

# COVID-19 AND ITS IMPACTS ON CRIMINAL JUSTICE INSTITUTIONS AND ACTORS

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*Abstract.* The COVID-19 pandemic and the measures to manage the pandemic have had numerous collateral consequences for social life across the globe. As people and organizations are adapting to the new normal, sociologists have been eager to appreciate the social implications of these transformations. This special issue examines how the pandemic and pandemic management has altered criminal justice institutions and shaped the lives of people navigating the criminal justice system. In this brief introductory article, we draw attention to the collateral consequences of the pandemic and pandemic management on criminal justice institutions, clients, and actors in Canada and introduce the work of the four sets of authors in this collection. We discuss the four articles in chronological order related to the institutions of justice, starting with bail and courts, moving to prison experiences, and concluding with a discussion of parole.

**Keywords:** COVID-19, Institutions of Criminal Justice, Canada

*Résumé.* La pandémie du COVID-19 et les mesures prises pour gérer la pandémie, posent de nombreuses conséquences indirectes sur la vie quotidienne travers le monde. Alors que les individus et les organisations doivent s'adapter à la nouvelle normalité, les sociologues se sont empressés de comprendre les conséquences sociales de ces transformations. Cette édition spéciale examine comment la pandémie et la gestion de cette pandémie, ont transformé les institutions de la justice criminelle et façonné la vie des individus qui se trouvent dans le système de justice criminelle. Dans ce bref article d'introduction, nous portons votre attention la gestion de la pandémie et les effets collatéraux sur les institutions, les clients et les acteurs de la justice criminelle au Canada et nous présentons le travail des quatre groupes d'auteurs de ce recueil. Nous examinons les quatre articles par ordre chronologique en ce qui concerne les institutions de la justice, en commençant par la mise en liberté sous caution et les tribunaux, suivie par les expériences carcérales et enfin par une discussion sur la libération conditionnelle.

**Mots clés:** COVID-19, des institutions du Système de justice pénale; Canada

**A**t the time of writing, nearly two years have passed since the World Health Organization (WHO) declared the coronavirus disease 2019 (COVID-19) a Public Health Emergency of International Concern. Shortly after this initial declaration on January 30, 2020, the WHO declared COVID-19 a pandemic in March 2020. Recently scientists in South Africa detected and identified the Omicron variant, leading to a new unparalleled phase in the pandemic. Undoubtedly, COVID-19 rapidly has become the largest global health emergency of the twenty-first century and has undeniably changed the world in unprecedented ways.

Attempting to stop the spread of the virus by preventing its human-to-human transmission, many governments around the world implemented (and are *still* implementing at the time of writing) “lockdown” or “mass quarantine” measures (Davies et al 2020). These measures aim to limit face-to-face interactions and attempt to limit the movement of people (Lau et al. 2020). Measures vary based on national and sometimes local context, including such practices as work-from-home advisories, compulsory “shelter-in-place” orders, closing schools and non-essential services, and restricting social gatherings, travel, and border crossings (Wilder-Smith & Freedman, 2020). These restrictions come with additional requirements relating to mask wearing and physical distancing, sometimes referred to as “social distancing.”

Where such measures have been implemented, they have been shown to effectively alleviate stress on the health care systems, slow the spread of the virus and prevent additional deaths (Lau et al. 2020). At the same time, we have seen improvements in other areas of life, such as improved air quality. This was due to a reduction in greenhouse gas emissions partially attributed to reduced road and air traffic, with road traffic being reduced by half globally in April 2020 and air traffic being reduced by 63% during the same month (United Nations, 2020; Zambrano-Monserrate et al., 2020).

Numerous studies have also shown that the pandemic has had collateral consequences on the economic, social, psychological, and emotional well-being of society. Examples include an increase in child abuse and domestic violence (Buceri et al 2021; Piquero et al. 2021), reduced life satisfaction and increased emotional isolation (Zhang et al., 2020). Moreover, occupational stress injuries will likely increase for essential service providers, such as public safety personnel and healthcare staff, who continued to work throughout the lockdowns. However, several studies have also shown that the collateral consequences are most pronounced for those most vulnerable in society—criminalized persons, prisoners, and other marginalized groups. As part of their effort to miti-

gate the spread of the virus the services such individuals rely on, such as homeless shelters or counselling services, have sometimes had to close down, or occasionally transition to online delivery that may not be workable for the client (Perri et al, 2020).

Simultaneously, vulnerable members of society are less likely to be able to work from home and have a greater chance of being laid off, or not being able to find work due to the closure of non-essential services (International Labour Organization 2020). Youth and children are particularly affected by isolation and quarantine measures (Orgiles, Morales, Delvecchio, Mazzeschi, & Espada, 2020). Consequently, youth and children have a higher likelihood of developing acute stress disorder, adjustment disorder, and posttraumatic stress disorder. Previous studies conducted in the aftermath of health-related disasters found that 30% of quarantined or isolated children meet the clinical criteria for posttraumatic stress disorder (Sprang and Silman 2013). Such statistics create continued uncertainty about what the global future will hold.

Documenting and attempting to understand the various societal costs of the pandemic is imperative. Consequently, sociologists quickly turned their attention to studying the collateral consequences of pandemic management on society (for example, Rowe 2020 or Werron and Ringel 2020). This is in line with Swidler's (1986) assessment that periods of social transformation, such as the pandemic and its consequences, are compelling moments that present opportunities to study the connections between culture and action. They are equally compelling moments for studying how organizations adapt and change to adjust to the new ways of organizing social life. The pandemic has challenged people and organizations to develop and master new strategies for coping with the changing social and institutional environment. Swidler (1986) reminds us that *these moments* provide sociologically interesting vantage points from which to study society and culture, as people and organizations cannot rely on the ways of life they have previously taken for granted (Swidler 2000). The pandemic has created a new form of social upheaval and changed lives, with a reach that encompasses all global citizens.

The four articles in this special issue of the *Canadian Journal of Sociology* engage with changes that the pandemic has brought to the criminal justice system. We have organized the collection chronologically in terms of criminal justice processes, starting with court, then prisons, and then parole. To this end, the first article concentrates on the challenges and transformation of the bail court system and its consequences for those attending court. The next two articles turn to the realities of prison life. The first examines how the pandemic helps illuminate the effects and impacts of imprisonment on incarcerated individuals, and the

second focuses on the difficulty of receiving accurate information about how prison systems are operating during the pandemic. The collection concludes by turning to the parole system, with an article about the new challenges and risks parole officers face as they navigate the pandemic. Overall, this collection provides insights into the social transformation of organizations during “unsettled times” (Swidler 2020). The collection is wide ranging in scope and perspective, bringing together critical nuances with applied findings, and theoretical insights buttressed by methodological rigor. With this in mind, we provide brief overviews of the articles in this collection.

In the first article, Nicole Myers explores how the court system has had to change during the pandemic. Based on 80 days of virtual bail court observation, she reveals the obdurate nature of well-known issues within the bail process, including the culture of adjournment, reliance on surety supervision, and the establishment of numerous conditions of release. These courts, which are typically open to the public, went online during the pandemic, leaving the accused publicly invisible and operating in a virtual space where they are even more dependent on counsel and often inscrutable court processes. Myers examines how differences in access to technology and private space shape the court process during COVID-19 times, producing a situation that leaves the vulnerable even more vulnerable in their engagements with the criminal justice system.

The authors of the next two articles engage with the question of how the correctional system has changed during the pandemic. Given the continually evolving nature of the pandemic – and the recent explosion of the Omicron variant – it is difficult to accurately chart the infection rate in Canadian prisons. However, in 2021 Piche found that throughout the pandemic, 61.6% of jails, prisons, and penitentiaries across Canada reported cases of COVID-19. As of November 2021, there have been 9,715 cases of COVID and 10 COVID-related deaths linked to Canadian carceral institutions<sup>1</sup> and outbreaks have been reported in at least seven prisons across Canada (Bucerus et al. 2022; CSC 2021). The pandemic obviously prompted many changes to in-prison routines. While there were differences between the various correctional jurisdictions, officials across all correctional ministries instituted health-related measures based on guidelines from the Centres for Disease Control (CDC). Generally speaking, these measures included establishing and enforcing social distancing protocols, which often translated to incarcerated people being locked up in their cells for prolonged periods of time. Officials

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1. 7,492 cases and 9 deaths are reported among prisoners, 2,206 cases and 1 death are reported among staff, 6 cases are reported among contractors, and 11 cases are attributed to unknown sources (Piche 2021).

established quarantine units for those with COVID-19 symptoms, and eliminated transfers and in-person visitations. Staff and incarcerated individuals were also given personal protective equipment (PPE), cleaning supplies, and offered educational materials relating to hygiene, disinfecting, and social distancing (Public Safety Canada 2020).

Nevertheless, as Rachel Fayer, Brittany Mario, Vicky Chartrand and Jennifer Kilty describe in their article, there have been persistent disconcerting reports that formal protocols relating to masking, social distancing, sanitizing, and PPE have not consistently been followed by both correctional workers and incarcerated individuals. Their article focuses on the mental health impacts on incarcerated individuals of the Correctional Service Canada (CSC)'s COVID-19 new governance and response plan. They focus on the lived experiences of individuals incarcerated in Canadian federal institutions during the pandemic, arguing that CSC's efforts to securitize the environment in light of COVID-19 and its associated health risks was less than optimal and that CSC's failure to take different (e.g., more caring and therapeutic) actions left incarcerated people isolated, disconnected, and lacking supportive resources. This, in turn, exasperated underlying mental health challenges among incarcerated people, creating and fostering additional emotional distress for those detained in prisons.

The third article, by Justin Piché and Kevin Walby also explores issues related to prison and corrections. In particular, they are concerned with the deterioration of government transparency related to incarceration during the COVID-19 pandemic. They urge researchers to contest information barriers and create greater state transparency by filing freedom of information requests. This, they maintain, provides social science researchers with information about how correctional ministries have managed the pandemic and the consequences of such management (or mis-management) on incarcerated populations.

The concluding fourth article, draws on 54 interviews with community parole officers to explore how their roles and work routines have altered during the pandemic, producing both additional emotional stress and new occupational health risks and vulnerabilities. This article, by Mark Norman, Rosemary Ricciardelli, and Katharina Maier, draws particular attention to the collateral consequences of the decarceration policies implemented as way to manage the pandemic; specifically, the disappointment felt by many federal prisoners hoped they might qualify for "parole by exception." They draw attention to the realities shaping the decarceration policies implemented as a way to manage the pandemic – and which have been advocated for by various scholars (see, for example, Ricciardelli et al. 2021). Specifically, they note that at the

onset of the pandemic, there were approximately 37,800 adults detained in Canada's federal and provincial prisons, with women comprising about 6% of the federal prison population. These institutions had an occupancy rate of roughly 99.5%, so they were essential at capacity (Statistics Canada 2020). During the first weeks of the pandemic, officials took measures to reduce the risk of infections and disease outbreaks by releasing some individuals designated low-risk. Partly as a consequence, the average count of adults in federal custody declined by 5% between February and June 2020 (Statistics Canada 2020), and the average count of adults in provincial/territorial custody fell 28% from February to May 2020 (Statistics Canada 2020). Norman et al. here explore how these decarceration efforts created new challenges for parole officers who had to navigate supports and supervision while being confronted with added health risks and a reduced ability to meet and interact with their clients. Thus, there is some recognition that the data around the institutional dynamics of decarceration is only in its infancy, the outcomes of which remain unclear. However, what is clear is the need for greater supports for people on conditional release (see also Schneider 2021) and those supervising or supporting such individuals.

Overall, our edited collection provides insights into how various institutions within the Canadian criminal justice system have dealt with pandemic-related challenges and changes. As the pandemic continues to alter our personal lives and institutional routines, further exploration of the effects on criminal justice institutions and the lives of those who interact with these institutions is necessary.

## REFERENCES

- Bucierus, Sandra, Ricciardelli, Rosemary & Berardi, Luca. 2022. COVID-19 in Prisons: Country Report Canada, in Dünkel, F., Harrendorf, S., and van Zyl Smit, D. *The Impact of Covid-19 on Prison Conditions and Penal Policy*. Routledge.
- Bucierus, Sandra M., Roberts, B. W. & Jones, Dan J. 2021. The effect of the COVID-19 pandemic on domestic violence and child abuse: *Journal of Community Safety and Well-Being*, 6(2): 75-79. <https://doi.org/10.35502/jcswb.204>
- Correctional Services Canada. 2021, April 22. *Testing of inmates in federal correctional institutions for COVID-19*, Government of Canada, available online at: <https://www.canada.ca/en/correctional-service/campaigns/covid-19/inmate-testing.html>

- Davies, N. G., Kucharski, A. J., Eggo, R. M., Gimma, A., Edmunds, W. J., Jombart, T., O'Reilly, K., Endo, A., Hellewell, J., Nightingale, E. S., Quilty, B. J., Jarvis, C. I., Russell, T. W., Klepac, P., Bosse, N. I., Funk, S., Abbott, S., Medley, G. F., Gibbs, H., Pearson, C. A. B., ... Liu, Y. 2020. The effect of non-pharmaceutical interventions on COVID-19 cases, deaths and demand for hospital services in the UK: A modelling study. *Lancet Public Health*, 5: 375–385.
- International Labour Organization. 2020. In the face of a pandemic: Ensuring safety and health at work. Geneva: ILO. [https://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---safework/documents/publication/wcms\\_742463.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---safework/documents/publication/wcms_742463.pdf)
- Lau, H., Khosrawipour, V., Kocbach, P., Mikolajczyk, A., Schubert, J., Bania, J. & Khosrawipour, T. 2020. The positive impact of lockdown in Wuhan on containing the COVID-19 outbreak in China. *Journal of Travel Medicine*, 27(3): 1–7. Orgilés, M., Morales, A., Delvecchio, E., Mazzeschi, C. & Espada, J.P. 2020. Immediate psychological effects of the COVID-19 quarantine in youth from Italy and Spain. *Frontiers in psychology*, 11: 2986.
- Perri, M., Dosani, N., & Hwang, S. W. 2020. COVID-19 and people experiencing homelessness: Challenges and mitigation strategies. *Canadian Medical Association Journal*, 192(26): E716–E719.
- Piche, Justin. November 21, 2021. Tracking the Politics of Criminalization and Punishment in Canada, available online at <http://tpep-canada.blogspot.com/2021/11/covid-19-cases-linked-to-616-of-adult.html>
- Piquero, A. R., Jennings, W. G., Jemison, E., Kaukinen, C., & Knaul, F. M. 2021, March.
- Domestic violence during COVID-19: Evidence from a systematic review and meta-analysis. Washington, DC: Council on Criminal Justice.
- Public Safety Canada (Oct 1, 2020), *COVID-19 Planning for Federal Corrections*, available online at [https://www.publicsafety.gc.ca/cnt/trnsprnc/brfng-mtrls/prlmntry\\_bndrs/20200730/018/index-en.aspx](https://www.publicsafety.gc.ca/cnt/trnsprnc/brfng-mtrls/prlmntry_bndrs/20200730/018/index-en.aspx)
- Ricciardelli, Rosemary, Sandra Bucerius, Justin Tetrault, Ben Crewe, and David Pyrooz. 2021.
- Correctional services during and beyond COVID-19. *FACETS*. 6: 490-516. <https://doi.org/10.1139/facets-2021-0023>
- Rowe D. 2020 Subjecting pandemic sport to a sociological procedure. *Journal of Sociology*, 56(4): 704-713. doi:[10.1177/1440783320941284](https://doi.org/10.1177/1440783320941284)
- Schneider L. (2021) Let me take a vacation in prison before the streets kill me! Rough sleepers' longing for prison and the reversal of less eligibility in neoliberal carceral continuums. *Punishment & Society*. doi:[10.1177/14624745211010222](https://doi.org/10.1177/14624745211010222)

- Sprang, G. & Silman, M. 2013. Posttraumatic stress disorder in parents and youth after health-related disasters. *Disaster Medicine and Public Health Preparedness*, 7: 105–110.
- Statistics Canada (2020): Changes in federal, provincial and territorial custodial populations during the COVID-19 pandemic <https://www150.statcan.gc.ca/n1/daily-quotidien/200812/dq200812a-eng.htm>.
- Swidler, A. 1986. Culture in action: Symbols and strategies. *American sociological review*, V(1): 273-286.
- Swidler, A. 2000. Cultural power and social movements. In H. Johnston & B. Klandermans (Eds.), *Culture and Politics* (pp. 269-283). New York: Palgrave Macmillan.
- Werron, T., & Ringel, L. 2020. Pandemic Practices, Part One. How to Turn “Living Through the COVID-19 Pandemic” into a Heuristic Tool for Sociological Theorizing. *Sociologica*, 14(2): 55–72. <https://doi.org/10.6092/issn.1971-8853/11172>
- Wilder-Smith, A., & Freedman, D. O. 2020. Isolation, quarantine, social distancing and community containment: Pivotal role for old-style public health measures in the novel coronavirus (2019-nCoV) outbreak. *Journal of Travel Medicine*, 27: 1–4. United Nations. 2020. Shared responsibility, global solidarity: Responding to the socio-economic impacts of COVID-19. United Nations <https://unsdg.un.org/sites/default/files/2020-03/SG-Report-Socio-Economic-Impact-of-Covid19.pdf>.
- Zambrano-Monserrate, M. A., Ruano, M. A., & Sanchez-Alcalde, L. 2020. Indirect effects of COVID-19 on the environment. *Science of The Total Environment*, 728: 1–4.
- Zhang, S. X., Wang, Y., Rauch, A., & Wei, F. 2020. Unprecedented disruption of lives and work: Health, distress and life satisfaction of working adults in China one month into the COVID-19 outbreak. *Psychiatry Research*, 288: 112958.

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