

Creative Resistance: Using Video Documentary-Making as a Tool to Research and Challenge Penal harms

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Introduction

In recent years, social scientists have contemplated how their research can be more influential outside the university walls. These discussions have, in large part, been prompted by a widespread recognition that social research often carries minimal relevance in the contexts of public debates, policy outcomes and lived social experiences.¹ Trends in punishment are a particularly strong indicator of this disconnect, evidenced by the rebirth of the punitive policy measures that criminologists have long discredited as ineffective and inhumane.² In this context, criminologists have spent much time considering how university research can be undertaken in ways that enhance its broader social utility.

Incorporating pedagogy into the discussion, this piece will explore opportunities for engaging both students and researchers in the social processes they are studying. More specifically, I will discuss documentary film-making as an action-based methodology that can be utilized to simultaneously research and resist social injustice.³ This was the methodological and

¹ See David Garland and Richard Sparks, "Criminology, Social Theory and The Challenge Of Our Times," *The British Journal of Criminology* 40, no. 2 (2000): 189-204. Michael Burawoy, "2004 American Sociological Association Presidential Address: For Public Sociology," *The British Journal of Sociology* 56, no. 2 (2005): 259-294. Lynn Chancer and Eugene McLaughlin, "Public Criminologies," *Theoretical Criminology* 11, no. 2 (2007): 155-73. Ian Loader and Richard Sparks, *Public Criminology?* (New York: Routledge, 2013). Elliott Currie, "Against Marginality: Arguments for a Public Criminology," *Theoretical Criminology* 11, no. 2 (2007): 175-190.

² James Austin, "Why Criminology Is Irrelevant," *Criminology & Public Policy* 2, no. 3 (2003): 557-564. Michael Jacobson, "Reversing the Punitive Turn: The Limits and Promise of Current Research," *Criminology & Public Policy* 5, no. 2 (2006): 277-284.

³ Robert Blundo, "Social Justice Becomes a Living Experience for Students, Faculty, and Community," *Journal of Teaching in Social Work* 30, no. 1 (2010): 90-100.

pedagogical approach I recently experimented with when working with a group of fourth-year undergraduate students studying conditions at their local jail, the Ottawa-Carleton Detention Centre (OCDC). This action-based method was intended to allow students to learn about prisoners' human rights struggles, while simultaneously raising public awareness about the issue. In what follows, I will first elaborate on the theoretical underpinnings of this project by describing key social shifts in relation to two distinct practices – punishment and academic research⁴– before elaborating on the use of documentary film-making to research and bring attention to penal harms.

Changes in the Contemporary Criminological Context

Contemporary criminologists have spent much time analyzing the changing nature of punishment and social control in the context of the post-welfare state.⁵ Although variation exists across theoretical accounts, it is widely accepted that a shift has occurred in the way in which punishment, as a social practice, is understood and delivered.⁶ More specifically, scholars emphasize a movement away from the rehabilitative approaches associated with the welfare state, and gravitation towards harsher punishment measures and mass incarceration. Some

⁴ Hilde Tubex, "Reach and Relevance of Prison Research," *International Journal for Crime, Justice and Social Democracy* 4, no. 1 (2015): 4-17.

⁵ Malcolm M. Feeley and Jonathan Simon, "The New Penology: Notes on the Emerging Strategy of Corrections and its Implications," *Criminology* 30, no. 4 (1992): 449-474. Malcolm M. Feeley and Jonathan Simon, "Actuarial justice: The Emerging New Criminal Law," in *The Futures of Criminology*, ed. David Nelken (London: Sage, 1994), 173 - 201. Anthony Bottoms, "The Philosophy and Politics of Punishment and Sentencing," in *The Politics Of Sentencing Reform*, ed. Rodney Morgan and Christopher Clarkson (Oxford: Clarendon Press, 1995), 17-49. John Pratt, "Emotive and Ostentatious Punishment: Its Decline and Resurgence in Modern Society," *Punishment & Society* 2, no. 4 (2000): 417-439. Jonathan Simon, "Entitlement to Cruelty: Neo-Liberalism and the Punitive Mentality in the United States," in *Crime Risk and Justice*, ed. Kevin Stenson and Robert R. Sullivan (Cullompton: Willan 2001), 125-143. Loïc Wacquant, "The New Peculiar Institution: On the Prison as Surrogate Ghetto," *Theoretical criminology* 4, no. 3 (2000): 377-389. Loïc Wacquant, "Deadly Symbiosis: When Ghetto and Prison Meet and Mesh," *Punishment & Society* 3, no. 1 (2001): 95-133. Loïc Wacquant, *Prisons of Poverty* (Minneapolis: University of Minnesota Press, 2009a). Loïc Wacquant, *Punishing the Poor: The Neoliberal Government of Social Insecurity* (Durham: Duke University Press, 2009b). David Garland, "The Culture of High Crime Societies: Some Preconditions of Recent 'Law And Order' Policies," *British Journal of Criminology* 40, no. 3 (2000): 347-375. David Garland, *The Culture of Control: Crime and Social Order in Contemporary Society* (Oxford: Oxford University Press, 2001). Michael Tonry, *Thinking About Crime: Sense and Sensibility in American Penal Culture* (Oxford: Oxford University Press, 2004).

⁶ Roger Matthews, "The Myth of Punitiveness," *Theoretical Criminology* 9, no. 2 (2005): 175-201.

attribute this trend to an ideologically-driven ‘punitive turn,’ rooted in the changing sentiments accompanying broader economic and political shifts.⁷ Others emphasize the emergence new risk-based mentalities of governance, which, in the realm of punishment, have translated into actuarial justice policies that seek to contain the ‘threat of crime’ by incapacitating high-risk groups.⁸ Despite distinct articulations, theorists are equally critical of the current trajectory of punishment, given the human costs and counter-productive effects that punitive measures have been shown to have.⁹

Although Canada is sometimes viewed as exercising greater restraint in its delivery of punishment, in terms of both scope and severity,¹⁰ a look inside our country’s jails reveals a different story. Even prior to recent ‘tough on crime’ policy reforms enacted at the federal level,¹¹ provincial jails had a long-standing history as inhumane penal environments.¹² Jails, which are distinct from prisons, hold a mix of people, including many individuals who have not been tried or sentenced, as well as socially and economically marginalized individuals for whom police have few social alternatives for dealing with.¹³ Largely because jails offer little programming, are poorly-funded and over-packed, conditions tend to be extremely harsh.¹⁴ This

⁷ Garland, “The culture of high crime societies.”

⁸ Feeley and Simon, “The New Penology.”

⁹ Paula Mallea, *The Fear Factor: Stephan Harper’s “Tough on Crime” Agenda* (Ottawa: Canadian Centre for Policy Alternatives, 2010).

¹⁰ Jeffrey Meyer and Pat O’Malley, “Missing The Punitive Turn? Canadian Criminal Justice, ‘Balance’ and Penal Modernism,” in *The New Punitiveness: Trends, Theories, Perspectives*, ed. John Pratt, David Brown, Mark Brown, Simon Hallsworth and Wayne Morrison (Portland: Willan Publishing, 2009), 201-207. Anthony Doob and Cheryl M. Webster, “Countering Punitiveness: Understanding Stability in Canada’s Imprisonment Rate,” *Law and Society Review* 40, no. 2 (2006): 325-368.

¹¹ Mallea, *The Fear Factor*.

¹² Martin L. Friedland, *Detention Before Trial: A Study of Criminal Cases Tried in The Toronto Magistrates’ Courts* (Toronto: University of Toronto Press, 1965).

¹³ John Irwin, *The Jail: Managing the Underclass in American Society* (Berkeley: University of California Press, 1985). Michael Welch, “Jail Overcrowding: Social Sanitation and the Warehousing of the Urban Underclass,” In *Punishment in America: Social Control and The Ironies of Imprisonment* by Michael Welch (Thousand Oaks: Sage Publications Inc., 1999), 89-106.

¹⁴ Irwin, *The Jail*. Welch, “Jail Overcrowding.” Martin L. Friedland, “The Bail Reform Act Revisited,” *Canadian Criminal Law Review* 16, no. 3 (2012): 315-322.

is particularly so in the current context, where a sharp increase in the number of pre-trial prisoners has contributed to a population explosion in provincial jails.¹⁵

At the level of university research, however, prisons and jails have increasingly escaped the gaze of criminologists and sociologists of punishment. While much attention has been granted to the socio-political context of punishment, comparatively little research has focused on actual nature of punishment as experienced inside penal institutions, although important exceptions exist within the field of ‘convict criminology.’¹⁶ In this sense, penal institutions have become increasingly isolated from researchers, contributing to the broader invisibility of punishment within society.

Changes in the University Landscape

Alongside the disconnect between academia and penal institutions has been a growing divergence between the university and community in general.¹⁷ This trend is exemplified by the declining influence of social research within the public realms where policy decisions are made and social practices unfold.¹⁸ The impotency of social research has been thoroughly discussed by criminologists, some of whom have described their discipline as a ‘successful failure.’ On the

¹⁵ Abby Deshman and Nicole Myers. *Set Up to Fail: Bail and the Revolving Door of Pre-Trial Detention*. (Canadian Civil Liberties Association and Education Trust, 2014).

¹⁶ Jonathan Simon, “The ‘Society of Captives’ in the Era of Hyper-Incarceration,” *Theoretical Criminology* 4, no. 3, (2000): 285-308. Loïc Wacquant, “The Curious Eclipse of Prison Ethnography in the Age of Mass Incarceration,” *Ethnography* 3, no. 4 (2002): 371-397. Keramet Reiter, “Making Windows in Walls: Strategies for Prison Research,” *Qualitative Inquiry*, Published online before print February 7, 2014, (2014): 1-12. Tubex, “Reach and Relevance of Prison Research.” Ben Crewe, “Inside the Belly of the Penal Beast: Understanding the Experience of Imprisonment,” *International Journal for Crime, Justice and Social Democracy* 4, no. 1 (2015): 50-65. Jon Marc Taylor, “Diogenes Still Can’t Find His Honest Man,” *Journal of Prisoners on Prisons* 18, no. 1&2 (2009): 91-110.

¹⁷ Tubex, “Reach and Relevance of Prison Research.” Peter Scharff Smith, “Reform and Research: Reconnecting Prison and Society in the 21st Century,” *International Journal for Crime, Justice and Social Democracy* 4, no. 1 (2015): 33-49.

¹⁸ Garland and Sparks, “Criminology, Social Theory and The Challenge Of Our Times.” Chancer and McLaughlin, “Public Criminologies.” Loader and Sparks, “*Public Criminology?*” Currie, “Against Marginality.” Matthews, “The Myth of Punitiveness.” Buroway, “2004 American Sociological Association Presidential Address.” Martina Feilzer, “The Importance of Telling a Good Story: An Experiment in Public Criminology,” *The Howard Journal* 48, no. 5 (2009): 472-484. Elizabeth Turner, “Beyond ‘Facts’ And ‘Values’: Rethinking Some Recent Debates About the Public Role of Criminology,” *British Journal of Criminology* 53, no. 1 (2013): 149-166. Vincent Ruggiero, “How Public is Public Criminology?” *Crime, Media, Culture* 8, no. 5 (2012): 151-160.

one hand, it is argued, the discipline has experienced incredible growth as measured by departments, student enrolment, conferences, associations, academic journals, and so on. On the other hand, the discipline is said to have witnessed a decline in social influence, exemplified by the “drift towards more punitive solutions” in the realm of punishment policy.¹⁹

Tubex suggests that the institutional context of university research has been a causal factor in changing research practices among scholars.²⁰ Alongside shifts in the penal context, he argues, have been changes in the university landscape, including the trend whereby academia is increasingly driven by “the private sector motto of competition and profitability.”²¹ Within this institutional context, academics are increasingly evaluated on the basis of their academic output, measured primarily by publications in peer-reviewed journals. The nature of this reward structure can discourage forms of academic undertakings that are not conducive to such output (e.g. community activism), as well as reduce the social impact of research by rendering academics the primary audience of scholarly works.

Reflecting on the ‘inward’ orientation of university research, scholars have theorized and undertaken different strategies to elevate the relevance of scholarship beyond the academy.²² Despite rich discussions on engaged research in the ‘public scholarship’ literatures, however, few accounts have considered how university teaching can, like research, become more publicly-engaged. Below I discuss my own attempt to engage in jail research in a way that is relevant for criminalized populations as well as students learning about the socio-politics of punishment and opportunities for social change. More specifically, I will describe a project in which students

¹⁹ Loader and Sparks, “Public Criminologies?” 18.

²⁰ Tubex, “Reach and Relevance of Prison Research.”

²¹ *Ibid.*, 8.

²² Examples: Feilzer, “The Importance of Telling a Good Story.” Justin Piché, “Playing the “Treasury Card” to Contest Prison Expansion: Lessons From a Public Criminology Campaign,” *Social Justice*, 41 no. 3 (2015): 145-167. Michael Mopas and Dawn Moore. “Talking Heads and Bleeding Hearts: Newsmaking, Emotion and Public Criminology in the Wake of a Sexual Assault,” *Critical Criminology* 20, no. 2 (2012): 183-196.

were asked to produce, edit and disseminate a video documentary on the human rights crisis at their local jail.

Documentary-Making as a Tool for Resistant Pedagogy

I recently had the unique opportunity to connect my PhD research on local jail conditions with an undergraduate teaching-assistant position. In “Community Engaged Sociology,” a fourth year sociology class, small teams of undergraduate students, working with a PhD student, join forces with a local community advocacy organization working to resist different forms of social inequality and injustice. This action-based course design is underpinned by the logic that it is often through challenging social problems that students and researchers can best understand them. Hence rather than writing term papers, which are typically only read by professors or teaching assistants, or memorizing concepts for exams, students are enlisted as agents of social change, engaging in front-line advocacy work in collaboration with community organizations.

I played two overlapping roles in this course; I was a ‘team leader’ working alongside students on their project, but I was also a representative of the community organization they were working with, the Criminalization and Punishment Education Project (CPEP), a prison research and advocacy group. In these roles, I worked with students to research and bring awareness to conditions at the Ottawa-Carleton Detention Centre (OCDC). OCDC is an extremely harsh provincial jail in Canada’s capital city, where prisoners routinely experience crowding, violence, unsanitary and unsafe conditions, inadequate health and psychiatric care, and excessive use of solitary confinement.²³ Conditions at OCDC are an ongoing advocacy issue for CPEP, as well as the topic of my PhD research.

²³ Juliet O’Neill, “Corrections Ministry, Jail System Go on Trial,” *The Ottawa Citizen*, October 30, 2004. Andrew Seymour, “Ottawa Jail Guards Rally Against ‘Toxic’ Work Environment,” *The Ottawa Citizen*, June 26, 2014. Joe Lofaro, “Ottawa Lawyer Speaks out Against Conditions at Innes Road Jail,” *Ottawa Metro News*, December 23, 2015.

As part of this overarching project, students enrolled in Community Engaged Sociology in the fall of 2015 were assigned the task of producing a short documentary about the human rights crisis at OCDC. The use of documentary-making in the classroom is a growing trend enabled by the democratization of film-making technology and the inception of social media spaces that allow for instant online sharing.²⁴ As Schul argues in relation to documentary-making in history classrooms, this learning format can enhance students' knowledge and understanding of topics insofar as it requires them "to gather information about their subject, organize basic ideas about their subject into separate categories, and learn new concepts." This approach, he argues, requires students to immerse themselves in the subject matter at hand.²⁵ It was my hope that through gathering background information about the human rights crisis, conducting interviews, recording footage, and putting together a coherent narrative in the form of documentary, students could develop a rich sociological understanding of the chronic crisis at their local jail. Additionally, students would gain practical skills in video production through their experience using professional video, audio and lighting equipment, as well as video editing software.

In addition to having positive learning outcomes for students, the medium of the documentary also has the potential to amplify the voices of historically marginalized groups, and therefore, serve as an action-oriented social justice project.²⁶ As a social group, prisoners are systematically silenced by a myriad of forces that operate both behind and outside the bars.²⁷ For example, during the various stages of the criminalization process, including arrest, trial and

²⁴ James E. Schul, "Film Pedagogy in the History Classroom: Desktop Documentary-Making Skills for History Teachers and Students," *The Social Studies* 105, no. 1 (2014): 15-22.

²⁵ *Ibid.*, 16.

²⁶ Robert Blundo, "Social Justice Becomes a Living Experience for Students, Faculty, and Community," *Journal of Teaching in Social Work* 30, no. 1 (2010): 90-100.

²⁷ Patricia E. O'Connor, "Telling Bits: Silencing And The Narratives Behind Prison Walls," in *Discourse and Silencing: Representation and The Language Of Displacement*, ed. Lynn Thiesmeyer (Philadelphia: John Benjamins Publishing, 2003): 139-169.

sentencing, the voices' of accused people are typically the least powerful.²⁸ While they may be granted opportunities to speak, the “discursive spaces that the system opens up, [and] the kinds of positions it provides” are extremely limited in terms of allowing “real dialogue” and a chance for actors to tell their stories.²⁹ Even once released, the stigma of incarceration continues to serve as a marginalizing force that discredits and delegitimizes the perspective of those impacted by imprisonment. This marginalization extends to the academic sphere; “the insight of offenders... is often a missed resource and is under-utilized in research.”³⁰ In this sense, presenting prisoners' voices can promote social justice, as defined as the right of a group to “have a voice in society.”³¹

The Making of “Life Inside Ottawa’s Jail”

After having conducted background research on the jail, and receiving training from the university's media production centre, students ventured out into the community to produce a documentary on conditions at Ottawa's jail. With my assistance, students conducted four videotaped interviews with two males, Mike and Daniel, and two females, Julie and Vanessa, about their experiences as prisoners at OCDC. Interviewees were asked similar questions regarding the nature of their living conditions and the impact of being at OCDC, although the informal and conversational format of interviews allowed for spontaneous topics to organically emerge. As prisoners recounted their dehumanizing treatment at the jail, and the toll this experience had on them, students encountered a perspective of incarceration not typically found in criminology or sociology course textbooks.

²⁸ Michael Weinrath, “Inmate Perspectives on the Remand Crisis in Canada,” *Canadian Journal of Criminology and Criminal Justice* 51, no. 3 (2009): 355-379.

²⁹ John McKendy, “Dialogue and the Risk of Responsibility,” *Humanity and Society* 23, no. 3 (1999): 238-9.

³⁰ Weinrath. “Inmate Perspectives.”

³¹ Blundo, “Social Justice Becomes a Living Experience,” 92.

The voices of prisoners were not the only ones represented; students also recorded interviews with two family members of prisoners, a professor, a criminal defence lawyer, and the Ontario Minister of Community Safety and Correctional Services, Yasir Naqvi. The inclusion of these additional interviews was intended to symbolize the broader community's relationship to, and responsibility for, the jail, as well as highlight a range of perspectives on the issue.

In addition to recording eight interviews, 'B-roll' footage was also captured around the community and in front of the jail. 'B-roll' is alternative footage that interjects main footage in order to "add context and meaning to a sequence, to transition between scenes, or to eliminate unwanted content."³² As Marion and Crowder explain, "[t]o make strong and compelling video, you need more than talking heads and action shoots." Not only does B-roll footage enable visual variation, it can help tell a story by providing concrete illustrations that add greater meaning to topics that are discussed. Because penal institutions exist largely outside of the ordinary person's realm of direct knowledge, video clips and images of the jail were particularly useful for rendering verbal descriptions more concrete and imaginable.

Armed with their raw footage, students were then tasked with condensing several hours of footage into a short (7-8 minute) documentary that described conditions at the jail, a step called "narrative creation."³³ As Schul notes, narratives are "stories about [a] particular topic that help to organize the information that the documentary maker has gathered."³⁴ For students, this step involved writing a script using excerpts from the eight interviews, which were weaved together thematically to describe the various problems at the jail. Following a brief overview of OCDC, the main themes of the script were overcrowding, lack of programming and yard time,

³² Jonathan S. Marion and Jerome W. Crowder, *Visual Research: A Concise Introduction to Thinking Visually* (New York: Bloomsbury, 2013), 71.

³³ Schul, "Film Pedagogy in the History Classroom," 17.

³⁴ *Ibid.*, 17.

lack of healthcare and mental health services, impacts on staff, and the cost to the community. The central aim of the video was to expose the human rights abuses at our local jail, render the faces of those impacted by incarceration visible, and highlight the impact of jail conditions on prisoners and the community.

In the process of editing, students gained practical knowledge of the process of ‘framing’ as they attempted to produce a persuasive, emotion-eliciting, yet informative and credible documentary about the jail. Within social movement studies, the concept of framing is used to describe the process whereby the world ‘out there’ is interpreted and represented in certain ways so as to emphasize particular problems and prescribe certain solutions.³⁵ The concept of framing therefore captures the rhetorical and persuasive functions of language and communication, or the way in which attempts to shape minds and opinions are mediated through language and other types of symbols.

The symbolic framework of the video attempted to contribute to two distinct forms of knowledge; abstract and emotional, a distinction made by Olesen in relation to activist communications designed to manufacture dissent.³⁶ Forms of abstract communication, which contribute to abstract knowledge, are the preferred style of academics, and emphasize objective ‘facts,’ rather than subjective interpretations. Olesen explains, “[a]bstract communication consists of information and analysis in the form of numbers and causal assumptions and is typically conveyed in writing or speech.” In contrast, forms of emotional communication seek to

³⁵ Robert Benford and David Snow, “Framing Processes and Social Movements: An Overview and Assessment,” *Annual Review of Sociology* 26, no. 1 (2000): 613.

³⁶ Thomas Olesen, “‘We are all Khaled Said’: Visual Injustice Symbols in the Egyptian Revolution, 2010-2011,” in *Advances in the Visual Analysis of Social Movements, Research in Social Movements, Conflicts and Change*, v. 35, ed. Nicole Doerr, Alice Mattoni, Simon Teune (Bingley, United Kingdom: Emerald Group Publishing Limited, 2013), 3-25.

elicit visceral reactions in audiences and often involve a visual element that serves to “by-passes the in-built rationality of language.”³⁷

The video begins by fusing these types of communication, showcasing an emotional statement by a researcher in his office. “I was horrified when I began to hear about conditions at the Ottawa-Carleton Detention Centre, here in our nation’s capital, in one of the richest, most progressive countries in the world.” At this point, B-roll video of Canada’s parliament buildings in Ottawa is shown, with dramatic music, as a means to further highlight the contradiction between Canada’s progressive reputation and jail conditions in its capital city.

Following further introductory statements and the title of the film, “Life Inside Ottawa’s Jail,” a mixture of abstract and emotional forms of communication are woven together. To provide context to the problem, excerpts from interviews describe OCDC in ‘factual’ terms. More specifically, OCDC is described as a remand centre, where most people are awaiting for trial, and where little to no programming is offered as a matter of policy. The fact that most people in OCDC have not been yet found guilty of an offence, and are held in warehouse-like conditions as they wait for trial, are key points we thought we resonate with the democratic values of many viewers.

Issues of crowding are then explained by the Minister of Community Safety and Correctional Services: “At the root of it is the... higher number of people on remand. There’s about 8,000 people in our institutions across the province, 60 percent of them are on remand, which means these are people who have been denied bail, they’re waiting trial, so they are still presumed to be innocent. That number has doubled in [the] last 10 years.”

These ‘factual’ statements offered by credible sources were intended to appeal to audiences at the level of reason. Such statements, however, were balanced with more visceral

³⁷ *Ibid.*, 9.

accounts of punishment conveyed through prisoner's narratives and testimony, which were intended to appeal to audiences at the level of emotion. Discussing crowded jail cells, for example, former prisoner Mike describes triple-bunking in cells with only two beds, where one person must sleep on the floor. As he is speaking, an image looking through the window of a tiny OCDC cell is shown to bring the audience symbolically closer to the problem. Vanessa, another prisoner, describes people sleeping on the floor of cells infested with cockroaches and ants.

After discussing the lack of programming and yard time, interviewees then discuss the lack of healthcare at OCDC. On this topic, a particularly strong 'injustice symbol,'³⁸ intended to reach audiences at an emotional level, was Julie's story. Julie offers a visceral account of her experience giving birth in a jail cell at OCDC:

"I'm getting these really sharp pains in my stomach, and I'm like something's wrong. And the pain is starting to come back to back. The nurse comes to see me, she's like, well we'll keep an eye on you. That's it. A little after that, I felt like a gust, so my water breaks. I'm still being ignored at this point, and now it's back to back, like I couldn't stand up, I couldn't lay down. Something's seriously wrong here. I put my hands inside of myself and I feel my son's foot. I start counting the toes. I'm looking down at my son's foot. I know a baby's not supposed to come out feet first, and my son's probably suffocating at this point. They're like, at this point, you need to push. So I pushed three times, my son's born... on my bed, in a jail cell."

Following this statement, the camera stays on her face, while the timing switches to slow-motion. This timing technique is used to add emphasis, forcing viewers to bear witness to a face expressing of pain.³⁹ An image of Julie's smiling son is then displayed. A few seconds later, his date of birth and death appear, intentionally delayed so as to juxtapose what happened, his ultimate death, against what could have been. This effect is 'the punctum,' whereby "the photo becomes evidence of what has ceased to be, rather than proof of what is real." The "*as if*"

³⁸ *Ibid.*

³⁹ Schul, "Film Pedagogy in the History Classroom," 17.

embodied by the image forces “the viewer into considering how the story might have ended differently.”⁴⁰

The final substantive section highlights the impact of jail conditions on the staff and community. Emphasizing the collateral costs was key to framing the problem as an issue that affects the broader community. A family member of a prisoner highlights the parallels between living and working at the jail: “I think working there is another way of doing time, actually. It’s a toxic environment in many ways.” Expanding on the community impact, another family member states “people get released into society, and they get released into society damaged people. And there’s no reason that they have to come out damaged. Because families are affected, children are affected, wives are affected.” These statements highlight how non-criminalized people are also affected by jail conditions, including the staff that work at the jail, the family members of prisoners, and the community members that live in the communities where ‘damaged’ prisoners are released. Although penal institutions are physically and symbolically located outside of mainstream society, these statements are intended to remind viewers that what goes on behind bars spills back into the community.

The conclusion of the video exemplifies a form of communication that appeals to viewers at the level of emotion. Set against uplifting music, the faces of each of the four prisoners and two family members reappear in new mood; each of them with smiling facial expressions. Symbolizing their sense of humanity, this montage invites viewers to bear witness to the human faces impacted by incarceration and is intended to challenge the sense of inhumanity that

⁴⁰ Tina Askaniu, “Protest Movements and Spectacles of Death: From Urban Places to Video Spaces,” in *Advances in the Visual Analysis of Social Movements, Research in Social Movements, Conflicts and Change*, v. 35, ed. Nicole Doerr, Alice Mattoni, Simon Teune (Bingley, United Kingdom: Emerald Group Publishing Limited, 2013), 105-133.

legitimizes mass incarceration and detention.⁴¹ It attempts to convey a message that “[p]risoners are not numbers. They are living, breathing people with personalities, characteristics, likes, and dislikes.”⁴² After this tone of optimism is set, a final excerpt from the lawyer emphasizes the need for action: “I don’t know what more needs to be assessed or studied or examined or analyzed, the time for that is well passed. The time for action is now.”

Upon completion of the documentary, the students and I, along with former prisoners, took part in two different screenings, where we discussed the experience working on the film and offered further commentary on the jail’s problems. The documentary has also been screened several times during presentations given by CPEP members on conditions at OCDC. These screenings have provided space to engage with audiences’ reactions to the film and facilitate discussions on efforts to fight for prisoners’ rights at OCDC. In addition to holding these small screenings, the video was uploaded to YouTube, where it has been re-shared through social media sites as well as a professional news site in Ottawa.

Discussion and Conclusion

For students, producing a documentary that could succeed in eliciting compassion for prisoners was a particularly challenging exercise in framing, given the social stigma attached to criminalized populations. Strategic omissions and inclusions were often preceded by in-depth discussions on how potential audiences would interpret and respond to certain topics, statements or visuals. During these discussions, students were often confronted with their own pre-existing assumptions about punishment and those society deems worthy of it.

For example, the proper ‘balance’ between prisoner and ‘expert’ voices was an issue of ongoing debate. Some thought the video should centralize the voices of prisoners, given their

⁴¹ Mary Bosworth, Debi Campbell, Bonita Demby, Seth M. Ferranti, and Michael Santos, “Doing prison research: Views from inside,” *Qualitative Inquiry* 11, no. 2 (2005): 249-264.

⁴² *Ibid.*, 251.

systemic silencing in society and their in-depth knowledge of jail conditions. Other students thought the voices of experts were more socially credible and therefore, would have greater impact among viewers.

This debate heightened after we learned that one of the interview participants was back in jail. After his re-incarceration, some students questioned the inclusion of his interview in the video at all, as they worried it might negatively impact audience reception. Others, however, argued that it made no sense to exclude his video, since all of the prisoners we interviewed had been incarcerated at one point, and could very well end up behind bars again. Moreover, one student argued that his re-incarceration exemplified the difficulties prisoners face when attempting to reintegrate after having spent months in a harsh institution with virtually no programming. Ultimately, we decided that to exclude the participant's interview would reinforce the structural silencing and social exclusion that contribute to the perpetuation of penal harms in the first place.

To be sure, prisoners' narratives in the video were not unfettered; they were edited and re-packaged in a wider narrative constructed by students. Furthermore, their voices were balanced with more 'conventional' knowledge experts – including a professor, lawyer, and politician. These creative decisions were pragmatic ones, reflecting our intention to create a persuasive message that would resonate with audiences at both intellectual and emotional levels.

As researchers, our interviews with former prisoners served as rich data sources shedding light on their experiences, and in particular, those aspects of it which are otherwise invisible, including their perceptions and the impact of punishment. The methodological approach of documentary-making not only allowed us to immerse ourselves in the subject we were studying, but enabled us to amplify the voices of participants by extending their testimonies to a broader

audience. As Blundo writes, “[t]he documentary process is in itself a way of giving voice to any group not given access to the power to write history or comment on a situation.”⁴³ The inclusion of prisoner’s voices in the documentary was intended to challenge their literal and symbolic isolation from society by affording them an opportunity to speak. In this sense, the documentary can be viewed as an “act of social justice” by presenting the “unheard voices” that are typically excluded from official accounts of punishment in the Canadian context.⁴⁴

The use of video as a medium of communication also allowed us to connect more intimately with audiences. In comparison to the written word, visual forms of communication have been deemed more effective at engaging viewers and multiple sensory levels, including both visually and audibly.⁴⁵ The video enabled viewers to *see* prisoners’ voices, *hear* their voices, and almost *feel* their pain. Furthermore, online sharing through YouTube has us to reach a vast audience. Video analytics from our YouTube page show the video has been viewed close to 4,000 times in countries across the world. The reach of the video is therefore much greater than what typical academic products, like journal articles and conference presentations, might achieve. Insofar as media spaces constitute a realm where political values are debated and shape,⁴⁶ the video will, ideally, serve as a resource in informing public understandings of punishment as it plays out in the local context.

Conclusion

The study of penal institutions is well suited to an action-based framework, given that punishment is a publicly-funded undertaking, yet occurs largely outside the public’s view.

⁴³ Blundo, “Social Justice Becomes a Living Experience.”

⁴⁴ *Ibid.*

⁴⁵ Radhamany Sooryamoorthy, “Behind the Scenes: Making Research Films in Sociology,” *International Sociology* 22, no. 5 (2007): 547-563.

⁴⁶ Manuel Castells, “Communication, Power and Counter-Power in the Network Society,” *International Journal of Communication* 1, no. 1 (2007): 238-266.

Moreover, those impacted by imprisonment face forms of systemic violence that can easily escape the public consciousness due to the structural silencing of prisoners.⁴⁷ As Tubex argues, prison researchers “have a moral obligation to keep questioning and investigating prisons and all closed and total institutions, so as to provide an outsiders’ report of what is going on.”⁴⁸ In this sense, scholarship can serve to bridge the gap between the penal institutions and the societies in which they are situated. However, as noted in the public scholarship literature, researchers must extend their voices beyond traditional academic venues in order to engage with audiences outside the university. In the case study at hand, the method of inquiry – documentary-making – also served as the method of dissemination, allowing students to directly engage with the very processes they were studying.

⁴⁷ O’Connor, “Telling Bits.”

⁴⁸ Tubex, “Reach and Relevance of Prison Research,” 14.

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