7 and study all night or read.

8 Q. So that when you came out then, you were pretty well
9 qualified as compared to most of those of those in the
10 prison system in Springhill.

11 A. I would say in many ways I was fortunate. More
12 fortunate than others, yes.

13 Q. Do many follow the courses, educational courses?

14 A. They are not made readily available now and they don't
15 encourage them in Springhill.

16 Q. When you got out and into the halfway house, were you
17 able to get a job?

18 A. When I got out and into the halfway house, yes, I was.
19 In fact, the general recommendation of a halfway house
20 when a lifer comes out is -- they don't push you to
21 work. They say, "Look, just get used to being out for
22 a while. Take three months off." You know, sort of
23 thing. But I was unable to do that and I immediately
24 -- within a month, was working.

25 Q. And did you keep that job?

MR. GRATTAN, EXAM. BY MR. EVANS

1 A. I worked at that job for a couple of months until the
2 hours were cut back and then it wasn't much good to
3 me. It was a cleaners job. I was working in Fort
4 George Museum on Citadel Hill.

5 Q. And then did you get another job?

6 A. No. I'm looking for work now.

7 Q. Are drugs a big problem in Springhill?

8 A. They never were from my perspective when I was in
9 there. The only problem was obtaining them and paying
10 for them. When I was there in the early 70's, it was
11 a totally different atmosphere. As I said, it was
12 still part of the '60's. It was -- the people that
13 were there, if they had drugs, they shared it with one
14 another. It was seen as a spiritual experience. It
15 was seen as a communion that was shared between
16 people. Now it's big business and it's very different
17 there now than it was when I was there.

18 Q. And was alcohol a problem in the ---

19 A. Alcohol was rarely a problem. Occasionally, some guy
20 would get a brew and get twisted. Alcohol was a
21 problem like pills is a problem because of the
22 violence it creates and brings out. Other drugs were
23 less of a problem because they created less violence
24 directly.

25 Q. And you said that lifers sort of formed a community

MR. GRATTAN, EXAM. BY MR. EVANS

1 of their own. They were separate from the
2 institution.

3 A. Yes. Very much.

4 Q. From other inmates in the institution.

5 A. Oh, yes. They were their own particular little group.

6 Q. They were the top rank or the hierarchy.

7 A. In a sense. Them and the really big-time dope
8 dealers. The dope dealers because, of course, they
9 controlled all the drugs.

10 Q. They had the money.

11 A. And had the power. Yes, money and power. Lifers had
12 prestige and no money and no power.

13 Q. But at least you had someone to back you up if there
14 were difficulties.

15 A. Yes. Quite frequently, the lifers stuck together to
16 that point. Oh, yes. Very much. That was the main
17 thing of it is people stuck together.

18 Q. So that separated you from the general crowd.

19 A. Oh, certainly. Certainly.

20 Q. Thank you very much.

21 A. You're very welcome.

22 MS. DERRICK

23 Mr. Commissioner, my next witness will be Ann Marie
24 Battiste, and I think it would be appropriate to start
25 her after the lunch. I don't know whether she's here.

1 She is here.

2 MR. EVANS

3 She's here.

4 MS. DERRICK

5 And, perhaps, if we could start at 1:30 or ---

6 MR. EVANS

7 Right.

8 MS. DERRICK

9 Would that be acceptable?

10 MR. EVANS

11 Well, if she's here now, would you care to start and
12 then we'll quit at half past twelve and come back at
13 2? The ---

14 MS. DERRICK

15 Because it's nearly ten past twelve I would really
16 rather put her evidence in all together.

17 MR. EVANS

18 What's the best time for other counsel because I know
19 they like to make phone calls and things of that
20 kind.

21 MR. SAUNDERS

22 That's fine. Whatever the Commissioner rules. 1:30
23 will be fine.

24

25 --- Upon recessing at 12:15 p.m.