

# She's got \$25,000 in fines and was homeless. How will she clear the slate?

Montrealer Lizzie Puttayuk is trying to burn off her fines with community service at the Open Door shelter. But if she fails, she'll end up behind bars.

CHRISTOPHER CURTIS, MONTREAL GAZETTE ([HTTPS://MONTREALGAZETTE.COM/AUTHOR/CHRISTOPHERCURTIS](https://montrealgazette.com/author/christophercurtis)) Updated: June 1, 2018



Because she's drifted in and out of street life for nearly three decades, Lizzie Puttayuk can't afford to settle her debt with the city of Montreal. So instead, she's arranged to work the fines off through community service at the Open Door shelter, where Zack Ingles receives stacks of tickets issued to the homeless. *JOHN MAHONEY / MONTREAL GAZETTE*

Two weeks ago, a judge in Montreal municipal court found Marc Crainchuk guilty of drinking alcohol in a public space.

The ticket, stemming from a two-year-old incident, slapped Crainchuk with a \$100 fine and tacked on \$107 in administration fees. The court sent the ticket to the Westmount shelter Crainchuk listed as his home address.

In theory, there's nothing abnormal about this scenario. Crainchuk has lived on the streets for decades and racked up thousands in municipal fines over the years.

But this latest ticket came with one serious complication: [Crainchuk died six months ago](https://montrealgazette.com/news/local-news/faces-of-the-open-door-a-body-under-the-highway-in-montreal) (<https://montrealgazette.com/news/local-news/faces-of-the-open-door-a-body-under-the-highway-in-montreal>). His friends found the 51-year-old under a downtown overpass. He'd frozen to death.

"It boggles the mind," says Zack Ingles, who works at the Open Door shelter in Westmount. "We have stacks of tickets for homeless people over here: petty little things like jaywalking and lying down in the métro.

"It's kind of unreal that even after people die, they keep getting tickets. This isn't the first time this has happened."

When the police fine a homeless person for loitering, public intoxication or committing any number of petty infractions, they can't very well send that ticket to a home address.

Instead, the tickets wind up in shelters like Accueil Bonneau, St. Michael's Mission or the Old Brewery Mission — the closest thing to home for some people.

In Crainchuk's case, the fine wound up on Ingles's desk at the Open Door, among dozens of other citations.

## 'Lives are being criminalized'

Ingles says the sheer volume of tickets issued to the homeless he works with is a real headache; time that would ordinarily go toward helping people is spent navigating the city's Byzantine municipal court system.

Advocates say ticketing the homeless is excessive, ineffective and that it can force them into a downward spiral.

"Their lives are being criminalized," says Danielle Beaulieu, who works with the Montreal First Peoples Justice Centre. "Ticketing discourages homeless and Indigenous people from using public space. And they have just as much of a right to that space as anyone else."

On a Thursday in late May, Lizzie Puttayuk pokes her head into Ingles's office. She looks at the stack of envelopes on his desk.

"Got any love letters for me?" Puttayuk asks.

"Only tickets," says Dave Chapman, the Open Door's executive director.

He pulls a few from the stack and reads them out loud: "Blocking the circulation of métro users ... loitering ... lying on the ground."

"It sounds to me like they're fined for being homeless," Chapman says.

Puttayuk grimaces and slips away.

The short, wiry 49-year-old may be the heavyweight champion of police fines. Over the years, she has accumulated roughly \$25,000 in tickets.

Because she's drifted in and out of street life for nearly three decades, Puttayuk can't afford to settle her debt to the city. So instead, she's arranged to work the fines off through community service at the Open Door.

## Trapped in the system

"This sort of thing is way too common," says George Green, executive director of St. Michael's Mission. "We monitor people's community service, but we also have a free legal clinic every week."

"When people get trapped in the system, it can be very hard for them to break free."

Puttayuk and others chose to do their hours at the Open Door because of the shelter's willingness to be flexible.

"People with addiction problems, sometimes they have bad days, maybe they leave early or show up late," Ingles says. "But if we were only there for the good days, we wouldn't really be helping, would we?"

If someone messes up, if they have to be sent home because they're intoxicated or they're unwell, Ingles says they get a chance to come back and make up those hours.

The problem in Puttayuk's case is that she still has 200 of her over-500-hour stint to complete. If she can't complete the hours within a set time limit, Puttayuk will go to prison.

"When I get these tickets paid off, I'm getting on a plane and getting the hell out of this city," says Puttayuk, who comes from the Inuit village of Quaqaq. "I'll be camping, fishing, hunting, going on all kinds of adventures."

She often daydreams about the sprawling, grassy tundra of her youth.

## 'It's gonna be different'



"When I get these tickets paid off, I'm getting on a plane and getting the hell out of this city," says Lizzie Puttayuk. But she still has 200 hours of community service to complete. *JOHN MAHONEY / MONTREAL GAZETTE*

When she came south in her early 20s, Puttayuk attended CEGEP for two semesters and did exceptionally well in French and humanities classes. But over time, Puttayuk's addiction to alcohol consumed her.

"I've been in jail, on the street, I've been drunk. I've looked the devil in the eye and told him, 'No way you're dragging me down,' " she says. "It's gonna be different up north."

Standing outside the Open Door, Puttayuk re-enacts one of the times she was beaten by police during an arrest in Chicoutimi.

"When they came to beat me again ... I let them have it," says Puttayuk.

She bites the air, throws punches, elbows, eye-gouges and kicks at the imaginary swarm of officers.

These past few years have brought a measure of stability to Puttayuk's life. She's been living in an apartment and finds peace through her work at the shelter.

Even so, she still manages to get fined by police.

"I'll be sipping on a beer and the police roll up, and that's it," says Puttayuk. "Or they'll find an empty can of beer near me and that's a violation of my probation. So another ticket, another arrest."

On a good day, Puttayuk makes the community service look easy. She is part mother hen, part Tom Sawyer, tricking the others into cleaning the shelter one moment and painstakingly showing the younger volunteers how to cut onions for a stew the next.

"She's a nurturer," Ingles says. "On one of her good days, you can't slow her down."

## The bad days

Then there are the bad days.

Earlier in May, Puttayuk was late in getting her community service hours in and a judge tacked on an additional 50 hours to her sentence. That sent her spiralling.

"Just put me in jail and be done with it," she says, as tears stream down her face. "My dad died when he was 53 and sometimes I don't think I'll even make it that far."

A half-dozen street workers interviewed by the Montreal Gazette say that bylaws against loitering and public drinking give police officers licence to target the homeless.

"You see neighbourhoods being gentrified, cafés, condos and shops popping up, and then you also see homeless being pushed away with tickets," says Beaulieu, who is working to have loitering bylaws stricken from the books.

A Montreal police spokesperson denies claims that the homeless are targeted by municipal bylaws.

"That's not how it works," says Commander Jacinthe Boucher, one of the department's experts on homelessness. "We ask our officers to apply logic and analyze each situation on a case-by-case basis.

"If the police see that someone is vulnerable, they're more likely to point them in the direction of services adapted for the homeless."

Boucher points to units like L'Équipe mobile de référence et d'intervention en itinérance, which pairs officers with social workers and nurses specialized in dealing with mental health and

addiction.

"There are cases where if a person has been warned a first, second, third time and if the behaviour persists, they'll get a ticket."

## Wipe the slate clean

The police do not specifically track how many fines the homeless are issued. But a 2012 University of Ottawa/Université de Montréal study suggests the homeless accounted for roughly \$15 million in unpaid tickets over a 15-year period in Montreal. Processing the tickets through the court system often costs more than the value of the fine itself, the study shows.

Part of Beaulieu's job is to get municipal courts to wipe the slate clean for people in Puttayuk's situation. She says judges and crown prosecutors are open to doling out less punitive sentences to Indigenous and homeless people.

Since 2009, municipal courts began working on a program to substitute fines with either community work or treatment programs for homeless people.

Though Indigenous people represent roughly 0.6 per cent of Montreal's population, about one out of every 10 homeless people in the city is Indigenous. In other words, the bylaws that experts say target the homeless disproportionately affect Indigenous people.

It was in hopes of addressing this problem last year that Beaulieu and a network of community groups lobbied the city to modify 18 of its bylaws.

They mostly deal with infractions like loitering, littering, sleeping on the ground, "using a public space other than its intended use" and a litany of minor offences.

"When you ticket people, you just push them further into the shadows," says Beaulieu. "And that puts them in danger."

The city's committee on policing is studying the proposal.

As these changes inch their way through the judiciary system, Puttayuk tries to keep chugging along.

"I feel like a slave to these hours some days," she says. "Like, I'll never be free again. But then I think about going back up north and getting therapy. I'm tired of being sick all the time."

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