

Statutory Declaration

I, Qumaluk, Ali, CD CFF 6099 Laval, 1991-09-11

(Name, first name, address, birth date)

I do solemnly declare that,

2018-04-05 In CFF 6099 Levesque boulevard Laval

Subject 1

Q.1: You wanted to talk about a story that took place in PUV?

R.1: Yes. I was detained in Puvirnituk. I remember I was so aggressive because I woke up from drunk. I was naked and I was so cold. I asked why I was there. What happened to me? I asked for my clothes, I couldn't get it. I passed out again. I was covered with an inmate gown. I woke up. I asked for water. I could not get nothing.

Q.2: Do you mean they were refusing to give it to you?

R.2: They were refusing. It was weekend I guess. I stayed quiet. I was alone in the cell. I asked for food. I didn't get the food. I was hungry, I asked for food all day and I couldn't get it. I had water, I don't know how many hours after. Next morning I finally had breakfast. I could not complain because I was not smart enough, I was too young.

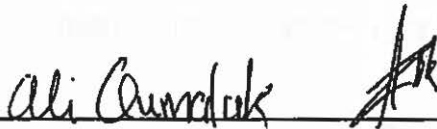
Q.3: What year did that happened?

R.3: In spring of 2010 or 2011.

Q.4: Did you know at that time where or who you could complain to?

R.4: No, I did not know. I had no clue, because it was my first time. I didn't know how to be inside the cell. I just kept quiet.

Declarer signature



Declared before me, _____

at _____

on _____

Q.5: Were you interrogated by anyone?

R.5: No. I wasn't even interrogated.

Q.6: Were you there to sober up?

R.6: I guess so. I did not remember. I got arrested. Cause on the weekend, you have to stay in for the whole weekend. I guess I got out on the Monday morning. Yes it was Monday morning and I got back to work. I did not remember what had happened to me.

Q.7: If this was to happen today, would you know who to complain to?

R.7: No, still I don't know. Since you guys are here now I know. You never know when you are there. You're just in the cell and you have no access. I just went out without talking to the lawyer. I think they did not build a case.

Q.8: Was there any accusations?

R.8: No. I just left on the Monday morning, there was no accusations.

Q.9: So it was to sober up?

R.9: I guess so yeah. But I stayed there for the weekend without eating the whole day. It was crazy. I remember I got out after.

Q.10: Did you get a paper before you went out? Any promises you made?

R.10: They just opened the door and let me out. There was no accusation I did not get the charge.


Q.11: Did you get your clothes back?

R.11: Yes I did.

Q.12: Are you from PUV?

R.12: Yes. There were no camera at that time. I don't know why they treated me like that.

Q.13: Can you remember when you got into the prison.

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Enquêteur 
X
Déclarant

R.13: No, not at all, not a clue. I guess I was passed out. I ask my family. I told my brother, my sister and my cousins. I ask them: What happened to me? Ho, you were drunk I guess you passed out. Did you get the charges? I said no, I have no charge. They didn't tell me how I got arrested.

Q.14: Did you go back to the police station to get some explanation about the situation?

R.14: No. I did not want to go back there. It happened only once in my life.

Subject 2

I went to detention so many times. I was in provincial detention for almost 3 years because I was waiting for my sentence. I finally got my sentence. We always go to the court to Puvirnituk. From Amos to Puvirnituk. We stay there for a whole week. I went there many times for court. Mostly from Monday to Wednesday, rarely a full week. Depends on your court. We stay there all night without showering. Sometimes the police they came up with a drunken person. They tie them up right next to the toilet seat. I saw it a few times not just once, not just twice. They use handcuff and shackles. They tie them to the privacy wall beside the toilet. They are lying on their chest with their hands tied in their back and the legs also. They were waiting for him to sleep or pass out. When they sleep they take it off.

Q.15: When you go to court in PUV for court sessions, are you in the same cells as the person that are detained to sober up?

R.15: There are six cells. The guys that come to court from Amos stays in the same cell.

I remember one time we were 23 guys in one small cell all night. All the other cells were full too. We were sleeping on our side. Some guy has to sleep on the toilet seat like that, because it was full. They were all there for the court session.

Q.16: Do you remember when that happened?

R.16: During the summer of 2012. No air conditioning. Small cell. Have you ever seen the cells?

Benoit Théoret: No.

Q.17: Did they provide food and water?

A.17: They brought the food from Amos. They bring coffee, but we can't take our personnel effects. I took a shower when it was very cold a few times because there is no hot water.

X

Enquêteur

X

Déclarant

Q.18: Could you use the toilet?

R.18: Not privately. One cell, one toilet for the 23 guys.

Q.19: Did you ever tell that story to a representative of the Protecteur du Citoyen?

R.19: No.

Q.20: Did you know that you could report that to them?

R.20: I never noticed. I never reported it to anyone. Probably the guys I was detained with they still do remember for sure. It is unforgettable. Something has to change. The mattresses are so thin, they are covered with vomit, blood. Sheets and pillows too.

Q.21: Are the mattresses and sheets under the responsibility of the Amos detention team?

R.21: No. They never bring the bed. I don't know why. The detention in Puvirnituk they always have the same bed all being used. When we get there we actually do the cleaning. They just give us the dirty bed. They give us the product to clean it.

Q.22: Who is managing the detention facility there? Apart from the people from the Amos detention.

R.22: The police, KRPF. It is the police station. It has been like that forever. There is no yard, only one phone, no TV, no privilege, just being inside a small cell. The cells are very small.


Subject 3

I have spent 2 years and 8 months all over Quebec. I was transferred a lot. I was transferred almost hundred times. I went to Bordeaux, St-Jérôme, Gatineau, RDP, Amos, these are the places I mostly went. I don't know how many time I lost my personal effects. I tried to make a paper that I had lost my things, but I never got paid for that. They usually pay for lost things. I have lost my T-shirts, my shoes, my pictures, my pants, my radio, documents. Very important things for me has been lost in detention.

Q.23: Who do you talk to when you lost some things? Do you know where to go?

R.23: Personal effects I guess. I wrote a memo. I don't know how many times. But I never get response.

X
Enquêteur
X
Déclarant



Q.24: Did it happen once that you lost something, that you did a memo and that you finally got what you lost?

R.24: I never get it still. It happened twice. No news, or said we already gave you what you had. I knew I was going to do time for a while. I had 5 or 6 bags out of my things, but they only give me 2 the other 3 or 4 bags they were lost and I never got paid. It happened twice. When you transfer they have a week to send your things to the new place. There is no list of your personal effects. They just give us our stuff without paper. You sign a paper on reception but they keep the paper. I remember I had my things but everything was not there and the other guy that I arrived with had my things into his bag of personal effects. - Why do you have my stuff? - I asked him. - I don't know they were in my bag! - He replied. I asked him - Can I have it? He replied - Yes they're not mine they are yours. Take it. We had to go tell the guards. They make mistakes sometimes.

Subject 4

Q.25: Did you want to tell another story?

R.25: When you are black, non-white or Inuit sometimes you can see racism. People saying something bad to you. Once, we were like few guys, we were being called names by the guards. We had to say something bad but ... we had to defend ourselves. Racism is always there.

Q.26: Do you want to talk about a particular situation that happened into provincial detention setting?

R.26: Yes, I can say something about the guards. They were two guard white guys they were calling us "Tuktuk". Giving us a name. We were walking around the yard in Amos, they were giving us names. The guard came to close the door and he said: Come on Tuktuk, come on back in. I said, what is wrong with this guy, are we going to let him say that or what? Are we going to say something back to him or what? I asked the guys. They told me: Just forget it man! I was really going to say something, but I am not racist. I treat people as equals because we are all human beings. I have seen it so many times. But mostly as inmate to the other inmates it is always more happening.

Q.27: Can you complain about this or you have to live with it?

R.27: You just forget about it. Sometimes I feel like an immigrant. It is not acceptable from guards and I would complain.

Q.28: To whom would you address your complaint? Do you know?

R.28: No. It is very hard to know who to complain to. It happens inside the range and there are no sergeant or no authority for me to reach to. Still today I would not know who to complain to. Where is

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Enquêteur

X

Déclarant

the complaint sheet? They only have "Memo" sheet, there is no complaint sheet. It's just being there that's all.

Q.29: Do you know if there is one organisation in the provincial government that is responsible to receive any complaint from any prisoner in the provincial detention system? Would you know the name of this organisation?

R.29: I have no clue.

Benoit Théoret explique la référence à l'organisme compétent.

Subject 5

Ali Qumaluk: I remember that I made a complaint once, because they gave me the complaint sheet. I asked for a complaint sheet but it took me a while to get it. I finally filed the complaint. When you complain, when you need... if you want into a program or if you want to go AA or if you want to complain you get transferred somewhere else. That is what always happened. I made a complaint and I got transferred the next day. I made a complaint about the drink. You know, everybody had lunch without receiving any drinks. The other areas usually receives the drinks but in Amos detention they have a sector for Inuit and we didn't receive no drinks. So I wrote a complaint and the next day I was transferred. I received a response months later saying that it will never happen again. The same thing happened to other inmates that I have talked with. Because they know this guy is smart and they are avoiding this guy. They don't want to hear, they don't want to know. They don't want anyone to complain, but we have rights. That is why they always transfer the guys.

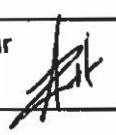
Q.30: About the drinks complaint in Amos, do you remember if you complain verbally or if you file a written complaint?

R.30: I filed a complaint specifically for the drinks, the tea. It was around August 2013. I was previously in Gatineau and transferred in Amos for court in Puvimituk for postponement I guess.

Q.31: Anything else to say about this complaining system?

R.31: It is hard to complain about little things for sure you can get the complaint sheet. I have nothing more to say.

X
Enquêteur
X
Déclarant



Subject 6

To contact my family is very expensive. In detention they have calling cards now in the canteen. It is very expensive. When you buy a 30\$ calling card it is finish after 5 minutes. It's crazy. Once I bought a 100\$ calling card and it lasted for 25 minutes.

Lors d'une conversation téléphonique survenue le 23 mai 2018, Ali Fumaluk nous a confié qu'il était d'accord avec le dépôt de sa déclaration sous forme écrite ou avec un témoignage rapporté par l'enquêteur. De plus Ali Fumaluk souhaite que son nom soit associé à sa déclaration (identificatoire).



Benoit Théoret
ag. aux enquêtes
CERP
2018-07-04

X
Enquêteur
X 
Déclarant

