

ALTERNATIVE PERSPECTIVES ON THE OVERREPRESENTATION OF NATIVE PEOPLES IN CANADIAN CORRECTIONAL INSTITUTIONS: THE CASE STUDY OF ALBERTA

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Abstract / Résumé

Alternative hypotheses for the overrepresentation of Native peoples in Canadian correctional institutions, emphasize age and social class instead of race as the most salient variables. These are evaluated by means of an analysis of existing statistics. The author's data disconfirms the age hypothesis, but indicate that the social class hypothesis may hold merit.

Des contre-propositions mettent de l'emphase sur l'âge et le statut social plutôt que sur la race du forçat comme principales variables explique le nombre disproportionné d'autochtones dans les prisons canadiennes. Ces variables sont étudiées à travers une analyse des statistiques actuelles. Les données de l'auteur ne supportent pas l'hypothèse qui met en valeur le jeune âge des forçats autochtones, mais elles indiquent que le statut social de ceux-ci joue un rôle dans le phénomène.

Introduction and Review of the Literature

The overrepresentation of Native peoples (i.e., Status and non-Status Indians, Métis and Inuit) in Canadian correctional institutions, when compared to the proportion of the general Canadian population they represent, is a phenomenon which has been widely documented over the past two decades in the academic literature as well as in government reports (Aboriginal Justice Inquiry of Manitoba, 1991; Badcock, 1976; Canadian Corrections Association, 1967; Cawsey Report, 1991a; Clark *et al.*, 1989; Department of Justice, 1991; Finkler, 1976; Law Reform Commission of Canada, 1991; Royal Commission on Aboriginal Peoples, 1993; Schmeiser, 1974). Statistics show that in 1991-1992, Native offenders accounted for 11% of total admissions to federal penitentiaries and 24% of admissions to provincial penitentiaries nationally, while the Native population only represented perhaps 2.3% of the total Canadian population (Canadian Centre for Justice Statistics, 1993:74; Statistics Canada, 1993a). The proportion is even higher in the west, particularly in the prairie provinces. In Manitoba (1991-1992), Native people accounted for 38% of federal and 50% of provincial inmate admissions, while representing approximately 9% of the total provincial population; in Saskatchewan, they accounted for 55% of federal and 66% of provincial inmate admissions, while also representing approximately 9% of the total provincial population; and in Alberta, they accounted for 22% of federal and 33% of provincial inmate admissions, while representing about 4% of the total provincial population (Canadian Centre for Justice Statistics, 1993:106, 119-20; Statistics Canada, 1993a).¹ It is commonly acknowledged, however, that official statistics underestimate the true levels of Aboriginal incarceration in Canada.²

When interpreted liberally, the differences between racial composition ratios in the inmate and general populations can easily lead one to conclude either that Native people engage in criminal behaviour more frequently than do non-Natives, or that Native people are the victims of discrimination in the criminal justice system. These conceptualizations, of course, are not mutually exclusive.

Research by Hagan (1974a; 1974b; 1975a; 1975b) in Alberta implicitly supports the former view. Hagan's analysis

...challenges popular conceptions about criminal justice. For example, it is frequently argued that Native and lower socio-economic defendants receive differential treatment from the courts. However, our analysis reveals that when legal variables are held constant, differences in sentences are minimal. Legal

variables--prior convictions and the number and type of charges--are found to be salient at all stages of the sentencing process.

Other variables are also shown to influence sentencing. At the prosecution stage, presence of defence counsel, initial plea, and charge alteration are important. Similarly, at the pre-sentencing stage, the probation officer's perception of demeanor, assessment of success prospects, and recommendation for sentence are influential. However, the extent to which these are race or class-connected is not large (1975a:v).

Questions still remain, however, as to just how generalizable Hagan's findings might be. For instance, Wynne and Hartnagel (1975:153), based on an analysis of Edmonton courtroom data, found that race (i.e., being Native) acts as an intervening variable under certain conditions and affects the accused's chance of successfully negotiating a plea. They conclude that their results

...appear to offer some support for the position...that the minority group defendant is disadvantaged in the process of criminal justice administration, at least with respect to that aspect of the process examined here (Ibid.).

Hagan himself notes that in rural areas, "[p]ro probation officers...sentence Indian and Métis offenders severely, without the justification of correlated legal variables (i.e., prior record, offense seriousness, and number of charges)" (1977a:609). Research by Hann and Harman (1986) also seems to support assertions that Native inmates are more likely to be denied parole than non-Natives.

Morse and Lock (1988:84) found that Aboriginal inmates attribute these disparities to discriminatory practices inherent within the entire criminal justice system. Unfortunately, they provided no data with which one could compare these attitudes with those of non-Native inmates and with those of Native people in the general population. Though Morse and Lock's research focussed on perceptions, the Aboriginal Justice Inquiry of Manitoba (1991) asserted that these perceptions have a definite basis in reality, that "the justice system discriminates against Aboriginal people at virtually every point" (1991:86). This general conclusion has been echoed by Clark *et al.* in Nova Scotia and the Cawsey Report (1991a) in Alberta as well. Nevertheless, one must be aware that discrimination can take diverse forms, and may also vary in the way it is defined by different people at different times (Hagan, 1977b).

Despite conflicting findings, all the research cited above may hold one flaw in common:

Reliance on the standard of aboriginal population ratios, i.e., inmate versus general populations, has obscured other ways of understanding over-representation. For example, if one changed the standard to aboriginal and non-aboriginal *age distribution* in the general population, the "over-representation" picture might look quite different. Higher birth rates and lower life expectancy suggests a relatively larger aboriginal 14-25 year old age group. The aboriginal percentage of this group is higher than the aboriginal percentage of the general population. This is also the group with the highest participation rate in the criminal justice system; so it would not be surprising to see high aboriginal representation among offenders of this group. Whether this group would be disproportionately represented is another question...

Similarly, if one follows the theoretical approach of the critical criminologists and uses class (based on socioeconomic level) as the standard and predictor of who goes to jail, aboriginal people may well be statistically under-represented. Given the same economic reality, non-aboriginal offence rates would no doubt be much higher. There are, then, different ways to look at the over-representation issue and relying solely on population ratios may limit the analysis (LaPrairie, 1990:429-30, italics in original).

Indeed, this possibility had been outlined earlier by Bienvenue and Latif (1974:114) with regards to the disproportionate rates of arrest experienced by Natives in Winnipeg; and Satzewich and Wotherspoon have found support for this class (rather than racially) based hypothesis about the overrepresentation of Native people in prisons, referring to data which

...indicate that native and non-native offenders share some common experiences based on class and gender characteristics, reflective in particular of a segment of the population for which only marginal and intermittent employment is likely (1993:191).

The question this paper intends to address is: to what extent are age and social class more useful variables than race when attempting to understand the overrepresentation of Native people in the correctional institutions of Alberta?

If we adopt LaPrairie's reasoning, we can state our hypotheses as follows:

H1: the degree to which race, i.e., being Native, will be associated with overrepresentation in correctional institutions will decline when we

compare the age distribution of Natives in the general population with the age distribution of the total inmate population.

H2: the degree to which race (i.e., being Native) will be associated with overrepresentation in correctional institutions will decline when we control for the social class of Native people in the general population.

Methodology

For the purposes of this article, race will indicate whether an individual is Native (that is, Status or non-Status Indian, Métis, or Inuit) or non-Native (anyone else). It should be noted that this distinction is based on legal definitions rather than biological characteristics (Frideres, 1993: chapter 2). Age refers to how old a person is in years. Social class refers to the socioeconomic status one occupies in the hierarchy of society. Level of representation refers to the extent to which members of a particular racial group, age group, or social class are identified in disproportionate numbers in institutional admission rates when compared to the proportion of the general population they represent.

This paper's unit of analysis will be population ratios within provincial correctional institutions in Alberta as well as within the province's general population.³ Existing statistics collected in the working papers of the Cawsey Report (1991b) will provide comparative, quantitative data on the age of Native and non-Native offenders admitted to provincial penitentiaries in Alberta, and will be compared with 1991 Canadian Census data describing the general population, Native and non-Native, of the province. Since other extra-legal attributes of inmate populations are rarely collected (Canadian Corrections Association, 1967:21; Rahim, 1977; Robert Paiement, Department of Justice, personal communication, 1994), and if collected, then not published or made accessible to the public for a variety of reasons, we must rely on the observations of other authors to gain a relative idea of the class composition of the inmate population. These observations will be "compared" once again with 1991 Census data describing the class composition of the general population, using income levels and unemployment rates as broad indicators of social class.

Problems related to measurement validity must inevitably arise when indicators are used this way. Though income levels and unemployment rates may be relatively high in face validity, and they may at times converge with other indicators which purport to measure social class, e.g., education, occupational status, ..., they are most certainly lacking in content validity (Hartnagel, 1992:114-118; Neuman, 1994:130-134).⁴ Despite their short-

comings, the indicators selected to measure social class and the methods of comparison outlined above should suffice for the purposes of this paper.

Another problem associated with the operationalization of the variables has to do with the imperfect overlap between the Cawsey Report's (1991 b) data and Census data in terms of age categories.⁵ Nevertheless, these categories cannot be more closely approximated, and one should not expect the results of the first hypothesis to be altered too dramatically by this incongruity. As the data will be presented as percentages, it will effectively become standardized.

Data Analysis

The data in Table 1 express the proportions of Native and non-Native people between the ages of 15 and 64 represented in the general population of Alberta as well as in the provincial correctional institutions of Alberta. Only the population that falls in the 15 to 64 age range is being considered here since people beyond this range cannot be incarcerated in adult institutions because of legal reasons (for those who are under 18 years of age). Limiting the analysis to the 15-64 age range should also permit more accurate comparisons between Aboriginal Census data (which, unless otherwise indicated, often excludes people over the age of 64 in its statistics) and prison population data (the incarceration of people over 64 years of age is, statistically speaking, extremely rare). The justifications for including offenders between the ages of 15 and 17 who have been admitted to other custodial facilities were discussed in the methodology section of this paper, and need not be repeated here (see note 5 *supra*).

Table 1 represents what has until now been the conventional way of determining the extent to which a particular group is overrepresented in the prison population, that is to say, by simply comparing general population ratios to inmate population ratios.

The numbers in Table 1 indicate that even though Native peoples represent 3.42% of the population aged 15 to 64 in Alberta, they represent 29.20% of those incarcerated in provincial institutions. Conversely, non-Native people represent 95.68% of the population aged 15 to 64 in Alberta, while only representing 70.80% of those incarcerated in provincial institutions. According to the conventional method of analysis, the fact that Native peoples constitute 8.54 times their proportion of the general population in prisons, compared to 0.73 times for non-Natives, would lead most observers to conclude that Aboriginal peoples are severely overrepresented in correctional institutions.

Table 1: Native and Non-Native Population Breakdown, as Proportion of General and Provincial Inmate Populations of Alberta

	Alberta	Inmate Pop.	Factor
Non-Native pop. (15-64)	1,655,225 (96.58%)	24,473 (7080%)	0.73
Native pop. (15-64)	58,675 (3.42%)	10,423 (29.20%)	8.54
Total pop. (15-64)	1,713,900 (100%)	34,564 (100%)	

Notes: 1) The inmate population includes all adult offenders admitted to provincial institutions as well as youths aged 15-18 admitted to young offender custodial facilities in Alberta in 1989.

2) General population data are based on 1991 Census statistics; inmate population data are based on 1989 figures.

Sources: adapted from Cawsey Report, 1991b, Justice on Trial: Report of the TaskForce on the Criminal Justice System and Its Impact on the Indian and Métis People of Alberta, vol. 3 (working papers and bibliography), Edmonton, Task Force on the Criminal Justice System and Its Impact on the Indian and Métis People of Alberta; Statistics Canada, 1992, Age, Sex, and Marital Status, Ottawa, Minister of Industry, Science and Technology; Statistics Canada, 1993, Age and Sex, Ottawa: Minister of Industry, Science and Technology.

Table 2 introduces the variable of age to the analysis, and breaks down data from Table 1 according to the age structure of the Native and non-Native populations both in the general population as well as in the prison population.

The results from Table 2 are instructive and initially provide support for our first hypothesis. As expected, among Natives as well as non-Natives, the 15 to 24 age group is most significantly overrepresented in correctional institutions. Whereas the 15-24 age group represents 21.67% of the population in Alberta aged 15 to 64, they constitute 2.34 times that proportion in provincial correctional institutions (50.80%). Though the proportion of Native people in the general population who belong to this age group is considerably higher than that among non-Natives (34.10% and 21.23%, respectively), Natives in this category are represented 1.51 times as frequently in the prison population (51.45%) compared to non-Natives who are represented 2.38 times as frequently (50.61%). In other words, though

Table 2: Native and Non-Native Population Breakdown by Age Structure, as Proportion of General and Provincial Inmate Populations of Alberta

	Alberta	Inmate Pop.	Factor
Native and non-Native pop. (15-64)	N= 1,713,900 (100%)	N= 34,564 (99.91%)	
15-24	371,365 (21.67%)	17,559 (50.80%)	2.34
25-34	490,495 (28.62%)	11,180 (32.35%)	1.13
35-64	852,040 (49.71%)	5,793 (16.76%)	0.34
Non-Native pop. (15-64)	N= 1,655,225 (100%)	N= 24,473 (100%)	
15-24	351,355 (21.23%)	12,385 (50.61%)	2.38
25-34	472,200 (28.53%)	8,021 (32.77%)	1.15
35-64	831,670 (50.24%)	4,067 (16.62%)	0.33
Native pop. (15-64)	N= 58,675 (100%)	N= 10,091 (99.99%)	
15-24	20,010 (34.10%)	5,192 (51.45%)	1.51
25-34	18,295 (31.18%)	3,167 (31.38%)	1.01
35-64	20,370 (34.72%)	1,732 (17.16%)	0.49

Notes: 1) The Inmate population includes all adult offenders admitted to provincial institutions, as well as youths aged 15-18 admitted to custody in young offender facilities in Alberta in 1989.

2) General population data are based on 1991 Census statistics; inmate population data are based on 1989 figures.

continued...

- 3) Percentages may not add up due to rounding.

Sources: adapted from Cawsey Report, 1991b, *Justice on Trial: Report of the Task Force on the Criminal Justice System and Its Impact on the Indian and Métis People of Alberta*, vol. 3 (*working papers and bibliography*), Edmonton, Task Force on the Criminal Justice System and Its Impact on the Indian and Métis People of Alberta; Statistics Canada, 1992, *Age, Sex, and Marital Status*, Ottawa, Minister of Industry, Science and Technology; Statistics Canada, 1993a, *Age and Sex*, Ottawa: Minister of Industry, Science and Technology.

people of this age group as a whole tend to be overrepresented in correctional institutions, this pattern of overrepresentation is less pronounced for Natives than it is for non-Natives.

When one analyzes the results for the 25 to 34 age group, the level of representation decreases dramatically, from a factor of 2.34 times to 1.13 times for the total population (people aged 25 to 34 constitute 32.35% of the prison population as opposed to 28.62% of the general population aged 15 to 64). Non-Natives continue to be more frequently represented (32.77% of the non-Native prison population, compared to 28.53%, or 1.15 times more than the general population) than Natives, who are evenly represented in this category (31-38% of the Native prison population, compared to 31.18%, or 1.01 times that in the general population aged 15 to 64).

In the older (35 to 64) age category, though the proportion of Natives who are incarcerated is higher than that among non-Natives as well as the provincial average, all members of this age group are by far underrepresented. 16.76% of the total prison population is a part of this age group, compared to 49.71%, or 0.34 times that in the general population aged 15 to 64. Among non-Natives, 16.62% of the prison population, compared to 50.24%, or 0.33 times that in the general population aged 15 to 64, are members of this age group. Among Natives, 17.16% of the prison population, compared to 34.72%, or 0.49 times that in the general population aged 15 to 64, are members of this age group.

Our first hypothesis seems to have been confirmed by the data in Table 2: when age is introduced as a control variable, the importance of race declines significantly when predicting the levels of representation associated with particular groups in correctional institutions. Furthermore, under these conditions, Natives are considerably underrepresented in correctional institutions (as far as comparisons with non-Natives are concerned) in most cases, which was not specifically predicted by the hypothesis. This contravenes popular perceptions about the situation in the provincial insti-

Table 3: Age Group Representation of General and Provincial Inmate Populations by Race

	% of Alberta	% of Inmate pop.	Factor
Age			
Native pop.			
15-24	20,010 (5.39%)	5,192 (29.54%)	5.48
25-34	18,295 (3.73%)	3,167 (28.33%)	7.60
35-64	20,370 (2.39%)	1,732 (29.90%)	12.51
Non-Native pop.			
15-24	351,355 (94.61%)	12,385 (70.46%)	0.74
25-34	472,200 (96.27%)	8,021 (71.74%)	0.75
35-64	831,670 (97.61%)	4,067 (70.13%)	0.72

- Notes: 1) The inmate population includes all adult offenders admitted to provincial institutions, as well as youths aged 15-18 admitted to custody in young offender facilities in Alberta in 1989.
- 2) General population data are based on 1991 Census statistics; inmate population data are based on 1989 figures.
- 3) Percentages may not add up due to rounding.

Sources: adapted from Cawsey Report, 1991b, *Justice on Trial: Report of the Task Force on the Criminal Justice System and Its Impact on the In. an and Métis People of Alberta, vol. 3 (working papers and bibliography)*. Edmonton, Task Force on the Criminal Justice System and Its Impact on the Indian and Métis People of Alberta; Statistics Canada, 1992, *Age, Sex, and Marital Status*. Ottawa, Minister of Industry, Science and Technology; Statistics Canada, 1993a, *Age and Sex*, Ottawa: Minister of Industry, Science and Technology.

tutions of Alberta at the very least, and perhaps about Canadian prisons in general.

The problem with the data in Table 2, however, is that it only reveals the age structure within the respective Native and non-Native groups, it

does not compare age-specific population ratios *between* the Native and non-Native groups. Relying solely on the data from Table 2 to test our first hypothesis would severely limit the analysis. Three tables will be used to compare the age-specific population ratios between groups from a variety of angles. Table 3 will indicate the proportion of each age group Natives and non-Natives represent in the inmate population, and will compare these figures with the corresponding proportions in the general population. Table 4 will compare the Native to non-Native ratio for each age group in both the inmate as well as the general populations of Alberta. Table 5 will indicate what proportion of their corresponding group in the general population Native and non-Native inmates represent, according to age structure.

The data in Tables 3-5 project very different images of the Native "overrepresentation situation" when compared to the data in Table 2. In fact, the data in Tables 3-5 will illustrate that while initial examination may have provided support for the first hypothesis, a more thorough investigation combining a variety of angles will refute it. Whereas our within-group analysis in Table 2 revealed that Natives in the 15-24 age range are

Table 4: Native to Non-Native Population Ratios, General and Provincial Inmate Populations

	Alberta	Inmate Pop.	Factor
Age			
15-24	5.70/100	41.92/100	7.35
25-34	3.87/100	39.48/100	10.20
35-64	2.45/100	42.59/100	17.38

- Notes: 1) Numbers to the left of the slash refer to the number of Natives per 100 non-Natives
- 2) The inmate population includes all adult offenders admitted to provincial institutions as well as youths aged 15-18 admitted to young offender custodial facilities in Alberta in 1989
- 3) General population data are based on 1991 Census statistics; inmate population data are based on 1989 figures.

Sources: adapted from Cawsey Report, 1991b, *Justice on Trial: Report of the Task Force on the Criminal Justice System and Its Impact on the Indian and Métis People of Alberta, vol. 3 (working papers and bibliography)*, Edmonton, Task Force on the Criminal Justice System and Its Impact on the Indian and Métis People of Alberta; Statistics Canada, 1992, *Age, Sex, and Marital Status*, Ottawa, Minister of Industry, Science and Technology; Statistics Canada, 1993a, *Age and Sex*, Ottawa: Minister of Industry, Science and Technology.

Table 5: Native and Non-Native Inmates, as Proportion of Respective General Populations by Age Structure

	Native	Non-Native	Factor
Age			
15-24	25.94%	3.52%	7.37
25-34	17.31%	1.70%	10.18
35-64	8.50%	0.49%	17.35
Total	(15-64)	17.20%	1.48%

Sources: adapted from Cawsey Report, 1991b, *Justice on Trial: Report of the Task Force on the Criminal Justice System and Its Impact on the Indian and Métis People of Alberta*, vol. 3 (*working papers and bibliography*), Edmonton, Task Force on the Criminal Justice System and Its Impact on the Indian and Métis People of Alberta; Statistics Canada, 1992, *Age, Sex, and Marital Status*, Ottawa, Minister of Industry, Science and Technology; Statistics Canada, 1993a, *Age and Sex*, Ottawa: Minister of Industry, Science and Technology.

represented 1.51 times more in the provincial inmate population than in the general Aboriginal population of Alberta, the statistics in Table 3 indicate that Natives in the 15-24 age range represent a proportion 5.48 times greater in the inmate population than in the general population. Conversely, whereas the within group analysis in Table 2 revealed that non-Natives in the 15-24 age bracket are represented 2.38 times more in the provincial inmate population than in the general non-Native population of Alberta, the statistics in Table 3 indicate that non-Natives in the 15-24 age range represent a proportion of the inmate population which is only 0.74 times that which they represent in the general population.

While the degree to which non-Natives in the older age brackets are *underrepresented* in provincial institutions remains level with that of non-Natives in the 15-24 age range, the degree of *overrepresentation* for Natives in the older age brackets dramatically increases. Non-Natives aged 25-34 and those aged 35-64 represent, respectively, 0.75 times and 0.72 times in the inmate population the proportion of the total general population aged 15-64 they represent. On the other hand, Natives aged 25-34 and those aged 35-64 represent, respectively, 7.60 times and 12.51 times in the inmate population the proportion of the total general population aged 15-64 they represent. In other words, in the inmate population, Natives are represented 7.41 times more than non-Natives in the 15-24 age group; in the 25-34 age group, Natives are represented 10,13 times more than

non-Natives; and in the 35-64 age group, Natives are represented 17.38 times as frequently as non-Natives.⁶

If one considers the Native to non-Native general and inmate population ratios by age structure in Table 4, Natives in the 15-24 age group continue, as in Table 3, to be overrepresented to a slightly lesser extent when compared to the figures in Table 1. Overall, however, the level of representation of Natives in provincial institutions from all age groups continues to exceed by far that of non-Natives. According to Table 4, whereas there are 5.70 Natives for every 100 non-Natives in the general population aged 15-24, there are 41.92 Natives for every 100 non-Natives in this same age group in the provincial inmate populations. In other words, Natives aged 15-24 constitute a proportion of the 15-24 age group which is 7.35 times greater in the inmate population than in the general population; Natives aged 25-34 constitute a proportion which is 10.20 times greater in the inmate population than in the general population (39.48 Natives per 100 non-Natives and 3.87 Natives per 100 non-Natives, respectively); and Natives aged 35-64 constitute a proportion which is 17.38 times greater in the inmate population than in the general population (42.59 Natives per 100 non-Natives and 2.45 Natives per 100 non-Natives, respectively)!

Looking at age-specific population ratios from another angle, that of the respective general populations Native and non-Native inmate populations represent, yields a picture identical to that portrayed in Tables 3 and 4. The data in Table 5 indicate that whereas the non-Native inmate population aged 15-24 represents the equivalent of 3.69% of the general non-Native population in the same age bracket, Native inmates in the 15-24 age range represent the equivalent of 25.94% of the general Native population in that same age group, or a proportion which is 7.48 times greater than that among non-Natives. In the 25-34 age range, non-Native inmates represent the equivalent of 1.70% of non-Natives of the same age bracket in the general population, while Native inmates in the 25-34 age range represent the equivalent of 17.31% of Natives in the general population in that age range, or a proportion 10.18 times greater than that among non-Natives. Finally, non-Native inmates aged 35-64 represent the equivalent of 0.49% of non-Natives in the general population in the same age group, while Native inmates aged 35-64 represent the equivalent of 8.50% of Natives in the general population in the same age range, or a proportion which is 17.35 times greater than that among non-Natives. Overall, non-Native inmates represent the equivalent of 1.48% of the non-Native population aged 15-64, while Native inmates represent the equivalent of 17.20% of Natives in the general population who belong to that age group, or a proportion which is 11.62 times greater than that among non-Natives.

Taken together, the results from Tables 3-5 indicate that when age-specific population rates are compared between the general and inmate populations in Alberta, Native people continue to be significantly overrepresented in provincial correctional institutions. Paradoxically, though the degree of overrepresentation in correctional institutions among Natives aged 15-24 declines slightly when we take these age-specific ratios into account, it increases dramatically for Natives in the older age group (when compared to the data in Table 1)! According to our first hypothesis, however, as we would have expected the vast majority of inmates to be from the youngest age bracket, and as Alberta's Aboriginal population is rather young, we would have expected the levels of overrepresentation in correctional institutions to have declined for all age groups when controlling for age. Because the reverse of this prediction seems to have occurred for the older age groups, and overrepresentation has only decreased marginally for the youngest age group, we must reject our first hypothesis.⁷

Furthermore, it is unlikely that this hypothesis will be supported in other provinces or in Canada as a whole, as one of the main factors that has contributed to its rejection appears to be LaPrairie's (1990:430) overestimation of the proportion of the 15-24 age-group Native people represent in the general population. Likewise, this hypothesis would not be expected to hold if applied to a survey of federal institutions, as the average age of inmates in these institutions tends to be higher than that in provincial settings (Canadian Centre for Justice Statistics, 1993:119-120).

The second hypothesis, on the other hand, seems far more plausible than the first. The official unemployment rate for Natives in Alberta is almost three times that of non-Natives (23.8% and 7.8%, respectively) (Statistics Canada, 1993b:97; Statistics Canada, 1993d:46-47). If we assume that most people who have an annual income of less than \$10,000 are of lower class status, we find that the proportion of Native peoples aged 15 and older who belong to this category is double that of non-Natives (52.67% and 25.24%, respectively) (Statistics Canada, 1993b:135; Statistics Canada, 1993c:14). Thus, on the conservative side, we would be inclined to believe that approximately 23.8% of Natives and 7.8% of non-Natives in Alberta are members of the lower class, while other estimates might indicate that as many as 52.67% of Natives and 25.24% of non-Natives in Alberta are members of the lower class. The most accurate figures, however, are probably located somewhere between both extremes.

If we also accept that "Native offenders do not appear to be sharing in the relative improvement in socioeconomic status which is occurring in Native communities [...]" (McCaskill, 1985:27, quoted in Griffiths and Verdun-Jones, 1989:548), which is also consistent with the observations of the

Métis and Non-Status Indian Crime and Justice Commission (1977), and when we consider that "Native inmates with relatively high levels of educational completion are still more likely to be unemployed than employed at the time of arrest" (Morse and Lock, 1988:19), then we can reasonably argue that the majority (if not all) of Native offenders are of lower class status.⁸ If we compare the proportion of the inmate population Native offenders represent and assume they are all of lower class status with the proportion of Natives in the general population who belong to this category as indicated by income levels and unemployment rates, we find that Native peoples are definitely not *overrepresented* in the correctional institutions of Alberta, and may, if we use even an intermediate measure of social class (i.e., a number somewhere between the extremes established by unemployment rates and income levels), be *underrepresented*, as LaPrairie (1990:430) has suggested. Non-Natives, on the other hand, even if we use the highest estimate (i.e., income under \$10,000) of the general population who are of lower social class status, would be, at the very least, represented almost three times as frequently in the inmate population compared to the general population. On the other hand, as we have stated at the beginning of this paper, the Aboriginal Justice Inquiry of Manitoba (1991:102) and Barkwell and Longclaws (1991:101) assert that official statistics underestimate the true levels of Aboriginal overrepresentation in correctional institutions. Thus, the proportion of Natives in prison could still be higher than that of Natives in the general population who are of lower class status. The point could also be moot, however, considering that levels of unemployment among Aboriginal people are also underestimated (Aboriginal Justice Inquiry of Manitoba, 1991:92-93).

Conclusion

The purpose of this paper was to examine the overrepresentation of Aboriginal people in the correctional institutions of Alberta from an alternative perspective to that which has traditionally been used. Until now, the conventional way to approach the problem has been to emphasize the race of the offender as the most important variable when accounting for the disproportionate numbers of Natives in correctional institutions, by limiting comparisons strictly to Aboriginal and non-Aboriginal general population and inmate population ratios. This project, on the other hand, attempted to verify the hypotheses proposed by LaPrairie (1990:429-430), which suggest that the age and the social class of the offender are perhaps more salient variables than race when accounting for the overrepresentation of Native people in the correctional institutions of Alberta. These hypotheses

were verified by examining age-specific population ratios in the Aboriginal and non-Aboriginal general and provincial inmate populations from a variety of angles, and then comparing them.

Our analysis of existing statistics rejected the age hypothesis. The initial within-group analysis noted that when we control for age, the level of representation dramatically decreases for Native people, to the point where Natives in the older age categories are clearly underrepresented, while those in the 15-24 age group are still overrepresented (as predicted), but considerably less so than non-Natives. This effect disappears, however, when between-group comparisons are made. Indeed, contrary to the hypothesis, which predicted that levels of overrepresentation among Natives from all age groups would decrease because of the size of the "crime prone" 15-24 age group in the Native population, though the level of overrepresentation of Natives in the 15-24 age group declined somewhat, it soared for the older age categories. LaPrairie's (1990:430) overestimation of the proportion of the overall 15-24 age group Natives represent explains much of this hypothesis' disconfirmation, but does little to explain the soaring incarceration rates for Natives in the older age ranges. This will have to be addressed by further research.

Rather, we have suggested that the relationship between a lower class status and the excessively high levels of incarceration experienced by Natives should be understood within the broader context of the second hypothesis, which pertains to the inherent presence of class conflict within the criminal justice system. Unfortunately, the data analyzed to test the second hypothesis is inconclusive. This is mainly due to the imprecision of the indicators used to measure social class. Despite its limitations, our data analysis and the sources we introduced in our discussion of the results nevertheless suggest that overrepresentation of Native people in correctional institutions may decrease, to the point where they may very well be underrepresented, if we make social class the focal point of subsequent analyses. This would be expected because the inmate population is predominantly of lower class status (Greenaway, 1980; Reiman, 1990), and a great proportion of the general Native population is equally drawn from the lower strata of society (see, for example, Griffiths and Verdun-Jones, 1989:548; Hylton, 1982:125-127; Kellough, 1980:352; Métis and Non-Status Indian Crime and Justice Commission, 1977; Morse and Lock, 1988:19; Satzewich and Wotherspoon, 1993:55-58).

Yet if it does indeed turn out that class is the key variable for explaining the overrepresentation of Native people in the prison system, one question with serious implications will have to be pondered, though certainly not for the first time. Why is it that a particular segment of society which is

distinguishable from the others by race--is presently, and has been historically, relegated predominantly to the bottom echelon of the societal hierarchy?

Notes

1. Population figures may vary depending upon the official sources one consults (Frideres, 1993:127).

2. According to Barkwell and Longclaws,

There are a number of reasons for this: the estimates are based upon self-identification and many non-status and Métis individuals are reluctant to declare Aboriginal roots for fear of encountering prejudice and/or because of a sociological identification trauma. In addition, the Ministry has noted some inaccuracy in data collection (1991:101).

Random and systematic errors in data collection have also been noted by the Canadian Corrections Association (1967:21) and Rahim (1977:2).

3. The reader should note that general population ratios are based on the number of people enumerated at a specific point in time, that is to say, on "census day" in 1991. The inmate population ratios, on the other hand, are based on the number of people admitted to provincial correctional centres in Alberta over a one year period (in this case, over the 1989 calendar year). The inmate population ratios do not include individuals who were already serving time prior to 1989.
4. There are also a number of weaknesses associated with the analysis of existing official statistics as the exclusive method from which to draw conclusions (for a review of these weaknesses, see Neuman, 1994:275-78).
5. Statistics from the working papers of the Cawsey Report (1991b) classify adult offenders into the "18-21", "22-25", "26-35", and "36+" age groups. Aboriginal Census data, however, classify people into the "0-4", "5-14", "15-24", "25-34", "35-54", and "55+" age groups. In order to perform more accurate comparisons, age groups in the prison population will first be collapsed into the "18-25", "26-35" and "36+" categories. Though the focus of this paper is on the population in adult correctional centres, we will add data, which is also from the working papers of the Cawsey Report (1991 b), on the population in the young offender facilities of Alberta who are 15 and older, thus expanding the first category to the "15-25" age group. This will allow us to compare with greater confidence the age structure of the prison population with that of the general population of Alberta, and especially, the extent to

which the "15-24" age group might be overrepresented in correctional institutions.

6. 15-24 age group: 5.48 (Native) / 0.74 non-Native = 7.41
25-34 age group: 7.60 (Native) / 0.75 non-Native = 10.13
35-64 age group: 12.51 (Native) / 0.72 non-Native = 17.38
7. The author intends to address the question of why Natives in the older age groups are so dramatically overrepresented in the prison population in a forthcoming article.
8. The majority of all incarcerated offenders are of lower class background (Greenaway, 1980; Reiman, 1990).

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