

# Exploring Criminal Justice in Alberta\*

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This supplement to *Exploring Criminal Justice in Canada* provides additional content about crime and the responses of the police, courts, and corrections that is specific to Alberta, including issues related to urban and rural crime, and a report card for the province's justice system. Several noteworthy criminal justice cases that drew international attention are also described, including the wrongful conviction of Connie Oakes in 2011 that was only resolved in 2019. Last, a short description of managing the challenges of antisocial behaviour and crime in Fort McMurray, Canada's largest boomtown, is also provided. Altogether, these cases, events, and information specific to the province of Alberta enable readers to better understand the provincial context that can't be covered in a textbook that focuses on the entire nation.

## ALBERTA: CRIME AT A GLANCE

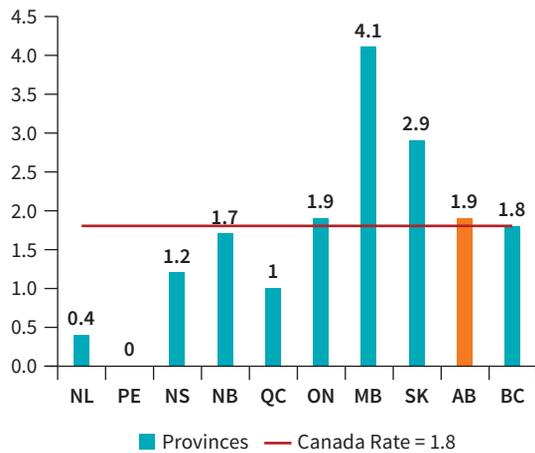
Like the other two Prairie Provinces, crime rates and rates of self-reported victimization in Alberta are higher than the national average. Similar to the rest of Canada, rates of crime reported to the police have been dropping since the 1990s and the rate of offences per 100,000 residents reported to the police in Alberta is lower today than rates in the 1970s. Perreault (2015, p. 7) found the proportion of Albertans reported being the victims of violent crimes dropped by 51 per cent between 2004 and 2014, which was the greatest decrease in the nation. We are awaiting the results of the 2019 General Social Survey on victimization to see if this positive finding has continued and those results should be published by the Canadian Centre for Justice Statistics by 2021.

While *Exploring Criminal Justice* described the interprovincial differences in the Crime Severity Index (CSI), which is a measure of the volume and seriousness of crime, the following figures show differences in homicide and intimate partner violence (IPV), as well as rates of non-violent offences, and reported crime rates in Alberta's largest cities.

Figure 1 shows the homicide rate per 100,000 residents for 2018. The Alberta rate of 1.9 is slightly higher than the national average of 1.8 per 100,000 residents, and much less than those for Saskatchewan and Manitoba, and was the lowest rate since 1996 (Roy & Marcellus, 2019). When we look at the trends, the homicide rate has fluctuated, increasing after 2011, peaking in 2017, and has since been decreasing. That decrease did not occur in all Alberta communities and in 2016 the Royal Canadian Mounted Police (RCMP) reported that the number of rural homicides had almost doubled between 2014 and 2015. The number of rural homicides seems to have stabilized since then, although there is considerable concern about crime in rural Alberta, a subject we tackle in the next section of this supplement.

As noted in *Exploring Criminal Justice*, some populations are more vulnerable to being murdered, and a review of 2018 homicide statistics shows that Indigenous men and women in Alberta are killed at a higher rate than their non-Indigenous counterparts. The murder rate for non-Indigenous Albertans is 1.25 per 100,000 while the rate for Indigenous Alberta peoples is

\*The ten provincial summaries follow a common template and although the examples presented in this supplement differ from the other nine, some of the content is very similar or will have identical text.



**FIGURE 1** Provincial Homicide Rates (per 100,000 residents), 2018

Source: Adapted from Statistics Canada (2020a) Table: 35-10-0177-01

10.3 per 100,000 residents. In other words, an Indigenous person is about eight times more likely to be murdered than a non-Indigenous Alberta resident (Roy & Marcellus, 2019). Indigenous women in Alberta are at higher risk and are about 13 times more likely to be homicide victims than non-Indigenous Alberta women. Indigenous peoples are, however, more likely to be accused of a homicide offence in Alberta and in 2018 they were 15 times more likely to be accused of murder than a non-Indigenous person (Roy & Marcellus, 2019, p. 30).

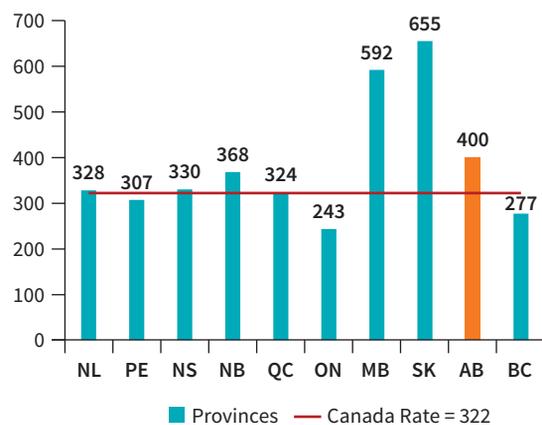
### Violence Toward Women

The report on the National Inquiry into Missing and Murdered Indigenous Women and Girls, which was released in 2019, has brought attention to the issue of violence towards all women. The Chief Public Health Officer of Canada (2016) has called family violence a serious public health issue and he reports that more than 200 men and women are victimized every day and every four days in Canada a woman is killed by a family member. In terms of family violence, the risks of victimization increase for women, Indigenous peoples, people with disabilities, and those who identify as lesbian, gay, bisexual, trans, or questioning (Chief Public Health Officer of Canada, 2016, p. 6). Kingston (2019, para. 9) examined

the issue of IPV in a report for *Maclean's* and she says that the responses of the justice system were set up to fail women given “a lack of data, inconsistent record-keeping, systemic disconnects, lack of accountability and failure of political will.”

How serious is the family violence problem in Alberta? The findings of self-report surveys show that most incidents of family violence are never reported to the police. Figure 2 shows that acts of intimate partner violence reported to the police in Alberta is the third highest in the nation. The risks of family violence may increase during times of economic hardships as unemployment and poverty place additional stresses on families (Golden, Perreira, & Durrance, 2013). As a result, the downturn in the Alberta economy that started in 2020 combined with the COVID-19 pandemic (see Boseveld, 2020) might result in even higher rates of family violence.

In order to decrease the number of intimate partner homicides the provincial government established the Alberta Family Violence Death Review Committee in 2013, and that group reviews the circumstances of these deaths. Between 2008 and 2018 there were an average of 17 of these murders every year, and this is shown in Figure 3. Although the numbers typically vary every year,

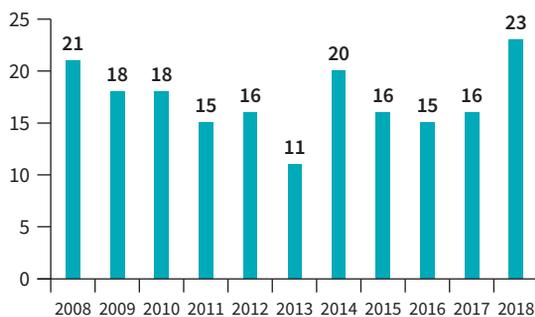


**FIGURE 2** Victims of Police-Reported Intimate Partner Violence, 2018

Source: Adapted from Burczycka (2019)

about one-half of these murders are single homicides (e.g., where a husband kills his wife), and about one-quarter are murder-suicides; the rest involve more than one homicide. About 90 per cent of these murders were perpetrated by males in 2018 and they were generally aged 20 to 29 years-old and were involved in a relationship with the women they murdered (Family Violence Death Review Committee, 2019). Readers interested in family violence can review their case reviews, which are short reports that describe these incidents and include recommendations on reducing these crimes. These case reviews are available at: <https://www.alberta.ca/family-violence-death-review-committee.aspx>.

There is also increased attention being paid to the issue of sexual violence since the start of the #Me Too movement in 2016 and 2017. As noted in *Exploring Criminal Justice* sexual offences are among the least reported crimes. Perreault (2015, p. 3) analyzed the results of the 2014 General Social Survey (GSS) and estimated that as few as 5 per cent of all sexual offences are reported to the police (and only a fraction of those cases resulted in convictions). Rotenberg and Cotter (2018) found that the number of sexual assaults reported to the police increased by 24 per cent after the #Me Too went viral on social media in October 2017, although the increase in Alberta (7 per cent) was much less than the national average. Moreau (2019, p. 47) reports that the rate of sexual assault in Alberta is slightly above the national average



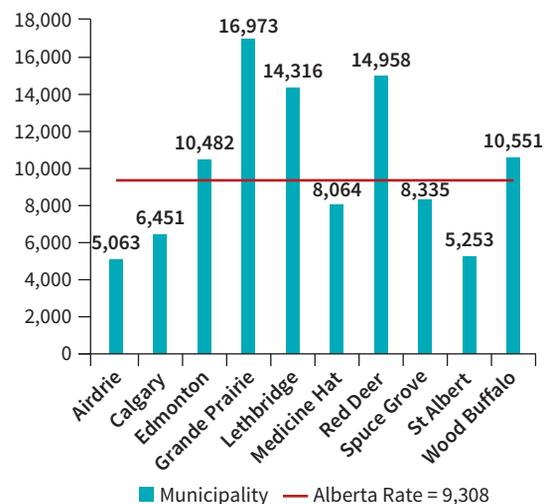
**FIGURE 3** Intimate Partner Homicides, Alberta: 2008 to 2019

Source: Adapted from Family Violence Death Review Committee (2019)

(81 and 78 offences per 100,000 residents, respectively). Those results are similar with Perreault's (2015, p. 31) findings from the 2014 GSS, which also shows that Alberta is above the national average (25 and 22 offences per 1,000 residents aged 15 years and older, respectively). Although crime statistics show that Alberta has rates of sexual violence somewhat higher than the national average, we lack a full understanding of the true number of these offences or what happens in court to the persons accused of these crimes (e.g., are they convicted, and what types of sentences do they receive if they are found guilty?).

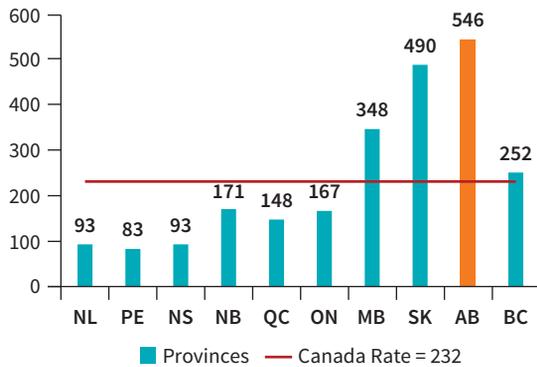
### Crime Severity in Alberta

Almost all the provinces had a slightly higher CSI in 2018 than in 2017. Moreau (2019, p. 51) reports that the overall CSI for the entire nation increased by 2 per cent and the violent CSI rose by 1 per cent in that year. In Alberta, there was no change in the overall CSI between 2008 and 2018, and a 1 per cent reduction in the violent CSI between 2017 and 2018; a topic we address below. Figure 4 presents the crime rates for the 10 largest Alberta cities for 2018, and this comparison shows that there is considerable variation in the amount of



**FIGURE 4** Total Crime Rate per 100,000 Residents, Largest Alberta Cities, 2018

Source: Adapted from Statistics Canada (2020b). Incident Based Crime Statistics Table 35-10-0183-01

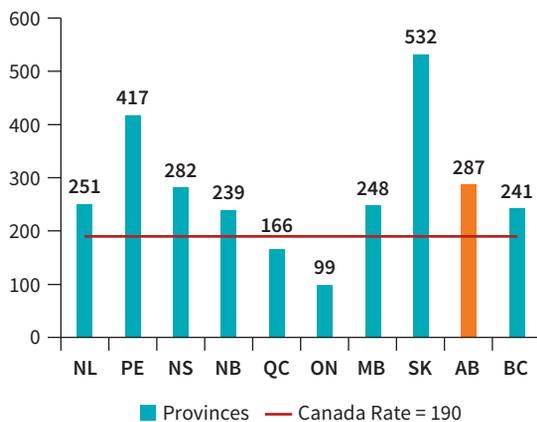


**FIGURE 5** Motor Vehicle Theft (rate per 100,000 residents) in the Provinces, 2018

Source: Adapted from Statistics Canada (2020a) Incident Based Crime Statistics Table: 35-10-0177-01

crime occurring within the province as Grande Prairie has an overall crime rate that three times higher than Airdrie or St Albert. A question that criminologists like to ask is why crime differs so much between these places. Is it, for example, due to the actual number of crimes that occur, or are residents of some cities more likely to report their victimization than their counterparts from other cities?

Alberta is a leader in some non-violent offences, including motor vehicle theft, and this comparison is presented in Figure 5. In 2018 Alberta had the highest rate of motor vehicle theft in the nation. In *Exploring Criminal Justice*, the



**FIGURE 6** Provincial Impaired Driving Rate (per 100,000 residents), 2018

Source: Adapted from Statistics Canada (2020b) Table: 35-10-0177-01

top five vehicles stolen in Alberta were compared with the top five in Ontario, and the key difference was a higher number of trucks stolen in Alberta. A review of the top 10 stolen vehicles in Alberta for 2019 shows that 8 of these vehicles are trucks (Insurance Bureau of Canada, 2020). Alberta also has relatively high rates of impaired driving, and Figure 6 shows that only Prince Edward Island and Saskatchewan had higher rates.

### Critical Thinking Questions

1. What factors might explain why crime rates in Grande Prairie are three times higher than crime rates in Airdrie?
2. Can you think of some reasons why Alberta has the highest rate of motor vehicle theft in the nation?
3. What factors might lead to high rates of intimate partner violence in Alberta?

### A STORM IS COMING: COVID-19 AND CANADA'S CRIMINAL JUSTICE SYSTEM

Three months into the pandemic—in mid-May 2020—the media isn't reporting significant national-level increases in the volume or seriousness of crime, but the types of crimes being committed are changing due to the number of people who are self-isolating, out-of-work, low on spending money, and suffering from stress and uncertainty. Some criminologists say that it is irresponsible to make predictions about the impact of a one-time crisis on crime as there are few prior examples and too many unknowns. We do predict, however, that the crime-related impacts of the pandemic will differ throughout the nation. Some cities and provinces may be more resistant to the ill-effects of the economic downturn while parts of the country that were already suffering—such as Alberta or Newfoundland and Labrador—may be doubly disadvantaged.

The number of people turning to alcohol and drugs, committing suicide, and engaging in crime often increases in tough economic times. Police officials are reporting that the number of residential break and enters have decreased while commercial break-ins increased, as have domestic violence incidents and street robberies (Fitzpatrick, 2020; Howell, 2020). Hate crimes directed toward East Asians are also said to have increased since the start of the pandemic (Hager, 2020). We might not consider how some social and legal changes affect criminal activities. Wells (2020) reports that closing the borders reduced the supply of illicit drugs coming into the country and prices increased; causing some users to turn to more lethal drugs. People involved in the sex trade can no longer sell their services due to the fear of transmitting the virus. Workers in some long-term care facilities in eastern Canada allegedly abandoned their clients and some elderly people died alone in these places. Furthermore, because schools have closed, it may be harder to detect cases of child abuse because teachers are no longer reporting these crimes. Last, although there are fewer cars on the road people are driving faster and the number of dangerous driving offences have increased in some provinces. We will not have a full accounting of the impact of COVID-19 pandemic until the 2020 police-reported crime statistics are released in the summer of 2021.

All three parts of the justice system are adapting to the pandemic, and the following briefly describes some initial impacts on the police, courts, and corrections:

**Police:** Luscombe and McClelland (2020) found that some police services have enforced social distance bylaws more aggressively than others, and many people receiving tickets for violating these bylaws are already socially marginalized. It is proving difficult for some police services to strike a balance between ensuring public safety—including the health risks for officers and the people who get stopped, searched, and/or arrested—and resisting the expansion of police powers.

Anecdotal accounts suggest that some police services directed their officers to ignore low-level crimes given the risks of contracting the COVID-19 virus in the interactions between suspects and officers.

**Courts:** Most courts closed because of social distancing and virtual and/or video hearings became more commonly used. Bail hearings were prioritized, although judges were reluctant to detain accused persons in jail given the risks of contracting the virus. There was a growing backlog of cases that need to be heard sometime in the future and some predict that jury trials will not resume until 2021 (Powell, 2020). There is likely to be a backlog of family matters and civil cases that further tie up the courts given the number of lawsuits that will be launched due to broken contracts.

**Corrections:** The virus swept through correctional facilities and inmate deaths were reported throughout the country. In order to reduce the risks of spreading COVID-19, about one-quarter of provincial inmates in Ontario were released from custody; the other nine provinces took a similar approach (and released about a similar proportion of inmates). The federal and provincial prisoners who remain in custody say that tensions in these facilities have increased as the people living behind bars feel powerless to avoid the virus, and family visits—which reduce tensions—have been cut to avoid importing the virus into these facilities. As a result, family members have expressed fear that their loved ones might die behind bars without their support.

We know that the criminal justice system will weather the unpredictable future, but question the long-term impacts of the pandemic. By the time you read this summary, some of the issues we raised will have been resolved, but the long-term impact of the COVID-19 virus on the economy and jobs will shape the types of crimes that are occurring, and the operations of the police, courts, and corrections for years to come. As governments respond to manage a greater demand for services,

their operating budgets maybe cut because of the economic downturns. Prior research has shown that recessions often result in less funding for the police, courts, and corrections at the same time that crime increases and the people involved in the criminal justice system have a greater set of unmet needs.

## RURAL CRIME

We tend to think of rural areas as having relatively low rates of crime and violence, but as noted in Chapter 2 of the textbook some rural places have higher levels of property and violent crime than any city. According to Statistics Canada (2019), almost 670,000 persons, or 16 per cent of Alberta residents, live in the countryside. Table 2.2 in *Exploring Criminal Justice in Canada*, which reports the results of research carried out by Perrault (2019) for Statistics Canada, shows that the total crime rate per 100,000 residents in rural Alberta (10,964) is much higher than the urban crime rate (7,920), and the violent crime rate also is higher in rural Alberta (1,870) than in the urban areas (1,158). Perrault (2019, p. 18) reports that rates of break-ins and thefts, and motor vehicle theft in rural Alberta are the highest in the nation. Alberta also led the nation in the increase in both the overall rural CSI (17 per cent) between 2009 and 2017 (Perrault, 2019, p. 33).

In response to these increases in rural crime, the province is planning on deploying another 300 RCMP constables and 200 civilian personnel (Tait, 2020). Tait also describes how the roles of Alberta sheriffs, conservation officers, and highway traffic officers will be enhanced so they can act as first responders to crime; a strategy the government calls the Rural Alberta Provincial Integrated Defence Force (RAPID Force). Similar approaches have been taken in Saskatchewan to provide a better response to rural crime. In addition to the steps that governments have taken to reduce rural crime, there is an increased interest in rural crime watch. Furthermore, social media sites, such as Farmers Against Rural Crime on Facebook—with over 16,500 members in June 2020—share information

about rural crimes that have occurred. Altogether, the individuals involved in these activities are intended to collect information about crime and suspicious activities and give that information to the police.

One factor that sets urban and rural people apart is that some rural residents are hesitant to report their victimization to the police as they don't want to be the topic of gossip. Writing about rural residents, Smith and McElwee (2013, p. 116) noted that “many victims of crime suffer in silence feeling a pressure to conform, ‘keep the peace’ and avoid making accusations.” In addition, rural residents tend to be more conservative and independent than their city counterparts and may be more likely to retaliate against someone who has harmed them (Clairmont & Thomson, 2003). These conflicts can sometimes lead to feuds between individuals, families, and entire communities. At some point the police become involved in these conflicts but this can happen too late to prevent violence.

Life in the countryside presents some challenges, especially since the rural population is decreasing as young people are moving to the cities for better opportunities. Given the sparse populations, some residents feel vulnerable and fearful. Mandryk (2016, para. 15) reports that “rural people are all too aware that their remoteness” and the “scarcity of police makes them much more vulnerable.” The RCMP officers serving rural Alberta are often spread thin and response times can be lengthy, given the areas that need to be patrolled and because bad weather can increase response times. As a result, when one calls 911 in a city the police can usually respond in minutes; in the countryside a response might take an hour or much longer if the weather conditions are poor.

Chapter 2 in *Exploring Criminal Justice* addresses some specific types of rural crime. During tough economic times, the number of rural property crimes can increase as farms and ranches are often unattended and vulnerable to theft. Offences such as stealing livestock, harvested grain, or farm chemicals can be very profitable. It might, for example, only take a half-hour to load a dozen cows

into a trailer—and those animals might have the same value as a modest new car. RCMP corporal Christian Reister, who is based in southern Alberta, says that many of these thefts are “insider jobs primarily—employees—some of them are neighbours. In some cases, they just live close to the individuals but in all cases, they are people who do have knowledge of handling cattle” (as cited in Graveland, 2016). Some people just shoot cattle and then butcher them in the fields. Krishnan (2015) reports that several cows in southern Alberta were “gunned down for their meat” and an RCMP spokesperson commented that “With the downfall of the oil industry and things slowing down there, crimes like this do tend to creep up.”

No farm creature is immune from theft, and a review of media reports found that entire colonies of bees were being stolen throughout the US and Canada (Haggert, 2019). One Alberta beekeeper lost over a half million bees (Canadian Press, 2015). Even though losses from some of these thefts have exceeded \$50,000 not all these crimes are reported as the victims are often uninsured (because the hives are left unattended). Moreover, since bees have no markings, they are impossible to trace once they are stolen. Although we don’t know much about who is stealing these bees, it is likely that other beekeepers are involved—after all, who else would want to handle these creatures without the proper equipment?

### Critical Thinking Questions

1. Given that rates of rural crime in Alberta are higher than those reported in the cities, how would this impact rural justice systems (e.g., police, courts, and corrections)?
2. Why would people travel from the city to commit crimes in rural Alberta?
3. In order to provide a quicker response to rural crime, the government has increased the enforcement roles of Alberta sheriffs, highway traffic officers, and conservation officers. What are the strengths and limitations of this approach?

## THE 2014–18 CRIME INCREASE

One of the key themes in Chapter 2 of *Exploring Criminal Justice in Canada* was that crimes reported to the police are at the lowest point in decades. Moreau (2019, p. 33) says that there were 11 years of decline between 2004 and 2014, but from 2014 to 2018 the CSI, which indicates the overall volume and seriousness of crime, increased every year. Most of the national-level increase was due to a greater number of cases of sexual assault (level 1), drug offences (and specifically methamphetamine, ecstasy, heroin, and opioids such as fentanyl), shoplifting and fraud. But there are also substantial differences within the provinces. As noted above, for example, the CSI in Alberta remained stable from 2008 to 2018 and the violent CSI dropped 1 per cent. Although Alberta and New Brunswick experienced no increase during this time in the overall CSI, the average change for the rest of the provinces and territories was a 17 percent drop. Table 1 shows that each province and territory undergo some annual changes and the violations driving the one-year changes in provincial CSI. Most criminologists would agree that we shouldn’t be too alarmed by a one-year increase or decrease in the overall crime rate as there are often yearly fluctuations. The four-year increase for the entire nation, however, is surprising and we wonder whether this trend will continue?

### Reducing Boomtown Crime: Fort McMurray’s Crime Decrease

Fort McMurray is one of the world’s biggest boomtowns, and since the 1980s the city has survived several booms and busts, as well as a wildfire and mass evacuation in 2016; and a smaller evacuation due to flooding in 2020. Antisocial behaviour and crime increase in boom communities such as Fort McMurray and this poses special challenges for the criminal justice system due to the rapidly growing populations and the large salaries earned by young men with little stake in the community.

**TABLE 1** Changing Crime Severity Index (CSI) in Canada, 2017-2018

	<b>% Change</b>	<b>Violations Driving the Change in CSI</b>
Canada	+2	Increase in fraud, sexual assault (level 1), shoplifting and theft over \$5,000 (decrease in B&E and robbery)
Newfoundland and Labrador	+4	Increase in weapons violations and fraud (decrease in B&E)
Prince Edward Island	+17	Increase in B&E, sexual assault (level 1), and theft of \$5,000 or under.
Nova Scotia	-2	Decrease in homicide, child pornography, and B&E (increase in sexual assault – level 1, and fraud)
New Brunswick	+4	Fraud (decrease in B&E)
Quebec	-2	Decrease in B&E
Ontario	+6	Increase in fraud, B&E, homicide and sexual assault (level 1)
Manitoba	+6	Increase in robbery, fraud, shoplifting of \$5,000 and under, and B&E
Saskatchewan	-3	Decrease in administration of justice statistics and sexual violations against children (increase in fraud and B&E)
Alberta	0	Increase in fraud (decrease in homicide)
British Columbia	0	Increase in fraud, theft over \$5,000 and sexual assault (level 1) (decrease in homicide)
Yukon	-7	Decrease in homicide (increase in assault (level 2) and mischief)
Northwest Territories	+5	Increase in homicide, mischief, administration of justice violations and fraud (decrease in cocaine related offences and sexual assault (levels 1 and 2))
Nunavut	+6	Increase in mischief, homicide, attempted murder, administration of justice violations and aggravated sexual assault (level 3) (decrease in B&E).

Source: Adapted from Moreau (2019)

Given those changes social problems such as substance use and prostitution have emerged in every Canadian boomtown since the 1800s, and there is usually a rapid increase in the number of assaults and impaired driving reported to the police. Writing about Fort McMurray the *Edmonton Journal* (2007) reported that it was “easier to buy cocaine than a pizza,” and a British journalist called Fort McMurray the “frozen wild west” (Hannaford, 2016). We learned in *Exploring Criminal Justice*, however, that the media benefits from exaggerating social problems.

Is crime really that bad in Fort McMurray? One way we can figure out whether the crime problem has been exaggerated is by looking at crime rates

per 100,000 residents. Figure 7 shows the Fort McMurray and the provincial crime rates and the crime rate peaked in Fort McMurray in 2008 and has declined since then. By 2018 the crime rate per 100,000 residents was 9,308 offences for the entire province and 10,551 for Fort McMurray. After looking at the long-term trends it suggests that boomtowns can be tamed. Some of the reasons for the decrease in crime were due to changes in the economy and after oil prices started decreasing in 2014–15 the oil extraction activities decreased, and many young workers left town. Moreover, the 2016 wildfire also led to a mass evacuation and crime in that year dropped below the provincial rate. Finally, Ruddell (2017) observes that as the

rapid growth of a boomtown decreases, the workforce becomes older and more established; the young single men earning large salaries are replaced by older workers with families who have a greater stake in the community. These older workers may be less likely to abuse drugs and alcohol or engage in crime. Last, corporations in the oil patch are more apt to carry out drug testing and workers are more likely to be terminated for using drugs and alcohol on the job.

While painting an optimistic picture about the crime reduction in Fort McMurray, there are still crime-related problems in the city, including the presence of organized crime offenders and gang members who are supplying residents with drugs and prostitutes. In 2019 and 2020, members of Alberta Law Enforcement Response Teams (ALERT) carried out a few high-profile raids on suspected gangs. ALERT (2020) reports how these officers were seizing drugs and firearms from drug dealers. Moreover, while crimes in Fort McMurray have stabilized, rural communities in the area surrounding the oil sands are experiencing high levels of crime. Huncar and Bajer (2019) report how residents in a small town 140 kilometres from Fort McMurray say that few crimes are solved, and one community resident reported 19 crimes to the police between January 2016 and June 2019, but none were cleared with an arrest. Residents also express frustration with lengthy police response

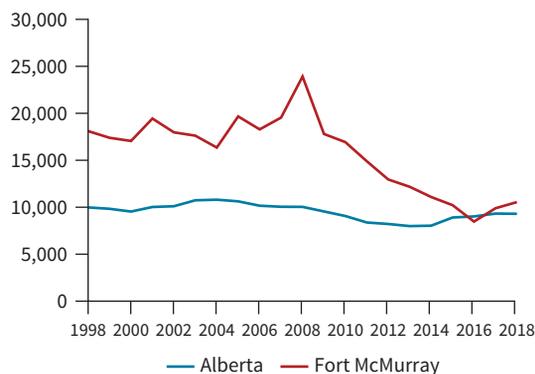
times after they call for help as it often takes hours before the police show up. In order to deter potential offenders these individuals are “investing in security guards, dogs, cameras, and tire-puncturing spike belts” (Huncar & Bajer, 2019, para. 8).

While the public is most often concerned about serious crimes, a series of surveys shows that Fort McMurray residents are very concerned about aggressive, impaired, and dangerous driving. Britto (2016) studied fear of crime in the city using the results of seven community surveys carried out between 2008 and 2014. Britto found that speeding and aggressive driving were the most significant public concerns from 2008 to 2010 and the participants also identified property offences as a serious crime-problem. Respondents were also asked what offences the police should control; speeding, aggressive driving, and impaired driving were their key priorities.

## ALBERTA'S JUSTICE SYSTEM AT A GLANCE

### The Police

On 1 July 2018, 7,510 police officers were employed in Alberta, or 1.7 officers for every 1,000 residents, which is slightly less than the national average of 1.9 officers per 1,000 residents (Conor, Robson, & Marcellus, 2019). Alberta has an approach to policing like the other Prairie Provinces: most large cities have their own municipal police services while smaller towns contract with the RCMP to provide police services. In Alberta there are seven municipal departments and three Indigenous police services, and altogether those agencies employed 4,290 officers (Conor et al., 2019, p. 24). The largest municipal agencies are the Calgary Police Service (2,006 officers) and Edmonton Police Service (1,882 officers). The remaining agencies—Camrose, Lacombe, Lethbridge, Medicine Hat, and the three Indigenous services—employed the remaining officers. All the remaining municipalities and rural areas in Alberta are policed by the RCMP “K” Division, which employed 3,220 officers in Alberta on 1 July 2018 (Conor et al., 2019, p. 24).



**FIGURE 7** Crime Rate per 100,000 Residents: Alberta and Fort McMurray, 1998–2018

Source: Adapted from Statistics Canada (2020a) Table 35-10-0183-01

These officers policed an area of over 625,000 km<sup>2</sup> or more than twice the size of the United Kingdom (Britain and Northern Ireland have an area of 243,610 km<sup>2</sup>).

Some police agencies in Alberta serve specific populations or distinctive places. There are, for example, three Indigenous police services that are operated by First Nations governments. The three Alberta agencies are the (a) Blood Tribe Police Service based in Standoff, which deployed 33 sworn officers; (b) Lakeshore Regional Police Service, which is responsible for policing an area around Lesser Slave Lake and employs 13 officers; and (c) Tsuu T'ina Nation Police Service—which is adjacent to Calgary—and deploys 24 officers. These Indigenous police services are 100 per cent funded by the federal and provincial governments.

Other police officers are employed in enforcing traffic regulations or work in transportation-related

industries. The Alberta Sheriffs Branch employs uniformed and armed officers to carry out several enforcement or non-investigative duties formerly done by the police (Alberta Justice and Solicitor General, 2018). One growing role is the Traffic Sheriff Operations, in which these officers enforce traffic regulations. Traffic sheriffs work closely with the RCMP throughout the province. In addition to the RCMP and sheriffs, both the Canadian National and Canadian Pacific Railways employ sworn police officers in Alberta. What is distinctive about these officers is that they are employed by private corporations and can enforce any *Criminal Code* violation and municipal bylaws, as well as engage in traffic enforcement, just like their counterparts with a municipal agency or the RCMP. Last, while not sworn officers, the Calgary Transit system employed 102 peace officers to provide security on the “C” trains, buses, and transit system properties (RTBN, 2019).

The Alberta Sheriffs Branch is also involved in court security and prisoner transportation (described in the court section below), protecting government property and personnel, are responsible for protecting the Premier and members of Cabinet, and providing security services for government ministries. Sheriffs have also been involved in investigations involving the RCMP and municipal police services and have engaged in apprehending escaped offenders or probationers who have breached the conditions of their releases.

Table 2 presents the provincial police strength and the 2018 CSI and violent CSI for the provinces. Although the number of police officers for every 1,000 residents is similar across the nation, there is a lot more variation in crime rates. Alberta had 1.7 officers per 1,000 residents, which was slightly less than the national average (1.8), but had the third highest CSI in the nation. Phrased another way, the CSI in Alberta was almost twice as large as Quebec, but Alberta deployed fewer officers per capita.

### Police Training in Alberta

Both the Edmonton and Calgary police services have training academies that deliver recruit training to individuals hired by these agencies. Smaller

**TABLE 2** Police Officers and Crime Severity Index (CSI) in Canada, 2018

	Police Officers per 1,000 Residents (2018)	Total CSI (2018)	Violent CSI (2018)
Newfoundland and Labrador	1.7	65.9	70.2
Prince Edward Island	1.4	53.7	48.1
Nova Scotia	1.9	65.2	78.2
New Brunswick	1.6	71.8	76.1
Quebec	1.9	56.6	71.8
Ontario	1.8	60.0	73.4
Manitoba	1.9	125.8	169.8
Saskatchewan	1.9	139.2	138.1
Alberta	1.7	112.1	97.1
British Columbia	1.9	87.7	73.4
Yukon	3.3	170.3	208.7
Northwest Territories	4.2	324.4	421.6
Nunavut	3.5	319.9	550.5

Sources: Adapted from Conor, Robson, and Marcellus (2019); Moreau (2019)

municipal services, such as the Camrose Police Service, contract with these academies to provide training to their new officers. Only individuals who have been hired by a municipal police service can participate in this training. Officers from self-administered Indigenous police services, by contrast, attend their cadet training at the RCMP “Depot” in Regina after being hired by their agency. According to the Edmonton Police Service (2020), their training program, which lasts 18 weeks, is evenly split between classroom instruction and practical exercises. The following issues are covered in their training:

- Legal studies (e.g., *Criminal Code*, provincial acts, bylaws, and traffic)
- Documentation and articulation (report writing)
- Officer safety training
- Firearms training
- Police vehicle operations
- Call and patrol simulation training
- Fitness training
- Fundamentals of police investigations
- Communication and de-escalation training
- Field training
- Community based policing and problem solving

After the new officers graduate the academy they are required to participate in field training, where they receive mentoring from experienced officers that lasts about nine months before they are ready to work independently. During this process officers are also expected to participate in three weeks of additional classroom training.

All RCMP officers in Canada are trained at the academy—the “Depot” Division—in Regina, which was established in 1885. RCMP training lasts 26 weeks, and unlike the training that municipal officers in Alberta receive, most of these hours are academy-based. In other words, RCMP recruits do not have much exposure to the “streets” prior to their graduation. Once recruits graduate from the academy, they are required to complete a six-month Field Coaching Program

**TABLE 3** RCMP Recruit Training

Topic	Hours
Applied police sciences	432
Firearms	104
Police defensive techniques	94
Police driving	67
Operational conditioning	45
Drill and deportment	37
Other	41
<b>Total</b>	<b>820</b>

Source: Adapted from RCMP (2019).

where they receive on-the-job training from experienced training officers, who are called field coaches. Table 3 summarizes the specific training areas. When you compare the municipal and RCMP training, which of these approaches would seem to be the most effective? Why?

### Alberta’s Courts

Adult and youth criminal matters in Alberta are heard in 20 permanent court locations in larger centres (called Base Courts) that are staffed throughout the week. An additional 53 circuit points, or temporary courts, are only open when court is scheduled (Alberta Courts, 2020). For example, criminal court in Camrose is held only on Wednesdays (additional days are scheduled for family matters). Circuit courts are often held in make-do facilities such as provincial buildings or band administration offices on First Nations reserves. As a result, some lack proper security or the privacy for lawyers to meet with their clients. On the other hand, these circuit courts give rural residents better access to the courts than if they had to travel to the city, reducing the number of people who fail to appear in court.

Alberta Provincial Courts hear cases related to criminal and family matters, youth court cases, and small claims cases (which are civil disputes of less than \$50,000), as well as matters related to non-criminal traffic violations. Judges in the Court of Queen’s Bench, by contrast, hear cases related to serious criminal offences and civil cases,

**TABLE 4** Alberta's Courts

Type	Number	Judges
Provincial Court	Base (20) Circuit (53)	Chief Judge, Deputy Chief Judge, and 9 Assistant Chief Judges, 125 full- and part-time judges, and this includes supernumerary judges.* These judges are supported by 40 full- and part-time Justices of the Peace.
Queen's Bench Court	Base (11) Circuit (2)	Chief Justice and 2 Associate Chief Justices, and 65 other justices
Court of Appeal of Alberta	Calgary Edmonton	Chief Justice and 20 justices

\*Supernumerary judges are judges who sit part-time.

Justices from the Court of Appeal of Alberta are also appointed to the Court of Appeal for the Northwest Territories and the Court of Appeal for Nunavut.

Source: Adapted from: Alberta Courts (2020a; 2020b)

as well as appeals from decisions of the Provincial Court. Court of Queen's Bench matters are heard at 11 judicial centres throughout the province and two additional sitting points. The Court of Appeal is the highest level of court and hears appeals from Provincial and Queen's Bench Courts, and administrative tribunals. A review of the Court of Appeal's (2020) calendar shows that it sits at least once a month in both Calgary and Edmonton.

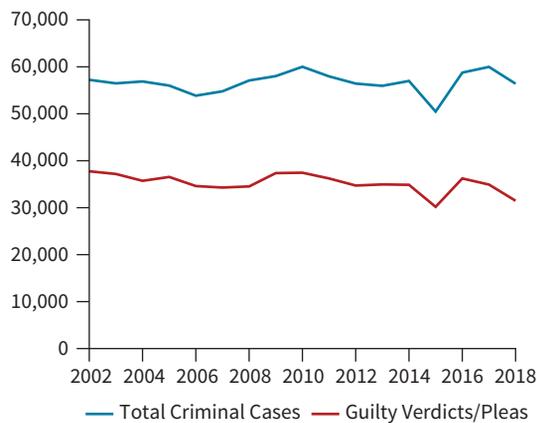
Figure 8 shows that the number of adult criminal cases heard by Alberta courts has decreased between 2001–2 and 2017–18. In 2017–18, Alberta courts heard 56,260 cases, which was down from 59,855 cases in 2010–11 (that total does not count youth or traffic court cases). Of the 2017–18 cases, only 56 per cent were found guilty, which was a decrease from the 66 per cent of accused being found guilty in 2001–2. This statistic means that 44 per cent of these cases are either withdrawn or stayed by the prosecutors, or the individual is acquitted (found not guilty). The proportion of guilty verdicts in Alberta was the second lowest in the nation. Reevly (2016) believes that the main reason for this outcome is the high proportion of charges that are stayed or withdrawn by prosecutors. When we reviewed the court statistics, we found

that the average for withdrawn or stayed cases for the rest of the country is 27 per cent. Withdrawing a high number of cases might happen if the police overcharge suspects (where multiple charges are laid for one incident) and then some of those charges are later withdrawn by prosecutors. If overcharging is occurring, it shows how decisions in one part of the justice system (the police) can have an impact on the other components: the courts and corrections.

Despite the fact that the number of adult criminal cases has been decreasing somewhat, the median case processing time (not shown on Figure 8) has actually increased from 99 days in 2001–2 to 129 days in 2017–18, which is slightly more than the median time in Canada (121 days). Those delays may have a significant impact on the administration of justice, given the decision of the Supreme Court of Canada in *R. v. Jordan* that criminal cases be resolved within 18 months (provincial courts) or 30 months in superior courts such as the Queen's Bench Courts. As a result of the *Jordan* decision, the prosecution of “thousands of criminal cases are at risk of being tossed out of the courts due to delays caused by underfunding and the increasing complexity of criminal cases” (Lupton, 2016). In 2017–18 Alberta had the second highest percentage of cases (8.4 per cent) that were at risk of exceeding the *Jordan* limits (Statistics Canada, 2020c). Wyton (2020) reports that between 2016 and 31 December 2019 there were 251 *Jordan* applications in Alberta: 25 were granted and there were another four cases still pending. This means that the charges for those 25 defendants were stayed or withdrawn because of trial delays, and at least one of these individuals was accused of first-degree murder (Hixt & Tucker, 2016).

### Specialized Courts

Specialized courts are being introduced throughout Canada to better manage specific offences or distinctive types of offenders, such as persons charged with domestic violence. As highlighted in Chapter 7 of *Exploring Criminal Justice*, members of the courtroom work group develop specialized



**FIGURE 8** Criminal Cases Heard in Alberta Courts, 2001-2 to 2017-18

Source: Adapted from Statistics Canada (2020d) Table 35-10-0027-01.

knowledge and expertise about these individuals and can develop strategies that are more effective than traditional courts in reducing recidivism. As a result, the activities of these specialized courts generally involve community and other government organizations. Alberta Courts (2020c) reports that a mental health court was founded in Edmonton in 2018, and the Calgary Indigenous Court was established in 2019; although Indigenous courts have been available in some communities since 1993.

In order to better manage cases involving domestic violence, the Calgary Specialized Domestic Violence Court was founded in 2001. According to Tutty and Koshan (2013) the intent of these courts is: (a) early intervention for low-risk offenders, and (b) vigorous prosecution for serious repeat offenders. In order to participate in these programs, these individuals must accept responsibility for their actions. The Calgary program involves a team of professionals from local agencies, including the police service, Crown prosecutors, and probation staff with specialized training (Tutty & Koshan, 2013). Tutty and Koshan found the most serious charge before the court in about two-thirds (64.5 per cent) of the cases was common assault, which was followed by assault with a weapon (11.4 per cent), uttering threats (7.5 per cent), and mischief/causing a disturbance (3.6 per

cent). Most of these cases were resolved with a peace bond, suspended sentence, supervised probation, or incarceration (Tutty & Koshan, 2013).

Are these programs effective? Tutty and Babins-Wagner (2019) examined the recidivism rates for almost 400 men who had completed a counselling program before and after the Calgary Specialized Domestic Violence Court was established. These researchers found that before the court was founded 41.2 per cent of the men had re-offended, but that proportion dropped to 8.2 per cent after participating in the court. Those findings suggest that these specialized courts are an effective response to family violence.

Because of the high rates of incarceration of Indigenous peoples there is a growing awareness throughout the country to develop ways to address the unmet needs of Indigenous peoples appearing before the courts. April and Magrinelli Orsi (2013) report that Alberta has established four courts for Indigenous accused (also called *Gladue* courts, after the *R. v. Gladue* decision of the Supreme Court) and they are in Calgary, Edmonton, Hinton, and Lethbridge. The newest of these courts is the Calgary Indigenous Court (CIC) is “modeled after a teepee [and] participants sit in a circle and at the same level. There is an eagle feather for oaths and special ventilation to allow for burning sweetgrass” (Grant, 2019). Grant also explains that of the four judges presiding over the court, two are Indigenous, and the prosecutor is of Indigenous ancestry. Two of the main goals of the CIC is to reduce the reliance on the use of pre-trial incarceration and sentences that include incarceration.

### Alberta Sheriffs and Court Security

Court security is an important but often overlooked aspect of the justice system. The Alberta Sheriffs Branch provides court security for all provincial, Queen’s Bench, and appeal courts, and are responsible for transporting prisoners from places of detention to courts and from courts to provincial or federal correctional centres. Prior to the 1990s many of these roles were carried out by sworn police officers, but as sheriffs are not trained investigators, their salaries are somewhat

less than those of sworn officers, which reduces court costs. Sheriffs receive 14 weeks of training at the Alberta Justice and Solicitor General Training Academy in Edmonton. Like municipal police officers, these cadets receive instruction on the law, officer safety, emergency vehicle operations, firearms, and communication (Alberta Government, 2020). After their classroom training is completed they receive an additional nine months of on-the-job training.

### Provincial Corrections

Eight correctional centres hold adults in Alberta (shown in Table 5) and they range in size from the Lethbridge Correctional Centre—which was originally built in 1911 and has 395 beds for both males and females—to the Edmonton Remand Centre, which can hold 1,952 inmates, making it the largest correctional facility in Canada. There are four remand centres in the province (for inmates awaiting a court appearance) and the remaining four facilities hold sentenced offenders.

These correctional centres provide a diverse range of programs. Alberta Justice and Solicitor General (2016a) notes that the Lethbridge Correctional Centre provides inmate programs for those interested in horticulture and building maintenance, Indigenous-specific rehabilitative programming, work crews that provide employment experiences outside the facility, and machine and wood shops. Since 2009 several minimum-security camps have been closed, including the Fort McMurray minimum-security camp and the Alsike minimum-security camp for Indigenous offenders.

Figure 9 shows that the average daily number of provincial adult inmates increased substantially, from an average count of 2,083 remanded and sentenced individuals in 2001–2 to 3,593 in 2017–18; a 72.5 percent increase. A closer look at these two trends shows that the number of remanded inmates has more than tripled while the number of sentenced inmates dropped by about one-fifth (21 per cent). According to Malakieh

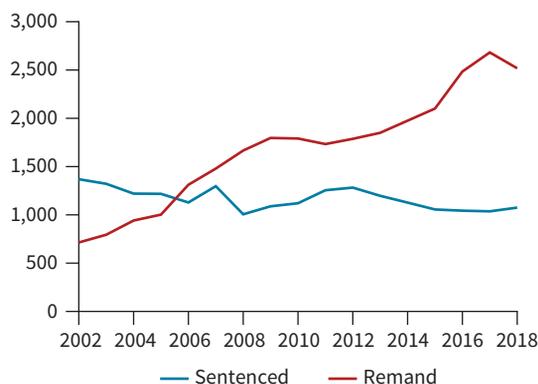
**TABLE 5** Average Daily Adult and Young Offender Inmate Population in Alberta Correctional Centres

	Year				
	2013–14	2014–15	2015–16	2016–17	2017–18
<b>Adult Correctional Centres</b>					
Edmonton Remand Centre	1,166	1,229	1,460	1,628	1,546
Fort Saskatchewan Correctional Centre	478	496	544	512	504
Peace River Correctional Centre	191	189	192	192	197
Calgary Correctional Centre	309	298	310	298	291
Calgary Remand Centre	549	577	633	648	614
Lethbridge Correctional Centre	279	294	299	302	322
Medicine Hat Remand Centre	79	85	96	98	98
Red Deer Remand Centre	116	123	138	142	132
<b>Total</b>	<b>3,167</b>	<b>3,291</b>	<b>3,672</b>	<b>3,820</b>	<b>3,704</b>
<b>Youth Correctional Centres</b>					
Calgary Young Offender Centre	72	69	62	51	42
Edmonton Young Offender Centre	82	73	83	63	49
<b>Total</b>	<b>154</b>	<b>142</b>	<b>145</b>	<b>114</b>	<b>91</b>

Source: Adapted from Alberta Government (2018).

(2019, p. 17) 3,593 inmates translates into 111 provincial inmates for every 100,000 Alberta residents, which is somewhat higher than the national rate of 83 provincial or territorial inmates for every 100,000 residents. The increase in custodial populations happened during the same time that there was a 10 per cent decrease in the number of probationers (2001-2 to 2017-18). Wakefield (2020) reports that correctional officials in February and March 2020 took steps to reduce the number of provincial inmates to reduce the possibility they would contract the COVID-19 virus.

Incarcerating people is a costly undertaking and Malakieh (2019) reports that the average daily cost to house an inmate in Alberta was \$150, which was the lowest cost in the nation; the national average was \$233. These costs, however, are much less than housing a federal inmate—which cost \$330 per day in 2017–18 (Malakieh, 2019, p. 17). Phrased another way, it costs \$54,750 for one year in an Alberta facility whereas it costs \$120,450 to house an individual in a federal prison. While the public believes that incarceration is a good investment in public safety, it costs more to house a person in a federal prison than sending them to Harvard University (tuition, room, and board costs \$101,866 CDN in the 2020-1 academic year: see Harvard, 2020).



**FIGURE 9** Alberta Adult Custodial Populations, 2001-2 to 2017-18

Source: Adapted from Statistics Canada (2020e) Table 35-10-0154-01. Note: Populations for 2013-14 were estimated due to missing data.

**TABLE 6** Incarceration Costs, Alberta and Canada, 2018

	Daily Cost	Annual Cost
Cost to House an Inmate in a Provincial Facility in Alberta	\$150	\$54,750
Cost to House an Inmate in a Provincial Facility (Average: All Provinces)	\$233	\$85,045
Cost to House an Inmate in a Correctional Service of Canada Prison	\$330	\$120,450

Source: Adapted from Malakieh (2019).

## Federal Corrections

Federal prisoners are serving terms of imprisonment two years and longer, and about one-quarter are “lifers” who will be under correctional supervision for the rest of their lives. There are seven Correctional Service of Canada (CSC) facilities in Alberta (located in the Prairie Region). All but one of the facilities—the Edmonton Institution for Women—have all-male populations and these prisoners are housed in a range of different security settings. The Edmonton Institution, for example, is a maximum-security facility whereas the PêSâkâstêw Centre is a small minimum-security institution. In recognition of the high proportion of incarcerated Indigenous peoples in the province, the CSC funds the operations of two additional facilities in Edmonton, the 72-bed Stan Daniels Healing Centre and the 16-bed Buffalo Sage for Women, and they are operated by the Native Counselling Services of Alberta. These programs provide culturally relevant programs and services to these people. One distinctive facility is the Grierson Centre, a 30-bed minimum security facility located within Edmonton’s downtown core.

In addition to the penitentiaries, several community-based residential facilities, funded by the CSC, house federal offenders who are returning to the community on day parole or conditional release, which is a type of early release. The CSC operates community correctional centres to house former prisoners released on either day parole or

**TABLE 7** Federal Penitentiaries in Alberta

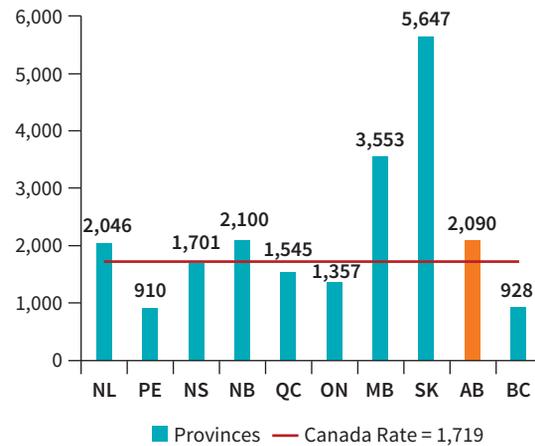
Facility	Bed Capacity
Bowden Institution	600
Drumheller Institution	704
Edmonton Institution	324
Edmonton Institution (Women)	167
Grande Cache Institution	243
Grierson Institution	30
PêSâkâstêw Centre	60

Source: Adapted from Correctional Service of Canada (2017).

conditional release (see Chapter 10 in *Exploring Criminal Justice*). These places are often called half-way houses, and according to the CSC (2018, para. 1) “These facilities provide a bridge between the institution and the community. They work on a system of gradual, supervised release,” and many offer programming, such as “life skills, substance abuse, employment and/or crisis counseling.” There are 16 of these facilities in Alberta, located in Calgary (n = 7), Edmonton (n = 6), Lethbridge (n = 2), and one in Red Deer. These agencies are typically operated by non-profit organizations such as the John Howard Society or Salvation Army.

### Youth Crime and Corrections

Figure 10 shows that the youth crime rate (per 100,000 residents) in Alberta is the fourth highest in the nation. Despite the fact that youth crime is relatively common, there has been a decrease in the number of youths placed in custody. Youth aged 12 to 18 years who have been remanded or sentenced to custody are placed in youth facilities operated by the provincial government, and these include secure custody (e.g., higher security) and open custody, which are community-based low security operations. The Calgary Young Offender Centre and Edmonton Young Offender Centre hold most youth, and both Calgary and Edmonton have Youth Attendance Centres (see Table 5 above). Several group homes also hold youth, but these homes do not have any government of Alberta staff members. They include the Howard

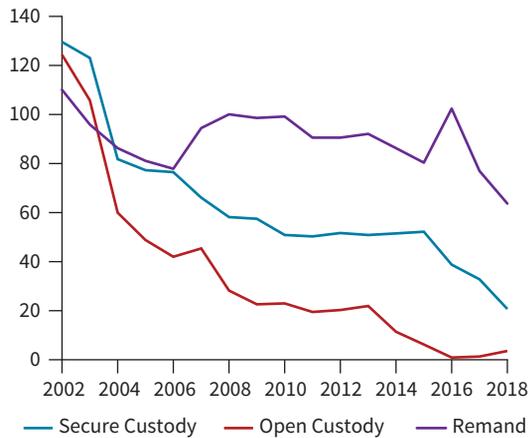
**FIGURE 10** Youth Crime Rate (per 100,000 residents) by Province, 2018

Source: Adapted from Moreau (2019).

House (Edmonton), Enviro Excel (Calgary), Hull Child and Family Services (Calgary), and two programs operated by the Alberta Hospital in Edmonton: Turning Point and Centrepoint.

Figure 11 shows that the average number of youths being held in custody has decreased significantly between 2001–2 and 2017–18: from an average of 364 to 88, a decrease of about three-quarters. Like the adult custody statistics reported above, the number of youths sentenced to either open or secure custody has decreased by about 90 per cent while the number of youths remanded to custody has only decreased by 42 per cent. The number of youths under community supervision also dropped during the same period, from an average of 2,756 youth on probation in 2001–2 to 914 in 2017–18, a two-thirds decrease. Webster, Sprott and Doob (2019) say that the drop in youth correctional populations was the result of:

1. restraint in the use of imprisonment; which has been a core value for Canadians since the early 1900s
2. political willingness to reject high youth imprisonment policies
3. the introduction of the *Youth Criminal Justice Act* in 2003, which made it law to reduce the use of custody



**FIGURE 11** Average Number of Youth in Custody, Alberta, 2001-2 to 2017-18

Source: Adapted from Statistics Canada (2020f), Table 35-10-0003-01

Altogether, after the introduction of the *Youth Criminal Justice Act*, the provinces took steps to hold youth accountable in the least restrictive environment and youth were supervised in the community rather than incarcerating them.

## REPORT CARD ON ALBERTA'S CRIMINAL JUSTICE SYSTEM

Perrin and Audas (2018) developed a report that graded provinces and territories on their performance on public safety, support for victims, cost and resources, fairness and access to justice, and efficiency, and these marks for the entire nation are shown in Figure 12. Six provinces earned a B, British Columbia and Saskatchewan earned a C+, and Manitoba earned a C grade. With respect to the territories, while Nunavut has a grade of C+, the Northwest Territories and Yukon were given a C grade. The report card for Alberta is shown in Table 8, and Perrin and Audas (2018, p. 23) gave Alberta high marks for having a low breach of probation rate, lowering the costs of the justice system, and having fewer police officers per capita than most other provinces or territories. Those researchers were critical, however, that Alberta had high property crime rates and low clearance rates (fewer crimes were solved), and high rates of people who failed to appear in court.



**FIGURE 12** Report Card for the Provinces and Territories

Source: Adapted from Perrin and Audas (2018).

## WRONGFUL CONVICTION: CONNIE OAKES CASE

When somebody is jailed, convicted, or punished for an offence they didn't commit, it shakes the public's faith in the entire justice system. Twenty-three prisoners were exonerated and released from prison between 1993 and 2020 after their wrongful convictions were exposed by Innocence Canada (2020). Other prisoners were exonerated but did not receive help from that organization. Another 90 prisoners have asked Innocence Canada for help and 8 of them are from Alberta (Innocence Canada, 2020).

While Canadians are familiar with the names of wrongfully convicted persons such as David Milgaard (a resident of Alberta now), other individuals who have been wrongfully convicted in Alberta are less well known, including Wilson (Willie) Nepoose and Jason Dix (who was not actually convicted, but spent almost two years in pre-trial detention after being accused of murdering two acquaintances). The Dix case has been called a miscarriage of justice, and he was ultimately awarded \$765,000 for a malicious prosecution after a four-month civil trial in 2002.

**TABLE 8** Report Card on Alberta's Justice System

Objective of Justice System	Indicators	Alberta Overall Grade
Public Safety	<ul style="list-style-type: none"> <li>The fundamental purpose of the justice system is to protect society by holding offenders accountable, but also by providing supports to rehabilitate offenders.</li> <li>Measured by: (a) crime and clearance rates; and (b) public perceptions about police enforcing the law, ensuring safety, and satisfaction with safety.</li> </ul>	C+
Support for Victims	<ul style="list-style-type: none"> <li>Victims have rights related to information, protection, participation, and restitution.</li> <li>Measured by: (a) proportion of offenders given restitution orders; (b) referrals to victim's services; and (c) public perceptions about police supplying information and being approachable.</li> </ul>	B
Cost and Resources	<ul style="list-style-type: none"> <li>The justice system should be run in a cost-effective manner while meeting its core objectives.</li> <li>Measured by: (a) per capita cost of public safety; (b) per capita cost of corrections, (c) average daily inmate cost; and (d) number of police <i>per capita</i>.</li> </ul>	B+
Fairness and Access to Justice	<ul style="list-style-type: none"> <li>The justice system must guarantee the constitutional rights of accused persons and provide them with fair and impartial trials, as guaranteed by the <i>Charter</i>.</li> <li>Measured by: (a) legal aid expenditures per crime; (b) percentage of trials with a guilty outcome; (c) proportion of Aboriginal persons in custody versus their prevalence in the population; and (d) public perceptions about the police being fair.</li> </ul>	C
Efficiency	<ul style="list-style-type: none"> <li>A well-functioning criminal justice system should ensure prompt and thorough investigations and timely prosecutions and trials.</li> <li>Measured by: (a) Criminal Code incidents per police officer; (b) accused on remand per 1,000 crimes; (c) average criminal case processing time; (d) percentage of cases stayed or withdrawn; and (e) public perceptions about the police responding promptly.</li> </ul>	C+

Source: Adapted from Perrin and Audas (2018, p. 9).

In order to shed light on wrongful convictions we take a closer look at the Connie Oakes case. Oakes, an Indigenous woman from Medicine Hat, was convicted of the May 2011 stabbing murder of Casey Armstrong. The 48-year-old Armstrong had been stabbed to death and his body found in a bathtub in his mobile home. According to the Aboriginal Peoples Television Network ([APTN] 2016), the police had few promising leads on who killed Armstrong, and they were under some pressure to solve the case. After several months of

investigation Ms Oakes was charged in January 2012 with first-degree murder based on the testimony of Wendy Scott, a woman who allegedly used and sold drugs and who was assessed as having an IQ of about 50. Ms Scott had entered a plea of guilty to the second-degree murder of Armstrong in return for the Crown withdrawing a first-degree murder charge (*R. v. Oakes*, 2015, p. 2).

Oakes's two-week trial occurred in November 2013 and she was convicted primarily on the testimony of Wendy Scott. According to the APTN

news report, there was no corroborating physical or forensic evidence and Ms Oakes did not testify on her behalf. Oakes was convicted by a jury of five men and seven women—none of whom were Indigenous—and her life sentence made her ineligible to apply for parole until she had served 14 years. Oakes appealed her conviction on the grounds that a miscarriage of justice had occurred. Before Oakes's appeal was heard, Scott's conviction of Armstrong's murder was overturned.

On 6 April 2016 the Court of Appeal for Alberta overturned the Oakes conviction and ordered a new trial. Oakes was released from prison on 28 April 2016 and Crown prosecutors issued a stay of proceedings to allow them time to continue the prosecution within one year; something that rarely happens. Oakes, who was 51 years of age in 2016, spent over four years on remand or in prison. This miscarriage of justice led Kim Pate, who was the director of the Elizabeth Fry Society of Canada, and is now a Senator, to call for a public inquiry (APTN, 2016). In 2018 Ms Oakes sued the Medicine Hat Police Service and the Crown and asked for \$1 million in damages, but the case was dismissed by the Court of Queen's Bench in May 2019 (Appel, 2019).

The APTN released an investigative report on the Connie Oakes case, and that program can be accessed at <http://aptnnews.ca/2016/06/03/aptn-investigates-quest-for-innocence-the-connie-oakes-story/>.

### Critical Thinking Questions

1. Should Oakes be awarded compensation for her wrongful conviction? If so, what would be a fair amount?

2. How do we hold the officials who make such miscarriages of justice, such as the police or prosecutors, accountable for their actions?
3. How do cases of wrongful conviction influence our perceptions of the police, courts, and corrections?

### SUMMARY

The amount and seriousness of crime varies across the country and this supplement shows that Alberta has rates of property and violent crime that are above the national average. Alberta also leads the nation for motor vehicle theft and has high rates of impaired driving and intimate partner violence. We must remember, however, that while these statistics reveal averages for the entire province, there is some variation throughout the province and some rural and northern communities have very high crime rates (Perreault, 2019). Furthermore, Grande Prairie has crime rates that are three times higher than rates in Airdrie or St Albert. Because every province has different histories, population characteristics, levels of economic development, political values, and cultural beliefs, the crime control solutions used in Alberta might be different than other provinces. As a result, the personnel in Alberta's adult and youth justice systems may respond to antisocial behaviour and crime in a slightly different manner from what occurs in neighbouring provinces or territories. A report card on the operations of Alberta's justice system shows there is room for improvement. Learning about the differences in crime problems and how we respond to them makes exploring criminal justice in Canada an interesting undertaking!

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