

THE ELDERLY OFFENDER AND THE INSANITY
DEFENSE IN CANADA AND THE UNITED STATES:
IMPLICATIONS FOR CRIMINAL LAW REFORM AND
MENTAL HEALTH STATES (STATUS) EVALUATION PRACTICE

BY

JACQUELINE M. ROBINSON

A THESIS

Submitted to the Programme in Gerontology
in Partial Fulfillment of the requirements

for the Degree

Bachelor of Arts

McMaster University

July, 1991

BACHELOR OF ARTS (1991)

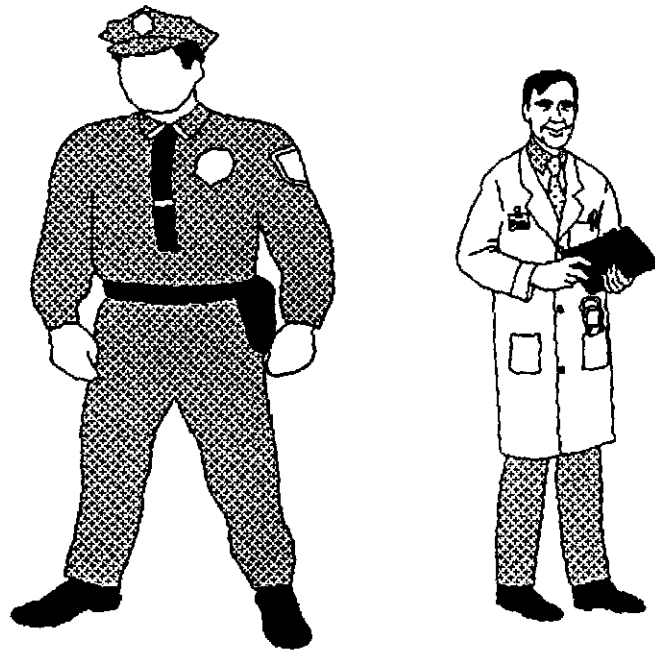
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AUTHOR: Jacqueline M. Robinson

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A B S T R A C T

To study and (1) to describe the history of the elderly offender who have committed an indictable offense in Canada (or felony in the U.S.A.) and who have used the insanity defense; (2) to begin to gather statistics on the prevalence of this group in the criminal justice system, and (3) to address the social policy issue of which system benefits from labelling the elderly offender mentally ill. In terms of the latter point, this work will attempt to show the consequences of the elderly offender being labelled insane. The aims of this study is to investigate "The Elderly offender and the Insanity Defense in Canada and the United States: implications for criminal law reform and mental health status (status) evaluation practice." This work follows the elderly offender and their processing, labelling, consequences of being reforms and future social policies affecting elderly offenders aged 55 and over. The results show that the elderly offender is subject to a "ping-pong" scenario via the criminal justice system to mental health institutions to nursing homes, general hospital, or community group homes to the street where a small percentage recidivate activating another "ping-pong" scenario.

ACKNOWLEDGEMENTS

This work is a cumulation of my interest and involvement in corrections (prison work) since 1978. I would like to thank my many associates who gave moral support, explanations, criticisms and suggestions from the Ontario Association of Corrections and Criminology (O.A.C.C.); the Canadian Criminal Justice Association (C.C.J.A.); the American Correctional Association (A.C.A.) and The Salvation Army. By taking and assimilating their advice has resulted in my agreeing with the following opinion of de Rochefoucauld: "it takes nearly as much ability to know how to profit from good advice as to know how to act oneself."

David Kenneth Roy Thomson once termed me to have "boundless curiosity." He assisted this thesis in two ways (1) by providing a Word Window (book) that greatly enriched my work, and (2) by allowing me an opportunity to develop my skills on "Risk Management." Both items are included in the text of my thesis for which I shall be forever grateful for his generosity and kindness. Donald Grant Evans, behavioural expert, teacher (professor), writer, lecturer, government worker, correctional recipient of the ACA coveted E.R. Cass Award 1990 and recipient of the Margaret Mead Lecturer Award taught me how to decipher and interpret Word Windows (books); and, for this among many other helpful items I shall forever be grateful.

In The writings of Thomas Jefferson (1905) he is on record (in 1774) speaking of statutes as "their multiplied efforts at certainty...by ors and by ands, to make them more plain...to common readers" (Linscomb edition, 1905, Vol.1:65). In the legal understanding in my work Shane M. Watson, L.L.B. (in two countries) and M.A. in Criminology was my first law professor and ultimately Supervisor of my Independent Study in Gerontology. When I studied M'Naghten it was Shane M. Watson who taught me to pay attention to little words, such as, "or" that does make legal differences. My interest in criminal law was fuelled by lectures with Professor Michael Mandel, Osgoode Hall Law School in Toronto. I am thankful for the legal Acts and explanations that Mr. David Carr, Crown Attorney for Hamilton so freely and

aply provided to my requests. My sociological insights of "Who's Who" behind the social issues came from various positive associations with Dr. Dusky Lee Smith, McMaster University. One of Dr. Smith's favourite Oklahoma sayings came to mind when writing my thesis and, that is, "Root Hog Or Die," which means "to get in and compete or fail" I am confident that without his guidance to get on the right sociological path I would never progressed so well at McMaster University.

Working on a thesis is always a matter of peakes and valleys. When you are in the valleys you have to be able to get up and look over the mountain is what my Supervisor, Dr. Karl Kinanen taught me. His influence throughout my Gerontology degree has been both supportive and positive as he crawled through my massive "mazes" of criminology and criminal law work and help turn it into "English." All I can say to Dr. Kinanen is that I am sincerely grateful.

To my friend Ronald Wall, library buddy, hospital administrator, former director of research, Biostatistics and Epidemiology, Health Sciences, McMaster University and currently a Ph.D. student in health policy; without his advice and our helpful friend, Chivas, the statistical understanding of my thesis would have been an erroneous task. And to my friend Sharon thank you for the unfailing typing.

Edmund Burke, political philosopher spoke of the "multiplier effect" of advice. To all the individuals aforementioned I would like to sum up my thanks in this manner: Advice is a great generator of synergism, the interaction of combined efforts in such a way that the total effect is much greater than the sum of independent efforts. I was blessed to have supportive friends, colleagues and teachers to assist me through my thesis. To say thank you falls pitifully short of my heart felt gratitude that is sincerely meant.

DEDICATION

"Caring hands extended" best described Brigadier John (Jack) Bond, an officer in The Salvation Army. He was born a century ago, May 1, 1891, and on Oct. 22, 1919 he married Captain Isabella Forbes (my grandmother's sister). A biblical passage says "Remember them that are in bonds, as bound with them" (Hebrews,13:3). As a "Soldier of Christ" Brigadier J. Bond's pastoral ministry appointments included Ontario, Alberta and Quebec from October 2, 1916 to October, 1956 (retired officially). In retirement, for many years, he gave of himself to individuals in conflict with the law. Major J. Bramwell Meakings, Secretary, Correctional and Justice Services Department recalls:

Major John Bond's last years as active officer were served in the Correctional and Justice Services Department where he was in charge of the work in Ottawa, Ontario. The Major was greatly appreciated for his work in the area and received many commendations from those who he worked with in the criminal justice field in the Ottawa area. His pastoral care of inmates and his cordial relations with those in the corrections system who he served endeared him to all and also prepared a sound foundation for continued work of the Army in Corrections in the Ottawa area. Upon retirement, Major took up other responsibilities however, he shortly returned to act as a retired officer in the Toronto area serving in the courts and prisons and was particularly remembered for his work in the Don Jail. Altogether, he served several years in the field and was well respected for his significant contribution.

My vivid recollections are of his teasing, his valuable sense of humour, his value of family ties and, yes, even his harmless practical jokes. Most of all I recall his Service and Security dedication to the double-edged commitment as part of the correctional and justice "God's Squad" dealing with prison human resources (inmates, offenders). A wise correctional colleague and Salvation Army Bandmaster once said "The common goal or key to the program is to offer these men a "helping hand" to make an otherwise "difficult" time of life, a little bit "easier."

Only a prayer away is God and that spiritual value is difficult to develop in the lives of many inmates. But, Uncle Jack Bond was always available, his bible would be open starting at the 23rd Psalm, to minister to any need in any jail or prison cell. The legacy of Uncle Jack Bond's service to prisoners and readiness to minister God's word was a valued memory that I was able to utilize during my five years in correctional work. The Assistant Chief Secretary, of The Salvation Army, Canada and Bermuda Territory aptly contemplates his thoughts in this manner:

Re: Uncle Jack (Bond)
Reflections By Lt.-Colonel Bob Chapman

1. As a CHUM [Cub Scout] at the old London 2 Corps, Captain Bond would frequently join us for a game of floor hockey. This made a great impression, and made us realize he was a genuine and friendly leader.
2. When a young Lieutenant, I was privileged to visit the jail with Uncle Jack (Bond) to conduct a service. One readily recognized how accepted he was with the men, and his faith and influence were well known.

Thank God For Such Memories!

TABLE OF CONTENTS

Title Page	i
Descriptive Note	ii
Abstract	iii
Acknowledgements	iv,v
Dedication	vi
Table of Contents	vii-ix

CHAPTER 1: INTRODUCTION

Defining The Elderly Offender	1-3
-------------------------------	-----

Defining "Insanity" Within The Criminal Justice System	4-9
---	-----

CHAPTER 2: METHODOLOGY

Methodology: Literature Review	10-12
Methodology: Current Work On The Elderly Offender	12-13
Summary	14
End Note	14-15

CHAPTER 3: LABELLING THE ELDERLY OFFENDER "CRIMINAL"/"INSANE"

The Emergence of Labelling	16-18
Labelling Theories	18-20
Common Elements Of All Theories	20-23
Constructionalist View Of Labelling	23-28
Who Defines The Label	29
Who Benefits From Labelling	30
Who Loses From Labelling	31-33

CHAPTER 4: LEGAL PERSPECTIVE

Legal Labelling	34
Accused/Acquitted	34-35
Convictions vs. Acquittals by reason of insanity (NGRI)	35-36
Insanity Standard	36-39
Insanity Test #1: M'Naghten	39-43
Alternative Tests To M'Naghten	43-49

CHAPTER 5: STATISTICS

Shifting Criminal Demographics	50-52
The Invisible Elderly Offender	52-54
The Violent Elderly Offender	55-60
Table 1: Distribution of Elderly Offenders by Offense, Crime and Age	61
Table 2: Distribution of Court Dispositions And The Offence: Murder	62
Table 3: Distribution of Court Dispositions And The Offence: Miscellaneous	63
Table 4: Distribution of Elderly Offenders by Age and Court Status: Accused, Convicted, Acquittals, Re-Trials	64
Table 5: Distribution of Elderly Offenders by Age and the Situation: Penal Institution, Mental Institution, Community/Probation Suicide and Death	65
Studies: The Violent Offender	66-67
Mental Health Statistics	67-69
Which System, Which Label	69-70
Studies: Mental Illness	70-73
Summary	73

CHAPTER 6: SOCIAL POLICY ISSUES

Whither Social Policy	74-75
The Aims Of The State Policy Re: Elderly Offenders	75
The State's Capacity To Punish Or Rehabilitate	76-79
Administrators	79-81
Public Risk	82
Future Dimensions of Social Policies	83-92

CHAPTER 7: CONCLUSIONS

Conclusions	93-97
-------------	-------

Appendix I: Case Studies

Appendix II: Age Specific Rates of Admission, 1960-1983
Ministry of Correctional Services (MCS) (unpublished)

Appendix III: Letter August 18, 1991, from The Institute
Phillippe Pinel of Montreal for the Criminally
Insane.

Bibliography	1-27
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CHAPTER 1: INTRODUCTION

A physician with the American Correctional Center in California has pointed out that the transformation to any label is harder for the criminal elderly to adjust to than young offenders...He has further stated that "older people cannot adjust as well as younger people to anything...changes in temperature...habit...living quarters ...environment..."(Baier,1963:373). Dr. Baier's observations appear to be confirmed by a relatively recent case in Canada. However, in this instance the label "unfit to stand trial by reason of insanity" catapulted the elderly offender into that grey area between the criminal justice and mental health systems in this country...where he died. As the headline reported: "MAN WHO DIED IN JAIL DID NOT BELONG THERE, CORONER'S JURY SAYS":

The 62 year-old man who died in the excessive heat of the Brantford jail this summer while awaiting transfer to a psychiatric hospital did not belong in a correctional centre...John Smith...was pronounced dead at Brantford General Hospital at 5:30a.m. on July 30.

...it was extremely hot and muggy in Mr. Smith's cell, which was in the old part of the jail, unaltered since it was built in the 1850's..."There was no outside air, no air conditioner"...

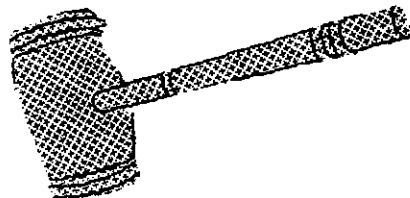
In March, Mr. Smith was released on bail after being convicted of mischief and threatening a police officer. Shortly afterward he was arrested again and charged with failing to comply with the terms of bail.

While awaiting court appearance his bizarre and irrational behaviour was the reason that Judge W.A. McDonald ordered a psychiatric assessment. The assessment result found him unfit to stand trial by reason of insanity. ...He was diagnosed as a paranoid schizophrenic.

While awaiting a Lieutenant-Governor's warrant to be issued in order to confine him in a mental hospital he was returned to the Brantford jail. The signed warrant did not arrive at the jail until after his death.

"This man's place was not in jail, but was in a hospital," Crown Attorney Keith Swanson said.

Globe and Mail
Thursday, December 22, 1988
p.A15.



An area of research that has been largely ignored is the use of insanity defense by elderly offenders. For the purpose of this research an elderly offender is defined as a person aged 55 and over who has committed an indictable offence (or, in the U.S.A., a felony). At present, the elderly offender represents 1-2% of the prison population in Canada and the United States. The number of elderly offenders who have used the insanity defense is unknown. The issue is further complicated by the fact that elderly offenders who are sentenced to mental health institutions by reason of insanity are not counted as part of the regular prison admission statistics. In general, statistics on the elderly offender using the insanity defense are lost somewhere between the criminal justice system and the mental health system. The purpose of this research is to describe and, where possible, elucidate cases of the elderly offender who have used and are using the insanity defense. This work will not examine elderly offenders who committed minor offences (misdemeanours [U.S.A.] or summary offences [Canada]).

DEFINING THE ELDERLY OFFENDER

The selection of age 65 as the dividing line between middle and old age, is "an arbitrary one" (Fattah and Sacco, 1989:2). Whether an elderly offender is defined as being 65 years of age and over or 55 and over, they do not constitute a criminologically or legally homogeneous group. "The rate of crime committed by the elderly is likely to vary among the various age sub-groups" (Fattah and Sacco, 1989:3). Life begins at 40, although a popular saying in current society, does not apply in criminal life. The decline in criminal behaviour "starts roughly at age 25 and the criminality curve shows a sharp drop after the age 30" (Fattah and Sacco, 1989:13). In Canada, for example, the 1987 Canadian Centre for Justice Statistics reveal that in the federal system "the typical age

of prisoners is 30. And, in the provincial system the typical age of prisoners is 27" (The Toronto Star, Fri. Feb. 3, 1989: A11). The Adult Correctional Services in Canada (CSC) statistics show a slight increase in the average age of a prisoner. For example, the "average age of a federal prisoner is 31 years (The Globe and Mail, Wed. Aug.15, 1990: A12). The changing population demographics are also resulting in a slightly older prison population. The literature reveals that some of our average prisoner's age increasing annually gets back to an older average age of prisoners that appeared after World War II.

Age categories of the elderly offender also show discrepancies in the existing literature. Age category definition for elderly offenders have been recorded by Ham (1976), Twaddle (1968), Shrover (1986) and Alston (1986). Shrover's "aging criminals" data is drawn from official records and interview with fifty men over the age of forty years" (Journal of Criminal Law and Criminology: Vol. 77, 1986:253). The "older prisoner referred to inmates over the age of forty" (Alston, 1986:x). On the other hand, Twaddle (1968:417) proposed "the classification of those individuals 45 years and older as aging." Ham concurs with Twaddle as he records "individuals 45 to 54 and 55 to 64 were considered...as the Aged Group" (1976:24). As stated above, the base age of the elderly offender in this work is 55 years of age and over which is congruent with Joseph Neal Ham's (1976) perspective of the Aging and Aged offender.

DEFINING "INSANITY" WITHIN THE CRIMINAL JUSTICE SYSTEM

There must be some understanding of the legal principle, criminal responsibility, and its relation to the insanity plea. The literature does not reveal that age is a criteria for criminal responsibility. "The idea of a defense to criminal responsibility based on mental disability goes back as far as the ancient Greek and Hebrew civilizations" (Jones, 1965:264). The early American courts were influenced by English case law and both have long recognized the concept of criminal responsibility. "In a legal sense, criminal responsibility refers to the liability for punishment" (Canadian Mental Health Association: 1973:38).

Records show that "as early as 1300 that English kings were pardoning murderers because their crimes were committed "while suffering from madness" (Bonnie, 1977:43). Binchy (1981:89) states that it is unclear when it became the regular practice to acquit the insane instead of leaving him to be pardoned by the king. The earliest case of acquittal has been dated by Walker (1968) at 1505 (Binchy, 1981:89). Two concerns remain in the 1505 acquittals: "(1) who exactly was entitled to such an acquittal, and (2) that the defense of insanity was kept within several narrow limits" (Binchy, 1981:89).

The roots of Canadian Law stems from English Law. In England, it was an assault by a lunatic [Hadfield] on George III which produced the first 'Dangerous Lunatics' Act. In Hadfield's case as Quen (1974:318) points out, the defence lawyer, "succeeded in getting Hadfield acquitted, but failed in his attempt to clarify and establish legal principle" (Binchy,1981:91). Therefore, as early as the 1500's a finding of insanity led to full acquittal for the defendant. "It was not until the 16th and 18th centuries that the common law definitions of insanity expanded" (Roth,1986-7:96).

The public perception of insanity acquittals is simple "the public fears the criminally insane" (Roth,1986-7:93). The literature supports the societal mandate is "protection of the public from the "insane" (Brooks,1988:122). The American Medical Association stated "that release poses no substantial public risk" (AMA,1983:87).

The North American legal apparatus labels persons cleared of criminal charges by reason of insanity as insanity acquittees. For example, if an elderly offender is found insane according to s.16 of the Code, "he is excused from conviction" (or criminal liability)... even though it has been established that the "guilty act" was committed (Volpe,1989:27). And, s.614 of the Code presents a lack of specificity problem of "where a person who has been found guilty by reason of insanity shall be detained, but in Ontario, Alberta and British Columbia, at least they are detained in provincial health facilities" (Coles and Grant, 1990:243).

The controversial fact of detention in a mental health institution gives credence to a societal myth that insanity acquittees walk out of court a free citizen. Roth (1986-7) charts this societal myth as "for 200 years, insanity acquittees almost uniformly have been hospitalized and retained, rather than being acquitted and released outright when found insane" (Roth,1986- 7:96). In reality, insanity acquittees are detained indefinitely, possibly for the remainder of their natural life. As a special class of patient, insanity acquittees "have been made Wards of the Lieutenant Governor" (Coles and Grant,1990:239).

In England, The 1800 Criminal Lunatics Act allowed "for detention during His Majesty's Pleasure" (Fennell,1986:44). This act made provisions for those acquitted of felonies on grounds of insanity, or those unfit to plead on grounds of insanity. The term felony is no longer used in Canada but was once used to describe serious crimes which were tried by a jury and was punishable by hanging (Parker,1983:411). The felony term "was abolished in Canada in 1892 and replaced by the term "indictable offence" (Parker, 1983:411). The Canadian Criminal Code (C.C.C.) uses indictable offence, however, the United States of America continues to use the term felony.

Prior to 1808 there was no system of specialized institutions for the confinement of these criminally insane patients, "a defect which the County Asylums Act 1808 was an attempt to remedy" (Fennell, 1986:44). A problem with the County Asylums Act was that "the Act permitted, but failed to oblige local judges to build public asylums for the admission of "dangerous lunatics" (Vagrancy Act 1744, 17 Geo. III, c.t. [Fennell,1986: 61f]), "criminal lunatics" (Criminal Lunatics Act 1800, 39-40, Geo. III, c.94) [Fennell,1986: 61f] and pauper lunatics who were maintained by the parish" (Fennell,1986:40). It was the Lunatic Asylums and Pauper Lunatics Act of 1845 that "changed this power to a duty to provide an asylum for each county" (Fennell,1986:42). Today, asylums or institutions for the criminally or mentally insane are provided by the mental health system (Coles and Grant, 1990:239).

The United States of America does not have a nation-wide Penal Code. Instead, each of the 50 states maintains its own Penal Code. Simon and Aaronson's (1988:251-263) list by state: (1) the test used and when it was established, (2) the burden of proof, and (3) the court verdict form and when it was established.

The Canadian Criminal Code (C.C.C.) uniformly covers all of Canada, including the province of Quebec. One major overlap remains as the Federal Law Reform Commission of Canada, Report on Mental Disorder in the Criminal Process, "has proposed that there is no validity in making a distinction between civil and criminal commitments" (Boyd, 1980:153).

In Canada, the insanity defence is outlined in Section 16 and acquittal provisions are in Section 542 of the Canadian Criminal Code (C.C.C.). In Section 16(2) of the Code the M'Naghten test is used to define insanity. Section 16 C.C.C. reads as follows:

- (1) No person shall be convicted of an offence in respect of an act or omission on his part while he is insane.
- (2) For the purposes of this section a person is insane when he is in a state of natural imbecility or has disease of the mind to an extent that renders him incapable of appreciating the nature and quality of an act or omission or of knowing that an act or omission is wrong.
- (3) A person who has specific delusions but is in other respects sane, shall not be acquitted on the ground of insanity unless the delusions caused him to believe in the existence of a state of things that, if it existed, would have justified or excused his act or omission.
- (4) Everyone shall, until the contrary is proved, be presumed to be and to have been sane.

On the other hand, the concept "fitness" is to stand trial refers to another legal matters. The fitness issue is not uniform as it is covered in several sections of the Canadian Criminal Code (C.C.C.). However, "the criteria for determining fitness has not been codified" (Volpe,1989:28). The Law Reform Commission of Canada recommends that a person is unfit to stand trial if, owing to mental disorder:

- (1) He does not understand the nature or object of the proceedings against him, or
- (2) He does not understand the personal import of the proceedings, or
- (3) He is unable to communicate with counsel

(Law Reform Commission of Canada, 1976:14).

The concept "unfit to stand trial" is historically rooted in the English Common Law. Fitness to stand trial refers to the mental state of the accused at the time of trial. That is, "although physically present in the courtroom, cannot defend himself due to mental capacity" (Lindsay,1977:305). The rationale for the fitness rule is to promote fairness for the accused by protecting his right to defend himself and ensuring that he is an appropriated subject for criminal proceedings" (The Law Reform Commission of Canada, 1976:13)

The legal concept of insanity is another legal matter

Whereas:

The word insanity, although used by medical men in the dim distant past, has always been a legal term, whether applied to those asylums set up by the government to care for the mentally ill or whether used in its more strict sense as one legal qualification for lack of [criminal] responsibility.

(Orchard, 1984:57).

CHAPTER 2: METHODOLOGY

METHODOLOGY: Literature Review

The methodological basis of this work is a review of existing literature and search of major Canadian and United States of America [U.S.A.] newspapers. The newspaper search includes: The Globe and Mail, The Toronto Star, The Toronto Sun, The Hamilton Spectator, Winnipeg Free Press, The Montreal Gazette, The Ottawa Citizen, The Vancouver Sun, The New York Times, The Financial Times, and The Wall Street Journal.

As noted earlier, there are many limitations to the data on the elderly offender and the insanity defense. Legal periodicals are relatively barren. For example, one of the most comprehensive works on criminal law defense (Robinson, 1982) does not mention the elderly offender. In 1985 Fred Cohen's legal periodical "Old Age as a Criminal Defense" appeared in the Criminal Law Bulletin and the subject matter was the elderly offender (Criminal Law Bulletin, 1985:5-36).

The field of "geronto-crimes" (Newman, Newman, Gewirtz and Assoc., 1984:xvii) has been expanded in a complete ascription of criminology and criminal law issues pertaining to elderly offenders in a book entitled "Older Offenders: Perspectives in Criminology and Criminal Justice" (McCarthy and Langworthy, 1988). Although this book is not the first in the field, it "is probably the most comprehensive in dealing with both criminological theory and with major criminal justice processing points in the study and treatment of elderly offenders" (McCarthy and Langworthy, 1988:xvii).

McCarthy and Langworthy (1988) cite the organization Society for Interdisciplinary Research on Elderly Offenders (SIREO) for their contribution to the monograph. SIREO was founded by Kathleen Burnett, Department of Administration of Justice, University of Missouri, Kansas and "several sociologists and criminologists belong to [SIREO] an organization devoted to the subject of elderly criminality," according to author and professor, Gary Feinberg (November, 11, 1986). SIREO is an outcome of the 1982 First Annual Elderly Offender Conference in Albany, New York.

The elderly offender like the juvenile is underrepresented in the court, in prison or in community-based populations. Albert Abrams, the former Secretary of the New York Senate, founder and President of the National Council on Aging stated that "as to do their younger counterparts, the elderly engage in many types of crimes, but not in the same number or proportions" (Newman, Newman, Gewirtz and Assoc., 1984:xv). The elderly offender is also saddled with the discriminatory status of "ageism" (Hendricks and Hendricks, 1986:34).

The literature review reveals many terms for the elderly offender. Ageism is defined in these terms. For example, the elderly offenders are explained as a "senescent criminal" (Fattah and Sacco, 1989:16); "white-haired offenders" (Feinberg, 1984); "elderly delinquents" (Feinberg and Khosla, 1985); "older deviants" (Alston, 1986:123); "Delinquency in the Aged" (Whiskin, 1968:242); "the geriatric delinquent" (Wolk, Rustin and Scotti, 1963); "the aged offender" (Hayes and Wisotsky, 1969); "aged and infirm male prison inmates" (Ham, 1980); and, 'elderly offenders' (Parrot and Taylor, 1988; Bachand, 1983; Morton and Anderson, 1982; and Gewerth, 1988). Common elements in these terms is that they refer to those "older lawbreakers as an emerging new social problem" (Feinberg and Khosla, 1985:46).

It is hoped that this study will show that crime by older people is being re-defined as a social problem. The young offender or juvenile delinquent has been widely studied, but "the geriatric offender [elderly offender] has been virtually ignored by trained professionals and the lay writers" (Whiskin,1968:242). More recently criminologists and gerontologists "have undertaken some preliminary studies to chip away at our ignorance about them [elderly offenders] (Feinberg and Khosla,1985:46). Other authors show elderly offenders as the exception or minority in prison populations. For example, some labels include "forgotten people" (Krajick,1979) and "forgotten minority" (Ham,1976,1980).

Changing demographics means a shift in criminal activity and the nature of that crime will have an impact on our North American correctional system. It is hoped that this work will call attention to the existence of the elderly offender in terms of the insanity defense. And, ultimately consider the implications of ignoring this group as the population ages. It is further hoped social policies will be developed for this "forgotten minority" (Ham,1976,1980).

METHODOLOGY: CURRENT WORK ON THE ELDERLY OFFENDER

Research which pertains to the criminal elderly is limited to primarily explaining the causes of crime committed by the elderly (Malinchak,1980). Or, simply describing the court processing of elderly offenders (Fattah and Sacco,1989); McCarthy and Langworthy, 1988; Newman, Newman, Gewirtz and Assoc.,1984; Feinberg and Khosla, 1985; and Alston,1986). A motivation force behind the present work is the apparent discrepancy between the elderly offender and the institution in which they will serve time. In other words, a "ping

pong" effect occurs between the mental health and criminal justice systems. For example, Menzies and Webster(1987:275) state that "forensic patients, once assessed, tend to "disappear" into either or both the mental health and criminal justice systems." A key component to this "ping-pong" effect is the issue of fitness to stand trial.

Some Elderly Offenders never reach a court because they are assessed unfit to stand trial. For example, in a study by Menzies & Webster (1987:275), the Brief Assessment Unit (BAU) of the Metropolitan Toronto Forensic Service (METFORS) recieved some 600 persons remanded from the courts for assessment of their "fitness" to stand trial. The prison and hospital experiences of the METFORS EAU subjects' during a two year outcome period were aggregated and compared. The researches found that 141 (25%) of those assessed spent time in both prison and hospital.

Their research clearly demonstrates the problem of fitness to stand trial and the "ping-pong" effect can occur between the criminal justice and mental health institutions. In general, we have the issue of criminal elderly who are not counted as part of the penal system because they are housed within the mental health system. More importantly, the issue of criminal elderly being caught in a "ping-pong" scenario between the two systems is a social policy issue that appears unaddressed by existing literature in either field. Furthermore, Evelyn S. Newman and Donald J. Newman pose the question - "Is there something inherently different about the older offender that merits special consideration in criminal processing?" (Newman, Newman, Gewirtz & Assoc.,1984:229).

SUMMARY

In summary, the purpose of this work is three-fold: (1) to describe the history of the elderly offender who have committed an indictable offense in Canada (or felony in the U.S.A.) and who have used the insanity defense; (2) to begin to gather statistics on the prevalence of this group in the criminal justice system, and (3) to address the social policy issue of which system benefits from labelling the elderly offender mentally ill. In terms of the latter point, this work will attempt to show the consequences of the elderly offender being labelled insane.

END NOTE

The writer of this work has reviewed the following articles and publications in which the stereotyping of elderly offenders reflects "ageism." "Criminal Behaviour In The Later Period Of Life" (Schroeder,1936); "The Criminality of Old Age" (Pollak, 1941); "Rehabilitation of the Older Prisoner" (Freedman,1948); "Old Age and Crime" (Moberg,1953); "The Aged Inmate" (Briar,1963); "The Geriatric Delinquent" (Wolk, Rustin and Scotti,1963); "Delinquency in the Aged" (Whiskin,1968); "The Aged Offender" Hays and Wisotsky,1969); "Anti-social Behaviour of the Elderly" (Epstein, Mills, and Simon, 1970); "The Forgotten Monority - An Exploration of Long-Term Institutionalized Aged and Aging Male Prison Inmates" (Ham,1976); "Adaptation of the Older Prisoner in Israel" (Silfen et al.,1977); "Ageing in Prison" (Aday and Webster,1979); "The Elderly Offender and Parole" (Wiegand and Berger,1979); "Growing Old in Prison" (Krajick,1979); "Aged and Infirm Male Prison Inmates" (Ham,1980); "The Older

Prisoner" (Teller and Howell,1981); "Criminal Deviance Among the Elderly" (Jackson,1981); Elderly Offenders: the Forgotten Minority" (Morton and Anderson,1982); "Geriatric Crime Wave: The Great Debate" (Sunderland,1982); "Geriatric homicide - or the Darby and Joan syndrome" (Knight, 1983); "The Elderly In Prison" (Goetting,1983); "The Elderly Offenders: A Question of Leniency In Criminal Processing" (Bachand,1983); "Elderly Criminals" (Newman, Newman, Gewirtz and Assoc.,1984); "Old Age as a Criminal Defense" (Cohen, 1984); "Forgotten People:Elderly Inmates" (Vita and Wilson,1985); "Sanctioning Elderly Delinquents" (Feinberg and Knosla,1985); "Older Deviants" (Alston,1986); "Growing Old Behind Bars" (Chaneles,1987); "Serving the Mentally Ill Elderly:Problems and Perspectives" (Lurie, Swan and Assoc.,1987); "Elderly Offenders" (Taylor and Parrott,1988); "Crime and Victimization of the Elderly" (Fattah and Sacco,1989); "Older Offenders" (McCarthy and Langworthy,1988), "Inmates in Grey" (Corrections Today, August 1990); and "Graying of Inmate Populations Spurs Corrections Challenges" (On The Line, March 1990).

**CHAPTER 3: LABELLING THE ELDERLY OFFENDER
"CRIMINAL"/"INSANE"**

Before the aged person even comes into conflict with the law they are labelled by the society in which they live. "Once people are label[1]ed 'elderly' by the rest of society, they are treated differently by others, who see them as sick, confused and non-productive" (McCarthy and Langworthy, 1988:25). "Old age has tended to be conceptualized as illness in our culture" (Hendricks and Hendricks, 1986:156). The negative stereotyping of the elderly is quite pervasive. It appears that neither the criminal justice system or mental health professions are immune to this practice.

This chapter will review the roots of labelling theory and its relevance to the deviant elderly offender. It will further provide the legal basis for the labels "accused," "convicted", "acquitted", and "insane". In summary, this chapter will show the the labelling of the elderly offender permeates every step of the legal process. This may well stem from the universal aspects of labelling of older people. Finally, this chapter will examine the question, "who benefits from the labels given to the elderly person in conflict with the law" and the consequences of such.

THE EMERGENCE OF LABELLING

The emergence of the labelling analysis dates back to G.H. Mead (1936) and was primarily geared to the development of Meadian social psychology*. The symbolic interaction theory and labelling analysis is concerned with deviant self-concepts, deviant careers,

*G.H. Mead "emphasize[s] the social psychological process viewing it as the determining element in social life" (Davis, 1975:170).

deviant processes and deviant actions. The "labelling analysts concentrate more on the process of constructing deviant types" (R.V. Ericson,1975:95). In fact, in the label[ing] paradigm the metaphor "stigma" is "defining, isolating, and punishing the rule breaker [elderly offender] creates and perpetuates the deviant identity" (Davis,1975:166). Labelling analysts have been coined as 'legal realists' examining what control agencies actually do rather than what ideally [they] are designed to do" (Duffee,1984:217).

The debates surrounding the earlier development of structural explanations of deviant phenomena resulted in an emergence of the labelling perspective within the symbolic interaction theory. Warren and Johnson (1983) offered a phenomenological critiques of the labelling perspective and "suggest that the rhetoric of labelling is problematic because it retains the correctional, or traditional, deviant categories."

When applied to elderly offenders labelling analysts adhere to the underdog ideology to which the elderly offender and the legal defense of insanity can be applied. Labelling advocates "prefer to call deviance a master status, a crucial moral career that is both cause and effect of a sequence of personal adjustments" (Hughes, 1945:353-359). In the sociological construction of deviance, Harold Garfinkel (1956) attributes the transformation of self to deviant by allowing society and the deviant [such as, the criminal elderly offender] to apply stigma [labelling] which then "creates the deviant identity" (Davis,1975:174). Goffman's (1962) work in asylums expanded Garfinkel's stigmatization work.

Goffman translates "stigma as a dramaturgical event into life as a theatre" (Davis,1975:174). However, for the elderly in conflict with the law the action scene is set "in a courtroom, a mental hospital, a jail or other institutionalized setting in which

degraded actors play prescribed parts in scenarios written and directed by powerful others" (Davis,1975:174). In the emergence of the deviant self and the internalized dialogues are not expressed, but, rather, "only the external management of spoiled identities is revealed" (Davis,1975:174). In other words, labelling "is the social process that transforms one's conception of self (normal) to another (deviant)" (Davis,1975:173). Therefore, an assumption of the labelling analysis is that the labelling includes the concept of stigmatization.

LABELLING THEORIES

There are a number of alleged labelling theories. Some writers dispute the status of 'theory' in respect to labelling. For example, R.V. Ericson (1975:33) said that "Becker has recently stated a preference for the name 'interactionist theory of deviance' rather than 'labelling theory'." Becker's article "Labelling theory reconsidered" interpretation could rest on a human behaviour approach as "a way of looking at a general area of human activity" (Rock and McIntosh,1972:6). It is the labels that matter in the creation of criminals are those which hurt according to a major assumption of the societal-reaction school (see G. Nettler,1978: 283). The state run criminal justice system and mental health institutions have a monopoly by "its authoritative apparatus (enforcement institutions) which can make a label stick" (R.V. Ericson,1975:72). Davis (1975:172) writes: "Claiming direct descent from G.H. Mead [1934] and Herbert Blumer [1969], label[l]ing practitioners [neo-Chicago or label[l]ing School] have identified with the symbolic interactionist perspective"(N.J. Davis,1975: 170; Mead, 1934; Blumer,1969, Manis and Meltzer,1972, and R.V.Ericson,1975).

A normative approach of the neo-Chicago or Label[1]ing School "follows the rule breaker as he or she is separated out, processed through the social control agencies, confronted with the formal degradation ceremonies, institutionalized or imprisoned" (Davis,1975: 172). Samples of this evidence can be found in such studies as those by Garfinkel (1956), H. Becker (1968), E.M. Lemert (1967), A.J. Reiss (1969), J. Lofland (1969), E. Goffman (1963), J.L. Simmons (1969), and T.S.Szasz (1960).

Positivist Criminology literature indicates that the subject is reshaped [constructed] by a label caused by societal reaction or "a risk-taking theory of deviation" (R.V. Ericson,1975:122) and "secondary deviation" (Lemert,1972:40). Scheff (1966) describes this secondary-deviation process:

When societal agents and persons around the deviant react to him uniformly in terms of the traditional stereotypes of insanity, his amorphous and unstructured rule-breaking tends to crystallized in the conformity to those expectations, thus becoming similar to the behaviour of other deviants classified as mentally ill, and stable over time.

(Scheff,1966:79).

Literature review reveals that so called 'control theorists' refer to social groups as "internal control of internalization of norms through socialization or self concept" (Reiss,1951; Nye,1958; Reckless,1967; and McCarthy and Langworthy,1988;43). Hirschi (1969) originally formulated the social bonding theory and he indicated "there are four basic elements to the social bond - attachment,

commitment, involvement, and belief (McCarthy and Langworthy,1988:43). In an attempt to explain why the elderly turn to crime (Malinchak,1980:140) one weakness is that Malinchak neglected to look at the gerontological disengagement theory (Cumming and Henry (1961)) and link it to criminological control theory of deviance (Malinchak,1980; McCarthy and Langworthy,1988).

Varieties of the control theory include such authors as Reckless (1967), Herschi (1969) Eysenck (1964) and Trasler (1962). Other psychologists in Canada and the U.S "have emphasized an aspect of training that they call "social learning" or modelling" (G. Nettler,1978:309; Bandura,1973; Bandura and Walters, 1959,1963). McCarthy and Langworthy (1988:47) write: "Leonard (1977) found anomie to be related to aging." That is, "the theoretical expectation is that those elderly experiencing higher levels of anomie are more likely to engage in criminal or other deviant activities" (McCarthy and Langworthy,1988:49). Leonard's view is part of the social learning theory that integrates Edwin Sutherland's (1974) differential association theory (DAT).

COMMON ELEMENTS OF ALL THEORIES

The common elements of all theories should have research designs to trace the human behaviour of the elderly offender utilizing the insanity defense. In the labelling theory the behaviour that leads to the application of the labels is not clarified. In regards to the criminal justice system mandate to protect society, theoretically "the label[ing] hypothesis does not answer the perennial questions about crime" (G. Nettler,1978:305). In this context, "the fact that there were no easy answers or simple

solutions did not stop the [movement to the Justice model emerged and coincided with the rise of the Right as a political force in western democracies] announcement of programs that would solve "the crime problem" (Donald G. Evans, Forum on Correctional Research, 1990:15). In other words, the protection of society or public risk does not address the crime problem utilizing a labelling hypothesis.

There are no new criminological, gerontological, sociological or psychological theories regarding the elderly offender. McCarthy and Langworthy (1988:xxi) write: "While it is certainly true that some conditions - events are so rare as to make the identification of a pattern possible - cannot be systematically studied, this was never the case regarding elderly crime." Two theories, Social Bonding and Social Learning were developed to explain juvenile delinquency. Currently, some authors are applying the Social Bonding and Social Learning theories to elderly offenders. The following example supports this practice: Peter C. Kratcoski and Donald B. Walker, two professors in the Criminal Justice Studies, Kent State University analyzed 2,600 cases of nonjustified homicide from 1970 to 1983. In their methodology they made statistical adjustments to conceptual and/or measurement aspects of existing theories of social bonding and social learning theory to accommodate the characteristics of elderly offenders (McCarthy and Langworthy, 1988:50).

The so-called "reverse explanations" try to explain why the elderly as a group, commit less crime than the young or why criminality declines with age instead of explaining why some elderly people commit crime (Fattah and Sacco, 1989:35). Looking at the situation of causation it is an inverse relationship of age on crime. That is, "crime declines as a direct relationship of the age variable" (McCarthy and Langworthy, 1988:66). Samples of this evidence can be found in the following studies: The Burn-Out Hypothesis (Weiss, 1973); Maturation Reform (Jolin and Gibbons, 1987); The Decline in Physical Strength and Agility (Pollack, 1941);

(Moberg,1953); and (Hirschi and Gottfredson,1983); The Decrease in the Violence of Social Reaction (Fattah and Sacco,1989); Weaker Motivation and Stronger Inhibitions (e.g., the elderly are less willing to take risks) (Fattah and Sacco,1989); and, The Lower Detection Rate (Moberg,1953; Rowe and Tittle,1977; and David E. Duffee's article entitled "A Research Agenda Concerning Crime Committed by the Elderly" (Newman, Newman, Gewirtz and Assoc.,1984:212). Age and crime appear to have some relationship but common element of existing theories needs further elaboration.

Some authors in the literature review have put forth three additional criminological causation theories. The following are the theories: Misdemeanor Criminalization Hypothesis (Corrections Today, Dec. 1990:166), Increased Opportunities For Conflict In Old Age (Shichor and Korbin, 1978:51), and the link between the gerontological disengagement hypothesis and suicide (Jackson, 1981). McCarthy and Langworthy (1988:55) write: "Disengagement hypothesis is consistent with the low crime and high suicide rate among the elderly." Kratcoski and Walker in explaining some of the motives of the older assailants in homicide events investigated the age of perpetrators. Their results showed that "15 percent of the elderly assailants later committed suicide" (McCarthy and Langworthy, 1988:72). The author of this work N=389 case studies of elderly offenders found that 3.1 percent either committed or attempted suicide in both murder and miscellaneous categories. There are no common elements in the existing theories to explain the link between disengagement, crime and suicide.

Crime or other deviance is not an enormous problem among the elderly "except for suicide and certain forms of mental illness, deviance rates are low for the elderly" (McCarthy and Langworthy,1988:36). Whereas:

Rather, it [elderly criminal deviance] is based on the assumption that applying the theories to behaviour in this age group [elderly offenders] enables the examination of the generalizability and empirical scope of the theories and offers explanation of why some elderly commit offenses against the law and social order.

(McCarthy and Langworthy,1988:36).

Some labelling theories tend to take a constructionalist view to create the elderly offender as a new special needs offender. The neo-Chicago or Labeling School perspective has been coined as "old wine in new bottles" (Davis,1975:170). In other words, a constructionalist view of societal reaction to deviance. The elderly offender is reshaped (constructed) by a label caused by societal reaction according to Positivist Criminology. The Social Bonding and Social Learning theories tend to investigate the common element of why the elderly turn to crime.

CONSTRUCTIONALIST VIEW OF LABELLING

For the purposes of analysis of the elderly offender the author of the present work will be using primarily the notions and ideas of the Constructionalist Theory. In the field of "geronto-crimes" (Newman, Newman and Gewirtz and Assoc.1984:xviii) it is the issue of increasing salience that constructs an emergence of crime and the elderly as an academic concern. McCarthy and Langworthy (1988) put forth a human behaviour hypothesis in explaining criminal activities. They conclude that "age influences behaviour and it [age] influences the manner in which behaviour is perceived"(McCarthy and Langworthy,1988:xiii). In that context, Cook, Skogan, Cook and Antunes (1978:338) paper "Criminal Victimization of the Elderly:The Physical and Economic consequences" suggest that "the crime problem of the elderly may not be an age-related problem but rather a

condition-related problem." In fact, from a constructionalist view of labelling the condition, such as, behaviour, health or developing "cognitive skills essential to social adaptation" (Fabiano, E., Porporino, F.J. Robinson, D., 1991:102) is what needs to be addressed. Unfortunately, the literature points to the age variable as a point to construct elderly offenders.

The elderly offender is then re-defined or constructed as elderly offenders by chronological age. For example, "chronological age system independent of health status [condition] is not commonly recognized by prison policy. (A. Goetting, 1983:302). As aforementioned it is the condition not age that matters. The current consensus about crime and the elderly that the older prisoner is a unique category possessing special criminal and aging characteristics is well documented by several authors Baier (1961); Schroeder (1936); Pollack (1941); and Cohen (1984). Taking a constructionalist view of labelling age as a unique category can be interpreted as a label.

The major focus of the Constructionalist theory is not the criminal activity, but the definitional process itself, that is, labelling. In the case of elderly offenders they are labelled by age as being elderly or geriatric.

Another tenet of the constructionalist theory is that the activity has remained relatively constant while interest and concern have increased about the elderly offender. This re-definition (construction) of geriatric crime has been substantially addressed in at least thirty-two articles (e.g., Sunderland, 1982; Ham, 1976, 1980; Feinberg and Khosla, 1985; Sol Chaneles, 1987; and, Adams and Vedder, 1961). McCarthy and Langworthy, (1988:8) wrote: "The constructionalist argument is X [the number of crimes committed by persons 65 years of age and older] has not increased and Y [attention being paid to elderly crime] is a result of constant activity being

defined as a problem." Then, one must look at the age of offenders being apprehended by the criminal justice system; compare shifting demographics in apprehensions since statistics were compiled after World War II; and, determine the nature of violence of the criminal activity. This then may give a clearer view of the problems related to elderly offenders.

Forsyth and Shrover (1986) contended that crime among the elderly has remained relatively stable, but three factors have developed concentration on elderly crime: (1) the vested interest of the criminal justice bureaucracy (facing a declining client base, began to see the elderly crime as a previously untapped resource); (2) academics are always looking for hot new topics of research and their goal is the probability of greater publication; and, (3) the uniqueness of the juxtaposition of old age and crime, which appear almost antithetical (Forsyth and Shrover, 1986; Goetting, 1983; and, McCarthy and Langworthy, 1988). Forsyth and Schrover's view is thus fully congruent with the above mentioned tenet of the constructionalist theory.

Forsyth and Shrover's view includes the mass media and is substantiated by such items as appeared in the Miami Herald:..."a seamy "Other Side of Golden Pond" (Sunderland, 1982:40). Atchley (1985) extends the negative view in construction of elderly offenders as he purports that the elderly are less likely to commit crime or to be arrested. Atchley's reasons as follows: (1) greater conformity by the elderly; (2) common conception that aging makes people less responsible for their actions - that aging leads to deterioration of mental faculties (Roth, 1986-87); and, (3) consequently, capital punishment [presently not legislated in Canada] is technically possible for certain crimes but it is rarely applied to elderly offenders" (Atchley, 1985:287, 298). A further issue is that this may be one group of offenders that do not fear the court disposition of capital punishment.

In the literature the reasons behind constructing a 'label' of elderly offender range from the one focussing on the vested interest to new information (e.g., Szasz,1970; Rains,1984; Forsyth and Shrover,1986; McCarthy and Langworthy,1988: and Fattah and Sacco, 1989). Since the eighteenth-century forensic psychiatrist have taken part in the prosecution process of the insanity defense. So, forensic psychiatrist, Dr. Seymour Pollack (1941:213) wrote: "research interest in criminal behaviour among the elderly dates back to the early part of the century - the phenomenon was first discussed at a criminology conference in Budapest in 1899" (McCarthy and Langworthy,1988:15). The fact social scientists are overlooking is "the problem of crime among the aged may be newly recognized, but it certainly is not new" (McCarthy and Langworthy,1988:15). The central issue of elderly offenders appears to be health issues and what to do with the elderly offenders. Nowhere is the application of the construction of the label - elderly offender - adequately researched in the literature. The elderly offender label is preceded defining them by age which is a label.

According to the constructionalist argument the phenomenon of the elderly offender is not new but re-defined [constructed]. This point is evident as approximately 150 professionals came to hear a full program of research presentations on the elderly offender at "The First Elderly Offender Conference (1982)." Topics concentrated on legal, social and psychological aspects of elderly criminals. Several of the papers presented were published in 1984 under the title Elderly Criminals edited by Evelyn S. Newman, Donald J. Newman and Mindy Gewirtz. There have been subsequent Annual Elderly Offender Conferences. An offshoot of these conferences since 1986 is the "Society for the Interdisciplinary Research On the Elderly Offender" (SIREO). This organization is devoted to the subject of elderly criminality. This is clear evidence of how the label of elderly offender has been extended in professional associations for their own vested interest.

In the same vein, the American Correctional Association (ACA) at the 1989 Winter Conference in Nashville, Tennessee held a workshop on current elderly offender prison programs, e.g., the Park Correctional Centre, Columbia, South Carolina. In 1991 at Minneapolis, Minnesota the ACA's 121st Congress of Correctional program slates cooperative approaches such as pre-trial diversion for the mentally ill and health care for the aged workshop "Special Needs Offenders" Nobody's Sole But Everybody's Shared Responsibility" (Corrections Today, Feb., 1991:70). At the same conference geriatric offenders needs with limited resources will be the focus of a workshop entitled "Geriatric Offenders: Penny Wise and Pound Foolish" (Corrections Today, June 1991:115). The 1991 ACA winter conference had a workshop addressing the special needs of certain offenders including offenders who are elderly. The workshop was entitled "Public Correctional Policy on Offenders with Special Needs" (Corrections Today, April 1991:76). Using the constructionalist argument, current emphasis on the social problem of the elderly offender is being extended by professional associations.

Using the constructionalist argument to alleviate the correctional problem of overcrowding in North American prisons was one aim behind U.S. President George Bush's 1989 proposed \$1.2 billion crime package "to increase bed capacity 77[%] or in other words, 24,000 beds" (The Hamilton Spectator, Thurs. June 22, 1989:A19). In effect, another calculation in a 1988 U.S. study [ages are not specified] of 2,190 prisoners from California, Michigan and Texas indicate "it's cheaper to build new prisons than to relieve overcrowding in jails...". The same study calculated cheaper prison construction costs using the following equation: "comparing the costs of imprisonment to probation costs of crime to the individual victim and to the community" (The Hamilton Spectator, Monday, July 4, 1988:A4)

In the changing demographic of the North American population prison construction opponents argue the crime and arrest rate will decrease as the baby-boom cohort gets older. In turn, this will reduce the caseload of criminal justice agencies in processing offenders. Greenberg and Larkin (1985:230) state that their position rests on the assumption that a genuine nonspurious relationship between age and crime. In other words prison construction opponents take a constructionalist view in adding new facilities for offenders.

New prisons are currently under construction, but none are designed for the elderly offender. One exception is where elderly offenders were moved from the State Prison in Southern Michigan (S.P.S.M.) in Jackson, Michigan to a former mental hospital in Ionia, Michigan. The physical arrangement resembled a hospital (ward, room, windows, doors) (Forum on Correctional Research, Vol.3, No. 2, 1991:11-13). Generally, there are no prison facilities under construction designed to accommodate specific physical and health needs of the elderly offender. Yet, prison construction is big business in the North American society. For example, until the fall of 1988 Rotondo/Penn Inc., a small concrete firm made bridge parts, box culverts, and underground utility vaults. Then along came instant jail cells. Whereas:

With these cells, a municipality need only build a foundation and a skeletal supporting structure. The cells then are stacked by crane alongside and atop each other, at the rate of up to 30 day. Add a roof, plug in the power and water and - presto - a jail is born.

The Hamilton Spectator, Thurs. June 22, 1989:A19.

WHO DEFINES THE LABEL?

In dealing with the elderly offender and the insanity defense there are two major social control agencies involved - criminal justice system and the mental health institution. And, when you look at who is doing the labelling and how assessments are evaluated all facts from all professions involved must be considered when dealing with the elderly offender utilizing the legal plea of the insanity defense. For example, the American Psychological Association members in a study compiled by Vander Bos et. al., (1981) revealed that only 2.7 percent of the members saw patients aged 65 or older; 69.2 percent had never seen an elderly patient; and only 0.4 percent described themselves as specializing in gerontology or geriatrics" (Lurie, Swan and Assoc., 1987:114). Taking a constructionalist argument of who defines the label the elderly offenders are put 'at risk'*when assessed by members of the American Psychological Association.

On the other hand, The Parker Jewish Geriatric Institute, New Hyde Park, New York 1985-1987 implemented a "Three Years of a Required Geriatrics Module for Third-year Medical Students. The results suggest that "three-fourths [75%] of the students rated the geriatrics module as favourable as they rated several of the other activities of the other primary care clerkship" (Wener, Floey and Jaffe,1991:292-294). Future programming may eventually include elderly offenders and the insanity defense.

*at risk: The rights of persons whose liberty is put 'at risk' through the criminal law process requiring mental health assessments that may result in a indeterminate [indefinite] criminal law sentence (Sharpe,1987:425).

WHO BENEFITS FROM LABELLING ?

Who benefits from the labelling process of the elderly offender? Firstly, the criminal justice system does not have to deal with a person who is mentally ill if labelled 'insane'. Secondly, the mental health system increases it's institutional population via the criminal justice system. The insanity label is sanctioned by the mental health system via a psychiatric examination. And, the legal community plus the criminal justice system accept the "insanity" label from the psychiatric assessment. The literature suggests and supports the hypothesis of lawyer-psychiatrists incompatibility as difficulties commence "from the failure to appreciate the fact that each is skilled differently" (Volpe,1989:31). Toch and Adams (1989) publication The Disturbed Violent Offender suggests that "inmates also benefit from this [staff] teaming because they avoid the "sick" label that comes with being treated by mental health staff" (Forum on Correctional Research, Vol. 2 No. 3, 1990:8). According to the literature, the benefits of labelling appear to be multidimensional.

The labelling approach has its roots stemming from the criminal justice system not the mental health system for the elderly offender. Consequently, when social control agencies are applying a label to the elderly offender one must consider who benefits in terms of clients, new facilities and the source of funding to cover budgets that will lead to the hiring of more personnel. This situation leads to a self-perpetuating scenario for social control agencies undertaking special handling of the elderly offender and the insanity defense.

WHO LOSES FROM LABELLING?

The elderly offender loses in the labelling process because firstly the mental health criminally insane statistics are not counted as part of the criminal justice statistics. And, although an

elderly offender is removed from criminal justice statistics after admission and transferred to a mental health institution there is no systematic calculation of when or why they were removed. That is, the elderly offenders are lost in the prison admission population of criminal justice statistics. Secondly, the criminal elderly offenders are caught in the mental health system which may mean they can serve more time in the criminal justice system locked in an institution. For example, the testimony stated to the Hearing before the Subcommittee on Criminal Justice, House committee on the Judiciary Cong. (Ses. Sept. 9, 1982) statement by Rodriguez about the 1982 New Jersey study. According to the testimony, the study indicates "that the insanity acquittees were confined about twice as long as the average convicted felon" (Melton, Petrila, Poythress and Slobogin, 1987:114).

Similarly, the District of Columbia reported that between 1958 and 1965 statistics showed that not guilty by reason of insanity (NGRI) spent an average of 15.8 months confined to St. Elizabeth's Mental Hospital. That is, "had those same offenders pleaded guilty to the charges against them, the maximum penalty they could have received is 12 months in jail" (Simon and Aaronson, 1988: 178). A research psychologist at Penetanguishene Mental Health Centre for psychiatric assessment told a forensic conference "that...people found not guilty by reason of insanity spend more time incarcerated than they would if they had been convicted of the offence and jailed" (The Toronto Star, Wed. June 21, 1989:A28)

"The Canadian Database: Patients Held on Lieutenant Governor Warrants" was compiled under contract for the Department of Justice Canada (1990) by S. Hodgins, C. Webster, J. Paquet and E. Zellerer. The data collecting commencing March 1988 "shows slightly more than 1,000 patients on Lieutenant Governor's Warrants." Thus, "the warrants can be equivalent to a life sentence" (The Hamilton Spectator, Mon. Jan. 22, 1990:A10). The Canadian Database

information includes: (1) more than one-third had a previous criminal conviction at the time they were placed on warrant; (2) more than three-quarters were previously hospitalized for a mental disorder; (3) two-thirds of the cases were diagnosed as schizophrenia; (4) 90% of patients were male; (5) the majority of patients held on warrant (nearly 90%) had been deemed not guilty by reason of insanity, and the remaining 10% had been found unfit to stand trial; (6) the warrant was used most often for indictable crimes, e.g., homicide and sexual assault; (7) the average age was 38.9 years (Forum on Correctional Research, Vo. 2, No. 3, 1990). As in Appendix III the Institut Philippe Pinel de Montreal for the Criminally Insane calculated from March 1990 to February 1991 persons on warrant aged 55 and over is 128 including 19 new cases. That is, in Canada, persons 55 and over comprise 12.8% of the 1,000 WLJ population. The current 3 year study is being compiled and then will be turned over to Statistics Canada. Thirdly, the elderly offender could wind up with a "ping-pong" effect serving under both the criminal justice system and the mental health system.

In a critical analysis most of the literature on the elderly offender addresses the issue of either prosecuting or defending the elderly offender from the lawyer's point of view (Cohen, 1985; and McCarthy and Langworthy, 1988:26-27). Only two articles appear to exist which look at the issue from the elderly offender's point of view. First, "The Forgotten Minority - An Explanation of Long-Term Institutionalized Aged and Aging Prison Inmates" by Joseph Neal Ham (1976) as the "thesis was designed to elicit background information, feelings, attitudes and to record observations of the prisoner's limited world, as he defined it" (Ham, 1976:26), and, the second Raymond Broadus's alternative research proposal put forth at "The First Annual Elderly Offender Conference (1982)." Broadus stated that "researchers and policymakers should not assume that the elderly's opinion about whether they prefer mental health or criminal processing or living with a mixed age group is irrelevant to what we should do" (Duffee, 1984:216). For example, the 1989 study relocated

elderly offenders from the State Prison in Southern Michigan (S.P.S.M.) to Ionia, Michigan revealed that 45% liked the policy of age segregation: and, 63% liked the physical environment" (Forum on Correctional Research, Vol. 3, N. 2, 1991:11-13). The elderly offender's point of view appear to be one issue there is a dearth of information according to the literature review.

CHAPTER 4: LEGAL PERSPECTIVE

LEGAL LABELLING

The legal doctrine perspective states that "law is a public process and it is concerned with the individual's relationship to society" (Volpe,1989:31). In order to better appreciate the elderly offender using the insanity plea in the legal process, it is necessary to delineate the laws and statutes that pertain to such proceedings.

ACCUSED/ACQUITTED

In legal doctrine there would be no court case if the police did not provide an accused elderly person. It is at the police level in the criminal justice system that the elderly person is labelled the "accused". Moreover, "the crown often...becomes a mere adjunct or mouthpiece for police suspicions" (Greenspan and Jonas,1987:16). That is, the elderly offenders are labelled at the court level as "offender" if convicted of the charges laid by the police. If "acquitted" of the charges by the police, the elderly offender is still stigmatized with "anti-social behaviour".

Furthermore, Cutshall and Adams (1983) contend that some "tacit criminological theor[y]" or a stereotypical view of the elderly offenders as "helpless... 'grandma and grandpa'...types might be the cause of the higher rate of dismissals in elderly cases" (McCarthy and Langworthy,1988:7). "Legal doctrine [is] built on a generalized picture of the over-65 age group as sick, dependent, needy and not competent" (Cohen,1984:127). Thus labelled, aged people including the elderly offender "are forced to give up or

"disengage" from a number of important social roles" (McCarthy and Langworthy, 1988:25). According to Malinchak it is in reaction to the social isolation or "disengagement" that some old people turn to crime" (Malinchak, 1980:155). The legal dismissals or probable outcomes in the elderly offender cases are probation, suspended sentence, or a community service order (CSO).

CONVICTIONS vs. ACQUITTALS by reason of insanity (NGRI)

In the Canadian Criminal Code section 543 (2)(d) and the Mental Health Act 15(1) contain provisions which give the courts power to remand an accused for psychiatric assessment if there is reason to believe that she/he is mentally ill. The Mental Health Act 15(1) or the Canadian Criminal Code section 543 (2.1) if raised in the criminal proceedings would be the legal doctrine basis of considering (1) the issue of fitness to stand trial (NFST) or (2) not guilty by reason of insanity (NGRI).

In reality, not guilty by reason of insanity (NGRI) "is utilized previously law abiding citizens who have no criminal history and have committed a violent act as a result of emotional illness" (Coles and Grant, 1990:246). In relation to the elderly first-offender utilizing NGRI "while an insanity elderly offender acquittee may have been absolved of criminal responsibility, anti-social behaviour will have been established" (Coles and Grant, 1990:247). The stigmatization of anti-social behaviour is one labelling process attributed to the elderly offender using the legal plea of not guilty by reason of reason of insanity (NGRI).

Although there is controversy in academic circles about the insanity defense "the more traditional view was expounded by Glandville Williams, Criminal Law, The General Part, 2nd edition (1961:525) noting "the first arm" of the insanity defense...[is] an element of the crime, the 'mens rea'[guilty mind]" (Justice Dickson,

Regina v. Abbey,1982:121). The legal requirement is that the accused be able to perceive consequences of a physical or criminal act (actus reus) is a restatement, specific to the defense of insanity, of the legal principle of 'mens rea' [quilty mind], or intention as to the consequences of an act, as a requisite element in the commission of a crime. And, "generally, it is essential to require a coincident 'mens rea' and 'actus reus' as they are united for the purpose of punishment and deterrence" (Volpe,1989:26).

INSANITY STANDARD

The legal issue of the defense of insanity negates the legal assumption that the accused is presumed innocent until proven guilty. The defense of insanity may be raised by either the defence or the prosecutor [in Canada, Crown Attorney and in the U.S.A. District Attorney] and the burden of proof rests on the party raising the issue" (Volpe,1989:27). The Canadian insanity standard has been modified particularly by Supreme Court of Canada decisions. In a recent Winnipeg case the court "ruled 5-4 putting the burden of proof [of innocence] on the defendant." That is, "the same ruling said evidence of insanity can be raised only by the accused and not by the Crown." (The Hamilton Spectator, Tues., August 17,1991:A8). The reason behind this change is that writing the legal judgement for the majority Chief Justice Antonio Lamer wrote "Asking the Crown to prove that a person is sane beyond a reasonable doubt would be an "impossibly onerous burden" (The Hamilton Spectator, Sat. Dec. 22, 1990:D9). In other words, the 'onus probandi' [burden of proof] of introducing evidence of insanity in court can now only be submitted by the accused, in Canada. It is important to legally establish insanity because "if the offender is found insane according to section 16 of the Code, he is excused from conviction (or, criminal liability) pursuant to section 541(a) and [541] (b) of the Code, even though it has been established that the "guilty act" was committed" (Lindsay,1977:301).

"Section 16 of the Canadian Criminal Code defines the law relating to insanity" (Volpe,1989:27). The Canadian laws relating to insanity are codified "unlike the English Common Law (Volpe,1989:27). The current Canadian position is that persons who commit intentional torts in Canada are treated in a similar fashion as those in England. In England, so long as the actions are voluntary, liability attaches to persons who commit intentional torts. In the United States, insane defendants are held liable for their torts as though they were sane. There are exceptions, one example is fraud as it legally requires a specific intent.

In Canada, the law on criminal insanity, Section s.16 Criminal Code, includes indefinite confinement. The 1976 Law Reform Commission recommended changes to the insanity defense. Ten years later, John Crosbie, federal justice minister, stated that he would give the Justice Department's draft legislation top priority. This political promise has never been fulfilled as no bill was ever passed in Parliament. On May 2, 1991 the Supreme Court of Canada's 6-1 decision stated "that the law violates a person's right under the Canadian Charter of Rights and Freedoms because it calls for indefinite confinement without regard to whether the person is a danger to society" (The Globe and Mail, Fri.May 3,1991:A1). Now, the Supreme Court of Canada is telling Parliament to "get it done in the next six months" (The Hamilton Spectator,Fri.May3,1991:A1).

Taking a constructionalist view, Parliament will have to investigate the label - insanity defense - and consider that it is one way to look at the general area of human activity. The human activity focus was purported by Barrie Boyd, former administrator of the Penetanguishene Mental Health Centre. Thus, Boyd, pointed to "the difficulty for both judges and psychiatrist is that, whatever a person's history, it is tough to predict future behaviour." (The Hamilton Spectator, Fri. May 3, 1991:A2). Consequently, the 190 year-old Canadian law also gives credence to the fact that professionals must deal with antiquated laws that still remain in the Canadian Criminal Code and U.S. Penal Codes.

The criminal justice system has been depicted as an adversarial system where strategies are implemented by defense and crown attorney (or, the U.S. district attorney). Complicating the issue is the fact that psychiatrists project clinical opinions for both sides and the assessment can lead to an indefinite detention in a mental institution for the accused. In this context, "many lawyers are reluctant to use this [insanity] plea especially since often provisions are made to transfer the mentally ill prisoner following conviction to a psychiatric facility where the sentence still runs" (Sharpe, 1987:382). The 19th century generic term "insanity" was then "a degree of disturbance so severe, menacing, or disabling that the law may rule the patient immune from certain legal [criminal] responsibilities" (Freedman, Kaplan and Kaplan, 1967:1592). The literature review indicates arguments against the 19th century interpretation as "an archane way of adjudicating on levels of [criminal] responsibility" (Roth, 1986-87:98). In fact, in contemporary psychiatry, the term [insanity] has been abandoned ...it remains a legal legacy" (Freedman, Kaplan and Kaplan, 1967:1592).

In the concept of insanity, "legal interpretation of the word "insanity" presents a problem in communication primarily because it has never been clearly defined" (Freedman, Kaplan and Kaplan, 1967:1592). In this context, Professor Henry Welhofen comments that "the word [insanity] has no technical meaning neither in law or in medicine, and it [insanity] is used by the courts and legislators indiscriminately to convey either of the two meanings: (1) any type or degree of mental defect or disease, or (2) such a degree of mental defect or disease as to entail legal consequences (i.e., as to require commitment to a mental institution...or relieve from responsibility of crime" (Freedman, Kaplan and Kaplan, 1967:1592).

INSANITY TEST #1: M'NAGHTEN

The insanity defense in the Canadian Criminal Code, s.16 is laid out in a series of propositions, or subsection. Subsection (1) has major legal significance stating that one cannot be convicted of an offense while one is insane. The evaluation practice (assessment) of insanity resorts to a "ping-pong" scenario. That is, "'senteniel event': referral from the criminal justice system for mental health evaluation or treatment" (Phillips and Inui,1986:124). Generally, accused elderly persons are sent by a judge for assessment. As such, the Mental Health Act, section 15(1) provides that

Where a judge has reason to believe that a person who appears before him charged with or convicted of an offense suffers from mental disorder, the judge may order the person to attend a psychiatric facility for examination (R.S.O., 1980,c.262).

Volpe, 1989:28.

The Canadian Criminal Code, s.16 incorporates the basic tenets of the M'Naghten Rules, "there have been some changes in the wording of the provisions" (Canadian Mental Health Association, 1973:147). England's Queen Victoria was outraged when Daniel M'Naghten was found 'guilty but insane' by the House of Lords in 1843 for killing Peter Porter, private secretary to the Prime Minister, Robert Peel. In the case of Daniel M'Naghten, a paranoid schizophrenic, "the House of Lords formulated a set of rules which provided that, if the defense can prove on a "balance of probabilities" that the accused was insane at the time he committed the act, such that he did not know the nature and quality of the act, he cannot be convicted" (Fleming and Peterson, 1969:44-45).

In 1960 the United States Supreme Court in the case of Dusky v. United States established the modern legal definition of competency to stand trial" (Melton, Petrila, Poythress, Slobogin, 1987 :67). In Canada, about ten percent of Lieutenant Governor Warrants are for 'not fit to stand trial' (Hodgins, Webster, Paquet, and Zellerer, 1990). Fitness or being sane is the key issue otherwise a court of law will find one unfit to stand trial (NFST).

At the point of the M'Naghten Rule (1843) psychiatry contributed to the court disposition in the case of M'Naghten. That is, five years before the M'Naghten trial Sir (Dr.) Isaac Ray, writer on forensic psychiatry and the founder of American Psychiatric Association published Treatise on the Medical Jurisprudence of Insanity. In fact, this publication "was cited at the trial and may have contributed to M'Naghten's escape from the gallows" (Wolman, 1977:443). It is interesting to note that Daniel M'Naghten was not tested on the M'Naghten Rule in regards to his sanity.

Subsection (2) s.16 of the Code, indicates that the law seeks to discover who is culpable (blameworthy) with regards to specific acts of a deviant or prohibited nature. Although not every person in society is responsible, criminal responsibility (part of criminal liability and criminal negligence) is a key component of NGRI. The Anglo-American rule of criminal responsibility of the mentally ill is the M'Naghten rule" (Wolman,1977:448). In fact, prior to the M'Naghten test the "policeman at the elbow" test* was one important test of responsibility" (Freedman Kaplan and Kaplan,1967:1597). Furthermore, in Insanity and Crime, (1864) Maudsley wrote the following about legal responsibility:

The fundamental defect in the legal test of responsibility is that it is found upon consciousness of the individual ...the most important part of our mental operation takes place unconsciously.

Wolman,1977:444.

The issue of criminal responsibility continues in the semantic battles with the legal defence of NGRI. For example, "the term "wrong" in this context, refers to legal, not moral wrong" (Canadian Mental Health Association,1973:148). The same point is

*Policeman at the elbow" test "the judge or jury tried to ascertain whether the defendant would have carried out the criminal act of which he was accused within sight of a policeman. ...if this immediate prospect of detection, arrest, and punishment failed as a deterrent, then the man was legally irresponsible, for he was incapable of controlling himself"(Freedman,Kaplan,Kaplan,1967:1597).

substantiated in the (1982) Supreme Court case, Regina v. Abbey stated that "the second arm of s.16(2) is concerned with cognitive capabilities, knowledge, and not with appreciation of consequences. Section 16(2) speaks of terms of knowledge of wrongness, not appreciation of wrongness" (Justice Dickson, Regina v. Abbey, 1982:122). In other words, it is the context of the legal wording that is of importance in determining the finer points of criminal responsibility.

Cohen (1984:114) tells us that the criminal law sits on free will and adults are to choose rightly or wrongly regardless of age. For example, "it is into this body of law and into this system that the elderly offender must fit and it is not an easy fit" (Cohen,1984:114). But for the elderly person who has been stigmatized before the process began, "right or wrong regardless of age" is in fact, decided by institutions in the society which labelled the elderly offender to begin with.

In the concept of mental illness, psychiatrists "see the term as a label society conveniently places on a group of individuals whose behaviour runs contrary to that of the norm of society"(Diamond,1973:14). In fact, the medical community has a vested interest in labelling people as "criminally insane elderly offenders". For example, psychiatry especially has vested interest in the elderly offender's ability to tell right from wrong. That is, "psychiatry has a stake in preserving the idea of the inability to tell right from wrong as justifying special handling" (Roth, 1986-87:100).

Subsection (2) s.16 of the Code, renders the accused "...incapable of appreciating the nature and quality of an act or omission or of knowing that act or omission is wrong (Martins Criminal Code,1989). The word 'or' is legally interpreted to allow the alternative legal tests (other laws and statutes).

ALTERNATIVE TESTS TO M'NAGHTEN

The U.S.A. concept of criminal responsibility dates to 1869. In that year, New Hampshire adopted a rule which places psychopathology in the same category as physical pathology and other scientific and technical problems which required expert assessment and diagnosis" (Freedman, Kaplan and Kaplan, 1967:1597).

In the United States 1954 landmark medical jurisprudence, Durham Case, The Court of Appeals for the District of Columbia rejected the right-wrong test of the M'Naghten formula. In fact, "Judge David L. Bazelon accepted in principle the *New Hampshire rule of 1869" (Wolman,1977:449). The result of the case of Monty Durham, a convicted burglar was a product test or the Durham Rule which is "simply that an accused is not criminally responsible if his unlawful act was the product of mental disease or defect" (Wolman,1977:449).

*New Hampshire Rule says that "psychiatric experts were to testify to the best of their ability, in accordance with their highest standards of professional competence, concerning the mental state of the person they had investigated clinically. Their data and opinions, like all information obtained from experts on technical questions, then became part of the complete summary of facts available to the judge or jury. The psychiatric expert's testimony, treated as one set of facts among many, was then to be evaluated by the judge or jury to ascertain its proper relationship to the legal requirement of 'mens rea' and [criminal] responsibility" (Freedman, Kaplan and Kaplan,1967:1597).

The product test led to a substantial number of acquittals utilizing NGRI, consequently, the law was modified by the Durham-McDonald Rules (1962) and a decade later that law was abandoned. The Brawner Rule was adopted by Judge David L. Bazelon in 1972, in the District of Columbia. The Brawner Rule is a modification of the American Law Institute (ALI) according to which

A person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect he lacks substantial capacity either to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of the law.

Wolman, 1977:444-445.

The Model Penal Code ALI test introduced a volitional element to add to the sole cognitive test of the M'Naghten rule" (Johnson, 1984:222). The volitional element states that if he lacked "substantial capacity to conform his conduct to the requirements of law" (Johnson, 1984:222). In 1982 and 1983 the three professional associations, American Psychiatric Association, American Bar Association and the American Medical Association repudiated the ALI test, and especially its crucial volitional element that culminated in each association announcing their official position (Johnson, 1984:222). A justification for the APA position recommendation to eliminate the volitional prong was "to prevent individuals with disorders such as compulsive gambling from using the insanity defense" (Bloom, Bradford, Lofsted, 1988:151). In 1984, the U.S. public law 98-473, 98th Congress, Comprehensive Crime Control Act of 1984, 98 Stat. 2057, Insanity Defense Reform Act of 1984 was legislated and passed (Roth, 1986-87:103).

Among the many U.S.A. statutes and laws dealing with insanity the states of California, New York, Illinois, Ohio, Wisconsin and New Jersey have improved techniques of ascertaining mental illness "in those individuals who have been accused of antisocial behaviour under their respective criminal codes" (Freedman, Kaplan, and Kaplan, 1967:1597:1598). Also, a person "can be found insane under a modified M'Naghten test such as the Colorado rule" (Wolman, 1977:444).

A more recent U.S.A. alternative test is that of "the guilty but mentally ill" (GBMI) court sentence instead of "not guilty by reason of insanity." The GBMI was presented by Rogers, Bloom and Manson in a paper read at the Annual Meeting of the American Academy of Psychiatry and Law in Portland, Oregon, October 18, 1983. The GBMI statute had three major objectives: (1) to protect society (the concept of public risk); (2) to hold some offenders who were mentally ill accountable for their criminal acts; and (3) to make treatment available to convicted offenders suffering from some form of mental illness (Klofas and Weisheit, 1986:492-493). These statutes "have been opposed in principle, by both the American Psychiatric Association and the American Bar Association" (APA, 1982; ABA, 1980; see also Morris, 1982; and Frey, 1983). In fact, the U.S. Department of Justice asked Congress "to abolish the insanity defense during both the Nixon and Reagan administrations, although more recently it has supported the ABA-APA proposals to narrow the defense" (Smith and Hall, 1982:605). In the insanity defense the major disagreement appears to be that "the organized medical profession wants to abolish the defense altogether, while the bar and psychiatric associations want to retain the defense but limit it fairly drastically" (Johnson, 1984:228). Specifically, in the GBMI court disposition "is a dispositional mechanism transferred to the guilty determination phase of the criminal process" (Melton, Petrila, Poythress, Slobogin, 1987:132).

Idaho and Montana began the experiment as an alternative sentencing verdict has been criticized as "we have experiments with abolition of the [insanity] defense" (Bloom and Rogers,1987:849). The GBMI was originally passed in Michigan. As of 1988 GBMI has been implemented in Alaska, Connecticut, Georgia, Illinois, Michigan, Pennsylvania, South Carolina, and South Dakota (Simon and Aaronson,1988). The literature review indicates a critical analysis of GBMI by some authors as "a verdict of "guilty but insane [GBMI] runs counter to the basic principle of our criminal law that to be convicted of a crime, the state must prove both a wrongful act and a guilty mind" (Sharpe,1987:431).

In some GBMI studies by Smith and Hall (1982) and Keilitz et al. (1984) case files were assessed in Michigan, Illinois and Georgia. Four interesting conclusions were ascertained from these studies. These conclusions are as follows: (1) GBMI has not replaced NGRI; (2) GBMI was frequently reached through plea-bargaining; (3) there were no clear trends when comparing length of sentence to persons simply found guilty, and (4) treatment for GBMI offenders is not more frequent than mentally disordered offenders in prison/jail inmate populations (Klofas and Weisheit,1986:493).

In 1982 the American Psychiatric Association's statement on the insanity defense "disavowed support for the "guilty but mentally ill" formulation incorporated into the laws of "Michigan" (Pallone and Chaneles,1990:103). The American Psychiatric Association, in 1984, endorsed R.J. Bonnie's proposal of "a modification of the legal standard for insanity (and, by extention, diminished criminal responsibility) in the case of the "voluntary ingestion of alcohol and other psychoactive substances" (Pallone and Chaneles:1990:103). The 1984 American Psychiatric Association endorsed "amendment" to legislation excluded voluntary ingestion of alcohol and/or psychoactive drugs to a diminished criminal responsibility plea. As

a result of the amendment there have been two consequences. They are as follows: (1) the M'Naghten-inspired [insanity] standard of the American Law Institute becomes amended. Also, (2) the biomedical scientists community are concerned about "breadwidth fidelity" in drug testing" (Pallone and Chaneles,1990:108). The American Law Institute insanity standard reads as follows:

A person charged with a criminal offense should not be found guilty by reason of insanity if it is shown that as a result of mental disease or mental retardation he was unable to appreciate the wrongfulness of his conduct at the time of the offense. As used in this standard, the terms mental disease or mental retardation include only those severely abnormal mental conditions that grossly and demonstrably impair a person's perception or understanding of reality and that are not attributable primarily to the voluntary ingestion of alcohol or other psychoactive substances.

Pallone and Chaneles,1990:104.

To return to Canada we have NGRI or unfit to stand trial NFST. In a recent article we are told that "15% of the prisoners need mental help. The data for this study was obtained from a confidential Ontario Government study indicated that 930 prisoners of provincial correctional facilities need psychiatric help and 120 of those should be immediately admitted to psychiatric hospitals. In fact, this report referred to what is called "the revolving-door syndrome" whereby patients are released by psychiatric hospitals, commit minor crime and end up back in jail so they will not have to live on the streets" (The Globe and Mail, Thurs.Aug.23.1990:A7) Conversely, in 1983, the state of Maryland's "Governor's Task Force to Review the Defense of Insanity: Report to the Governor" recidivism data showed that "a 5-15 year follow-up of 86 released acquittees [not age specific], found that 14% had a subsequent conviction for a potentially serious offense; one murder was committed by a released acquittee" (Roth,1986-87:94). The same

Maryland study indicated that "somewhat more than four percent of the release sample was again found not guilty by reason of insanity for a new offense" (Roth,1986-87:94; and Cohen,1984:123). In this context, any criminal recidivism by insanity acquittees offends (angers) the public's perception of justice because their perception is "we had him but failed to treat him" (Roth,1986-87:94). In other words, the "ping-pong" senario between the criminal justice system and the mental health institutions has been recognized.

The GBMI dispositional mechanism has been criticized as limiting or leading to abolition of the insanity defense. The NGRI takes a therapeutic programming as the elderly offender is sent to a mental health institution under a Warrant of the Lieutenant-Governor. In other words, the elderly offender is subjected to "some offenders we label criminals; others we give labels that have at their core a notion of mental incapacity" (Kaplan,1977:244).

The salient features of all the laws indicate that "the customary practice of automatic committment for insanity acquittees is not quite dead" (Johnson,1984:225). In the same vain, the Canadian M'Naghten type test or alternative testing NGRI or NFST outcome takes a therapeutic programming in a mental institution. The U.S. does not have a national Penal Code and uses a federal system that impedes legal acts being implemented on a national level. The U.S. has experienced several legal changes in the insanity defense, such as, (criminal responsibility) New Hampshire Rule (1869); Durham (product) test (1954); Durham-McDonald Rules (1962-1972); Brawner Rule (1972); ALI (volitional element) test (1983); Guilty But Mentally Ill (GBMI:1983); and, the Comprehensive Crime Control At of 1984. The great debate between the bar, psychiatric and medical positions is whether to (a) limit the insanity defense, or (b) to abolish the insanity defense. Is the GBMI verdict "guilty but insane" verdict different to the House of Lord's "guilty but insane" verdict in the Daniel M'Naghten case?

For elderly offenders and the insanity defense, it is at the point of registered conviction of NGRI that a "ping-pong" scenario and re-labelling occurs via the criminal justice system to mental health institutions to nursing homes or general hospitals or community programs or the street where a small percentage of insanity acquittees recidivate activating "the-revolving-door-syndrome" and once again experience a "ping-pong" scenario by all of the above institutions.

CHAPTER 5: STATISTICS

SHIFTING CRIMINAL DEMOGRAPHICS

At the turn of the century the 1900 U.S. Census estimated 4% or 3.1 million people in the United States were 65 and older (Ham, 1976:10). The 1971 White House Conference on Aging and recent statistics revealed the proportion of elderly institutionalized individuals comprised five percent [5%] of the total aged universe (Ham, 1976:2). Another 1971 report, by the National Center for Health Statistics, estimated one million people [5%] of the total aged population were institutionalized in full-time custodial care facilities (Ham, 1976:21). The August 7, 1989 issue of The National Law Journal reported statistics from the U.S. Federal Bureau of Investigation (FBI) and the Bureau of Justice statistics to arrive at a figure of 3.4 million people [2%] of the country's population is under some kind of correctional control (New York Times, Fri. Aug. 4, 1989:Y20). In 1991 the U.S. Bureau of Justice statistics reports "the number of adults under supervision of correctional authorities is now more than 4 million people (On The Line, ACA, Jan. 1991:1). The Bureau further reported the following disturbing correctional statistics:

.prison census	-	716,712
.jail census	-	350,000
.probation	-	2,386,427
.parole	-	407,596
.rate of incarceration		
per 100 thousand	-	285 persons; and
.number of prisoners		
in death row	-	2,397

(ACA: Ibid).

A current review of the literature reveals an increased frequency of elderly crime in the United States especially in the South (e.g., South Carolina's Park Correctional Institute). Consequently, changing demographics means a shift in criminal activity and the nature of crime that will have an impact on our correctional system (D.G. Evans, Ontario Association of Corrections and Criminology (O.A.C.C.), Spring Conference, Toronto, March 6, 7:1991).

Currently, longer sentences, police arresting the elderly more often and many other factors have led to a prison population explosion. "Since 1980 it [prison population] has grown 90 percent" (New York Times, Fri. Aug.4,1989:Y20). Clearly, the state has a great deal of power over a large number of people in the correctional system. In the tight economic times of the 1990's it is questioned if the state can continue to maintain this correctional control financially and politically. The elderly offender, while a minority of the prison population is still at the mercy of the state's decision-making process and power. With the demographic shift in their numbers in both the correctional system and the regular population, this issue of state control will continue to have a huge impact on the lives of this growing population.

According to Sol Chaneles, a [former] criminologist at Rutgers University, by the 21st century there will be an estimated 125,000 inmates over the age of 50, of whom 50,000 will be over 65 (ACA, March,1990:5). Forsyth and Gramling report a 171 increase in the number of crimes per 100,000 in the elderly population (McCarthy and Langworthy,1988:12). Between 1965 and 1984 "the percentage of total crimes committed by the elderly rose from .5 percent to .9 percent or four-tenths of 1 percent over a period of 20 years" (McCarthy and Langworthy,1988:12).

A factor that has an undeniable effect on crime is age. Szabo (1984:129) shows a correlation of the high crime rate in Canada seems to be directly related to the fact "that almost 70 percent of the population lives in urban centres." Since criminal statistics were first recorded around 1800 "the crime rate in Canada has been rising for the last 100 years" (Szabo,1984:198). In 1890 there were 120 convictions for serious crimes per 100,000 inhabitants; in 1970 this figure stood at 600 (Szabo,1984:198).

Statistics Canada showed in 1979 that "4.3 percent of the total number of persons charged with indictable offences in 1973 were aged 50 or over" (Jackson,1981:45). An unpublished study from the Ontario Ministry of Correctional Services, 1960 to 1983, revealed that elderly offenders comprise two percent (2%) of all provincially convicted offenders in Ontario over 50 years of age (Appendix II).

THE INVISIBLE ELDERLY OFFENDER

Feinberg and Khosla (1985) attempt to explain that the issue of the elderly offender appears to have perennial invisibility, although they represent (nominal) two percent of the total arrested population.

"every year, thousands of persons 60 years old and older are arrested in the United States. In 1981, for example, 213,000 elderly citizens were arrested, including 36,000 for serious crimes-murder, forcible rape, robbery, aggravated assault, burglary, larceny, motor vehicle, theft and arson - 56,000 for drunkenness, 49,000 for driving while intoxicated, and 15,000 for disorderly conduct."

Feinberg and Khosla,1985:46.

Despite their seeming invisibility increases in elderly crime have been cited by many authors: .5% or 1,500 (Krajick, 1979); and, in 1981, elderly offenders aged over 55+ was 2.5% or 10,957 (Flanagan, vanAlstyne, Gottfredsh,1982:342); between 1965 and 1984, 322% (Forsyth and Gramling); and, police arrest rates for the 55+ population was 224% (Shichor and Korbin,1978). These statistics about elderly crime increases is not being addressed politically, legally or in the criminal justice apparatus because the issue of elderly crime is seemingly invisible. That is, a minority as two [2] percent of arrest and prison populations. Instead, emphasis is on majority populations, such as, the young offender.

Although the North American statistics on elderly offenders show only a small percentage of total prison admissions they highlight the existence of a significant minority group of older people. Numbers are not the only important factor when considering elderly offenders. What is significant about elderly offender statistics is the perception or the meaning of the numbers. For example, Feinberg and Khosla's (1985) study shows that in 1981 a large group of people (213,000 in 1981) are arrested in their older years. It should also be noted that the above figures would not include all elderly offenders as many would be serving in a court-sanctioned community disposition - probation, parole, fine option program, community service order (CSO), restitution (VORP), and shoplifting programs among other pre-and-post diversion programs in the criminal justice system (Weingand and Burger,1978-79 ; Pease and McWilliams,1980; Feinberg,1983; Goetting,1983,1984; D.G. Evans, 1984/85; Chaneles,1987; Hays and Wisotsky,1969; Moore,1978; Panik and Morley,1977 and Meakings:1989).

In analyzing statistics for elderly offenders not only must the institutional count be considered, but community correctional counts must be added to obtain the total number of elderly offenders. For example, the Ontario Ministry of Correctional Services 1989 Annual report published the following statistics:

Institutional Count:

.persons admitted to jail and detention centres (all ages)	51,419	100%
.persons admitted to jails and detention centres aged 51-64 years 2,174 and 65+336	2,510	4.9%
.persons sentenced to imprisonment in jail and detention centres aged 51-64 years 1,598 and 65+231	1,829	3.6%
.count of offences charged by police (all ages)	193,969	100%

Community Correctional Count:

.probation (all ages)	34,500	100%
.probation aged 51-64 year aged 51-64 years 1,006 and 65+156	1,162	3.4%
.parole (all ages)	1,536	100%
.parole aged 51-64 years 127; and 65+17	144	9.4%

Ministry of Correctional Services, Toronto, 1989:36,43.

The elderly offender in the Ministry of Correctional Services (1989) Annual Report indicate that the issue of elderly crime remains invisible. In fact, less than ten percent of institutional or community corrections statistics are in the elderly cohort. Consequently it is the 90% younger age cohort in both institutional or community corrections that may be recognized as statistically significant. This means that policymakers, administrators and other professionals may look at the larger numbers of people in both institutional and community correctional programs, i.e., the young offender, when making decisions about the development of new programs or new facilities. In other words, the elderly offender according to the Ministry of Correctional Services 1989 Annual Report is a minority group of institutional and community numbers and consequently they may not be considered for new programs or new facilities. This perspective is congruent with Joseph Neal Ham's (1976) "forgotten minority."

THE VIOLENT ELDERLY OFFENDER

Newman, Newman, Gewritz and Assoc. (1984) indicate that definitional differences affect the range in elderly arrest rates. For example, murder, aggravated assault, forcible rape and robbery consists of 23% and by adding common assault it increases to 45% in elderly arrest rates of violent crimes for elderly offenders. In Canada, "violent crime in 1988 comprised 9.7% of total Criminal Code offences [not age specific]. This figure includes 0.2% homicide cases and 5.2% fraud cases (Canadian Centre for Justice Statistics, 1989:32,45).

Human axe assaults are generally deplored by society. Firstly, Newman, Newman, Gewritz, and Assoc.1984:106,107) depict "A limping, poorly dressed 69-year old woman with a cane has been arrested for striking her adult daughter in the face with either an axe or a wrench (weapon not recovered). An ironic dilemma for the police in processing elderly offenders is the preception of harshness. In this case, in front of the officer, who is obviously a reluctant participant in this process, she sits hunched in a chair, rocking back an forth, and quietly begins to sing gospel songs. She had been jailed overnight, and her case had been referred to family court by the criminal court judge because it was most appropriately "a case for a social worker." In her case, the concern and sympathy of the documentary producers, the viewers (who are never shown the victim), the police, and eventually the court lie with the axe wielder rather than with the victim.

In the present work, Table 1 Miscellaneous category includes the second case of an axe assault. A 57-year old man has admitted attacking his wife and daughter with an axe and a hot clothes iron. As the headline reported: HE ADMITS AXE ATTACK ON WIFE; and, INJURED MAN WHO CUT OFF HIS WIFE'S EAR RULED INSANE:

The couple's relationship had deteriorated since a car accident three years before, the court heard. The couple argued the morning of the attack. Then, the wife went to sleep on the couch and the husband ate breakfast.

The wife awoke to find her husband attacking her with an axe. The wife had part of her left ear cut off in the attack last Nov. 11. She was admitted to an intensive care unit for burns on her face, chest and thighs, prosecutor John McMahon said.

Court was told the woman staggered away but the husband followed her and burned her face, chest and thighs with a hot iron. She's had plastic surgery to repair the burns and to re-attach a piece of her left ear, Judge David Humphrey was told.

He also hit his daughter with the blunt edge of the axe when she came to see what was going on.

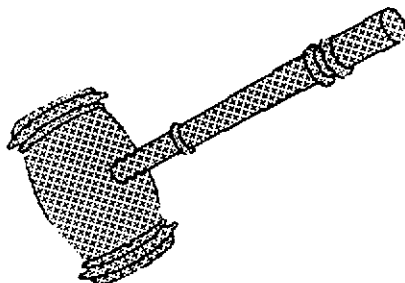
He pleaded guilty in District Court to aggravated assault and assault with a weapon.

This is tragic indeed. He was described as an industrious, hardworking man all his life, be one who suffered permanent brain injury in a 1985 car accident were the comments at sentencing (verdict) by District Court Judge Dave Humphrey.

The court agreed with a joint crown-defense recommendation that the husband be found not guilty by reason of insanity (NGRI).

Therefore, the Judge ordered indefinite confinement in a maximum security psychiatric hospital pending a periodic review.

The Toronto Sun, Fri. June 2, 1989:38; and,
The Toronto Star, Fri. Sept. 27, 1989:A27..



Van Hentig (1947:152) study found that "the older man falls back on primitive means of violence. Newman and Newman found that "elderly persons in the U.S. are more likely to use a gun than other weapons, strangulation, or beating to murder victims" (Fattah and Sacco,1989:49). Congruent to Newman and Newman's study A. Goetting's (1985) study of homicide in Detroit, U.S.A. "found that nearly 80 percent of the homicide perpetrated by the elderly were executed with firearms. Other methods used by the elderly were: beatings 8.2 percent and burnings 4.1 percent" (Fattah and Sacco,1989:49). Wolfgang (1961:50) found that "negro males in their early sixties as frequently kill as do white males in their early twenties." The violent case cited above concurs with Van Hentig (1947) and Ann Goetting's (1985) perspective of elderly perpetrators.

Two forensic psychiatrists at the Clarke Institute, M.H. Ben-Aron and Stephen J. Hucker examined records at the Toronto Clarke Institute between 1966 to 1979. The N=70 comprised of 16 violent offenders, 43 sex offenders and 11 miscellaneous cases. Keller and Vedder (1968) and Epstein, Mills, and Simon (1971) indicated "while the relative rarity of the more serious offences occurring in old age needs to be clearly acknowledged, the fact that previous studies by sexual and violent offences by the elderly are few in number" (Newman, Newman, Gewirtz and Assoc.,1984:67). Violent crimes committed by elderly offenders challenge the North American basic sentencing structures. For example, "to a 75-year-old offender, three years may be a life sentence" (Newman, Newman Gewirtz and Assoc,1984:xxii). In the present work, the Miscellaneous category Table 1 reveals a case in point. As the headline reported: 81-YEAR-OLD JAILED FOR SEXUAL ASSAULT:

An 81-year-old man was found guilty of forcing the child to pose nude while he took pictures of her, then he tried to have sex with her. He was sentenced yesterday to 2 1/2 years in prison for sexually assaulting a 10-year old girl three years ago.

I don't know what that does to a 10-year-old. I don't know what that leaves her with for the balance of her life said Madam Justice Ruth Krindle. The girl now 14, had said the man's perversions taught her never to trust a man again said David Rampersad, Crown Attorney.

Madam Justice ruth Krindle of Manitoba Court of the Queen's Bench in Winnipeg, Alberta said she realized the prison term could amount to a life sentence for him, but the Justice said she had no choice.

He will be the oldest prisoner at Stoney Mountain Penitentiary, an assistant warden, Irvine Hildebrand said.

Legal counsel said he would file an appeal, arguing a prison term for his client would be like sending him away for life said Richard Wilson, the defense lawyer.

The Hamilton Spectator
Wed. May 11, 1988
p.B5.

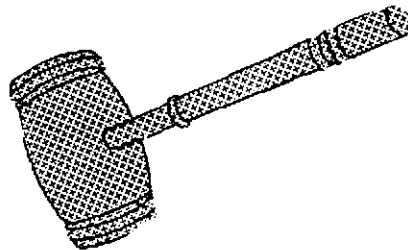


Table 1 (below) breaks down the offense, crime committed and age at a sample size of 389 elderly offenders in Canada and the United States. The key point in Table 1 is that it appears to be an inverse correlation that charges digress toward the older years of life. The same perspective is expanded in the work of Cutshall and Adams (Criminal Justice Review, 8:1:1983).

Hirschi indicates "no fact about crime (i.e., age) is more widely accepted by criminologists" (Hirschi and Gottfredson, 1983: 552; McCarthy and Langworthy, 1988:66). Age on crime variables in the literature review are argued as a non-spurious relationship (Greenberg and Larkin, 1985:230; Steffenmeier, 1987). A common image of the impact of age on crime in the literature review is also argued as an inverse (negative) relationship or correlation. The following areas in the literature review show an inverse correlation: (1) causation concurs with Duffee (1984); (2) crime declines as a direct relationship of the age variable (McCarthy and Langworthy, 1988:66); (3) charges digress toward older years of life is congruent with Cutshall and Adams (1983); and, (4) age increases and the length of sentence declines is put forth by Champion (1988); Wilbanks (1985) and the (1980) Dade County homicide study (Alston, 1986:132). Conversely, Linquist, White and Chambers (1986) produced mixed results in their study of felons and misdemeanants, with some classifications of older misdemeanants actually receiving more severe sentences than their younger counterparts (McCarthy and Langworthy, 1988:110).

In the present work, for N=179 the mean length of sentence is 15.5 years (the standard deviation of length of sentence is 29.50), the mean age is 64.8 years and (the standard deviation of the age is 8.15). The correlation between length of sentence and age is .0301. The p value for the correlation is $p=.001$ (a two-tailed p). If we take out everybody who commits suicide there is a negative (inverse) correlation and $p=.0048$. By adjusting for those who commit suicide and murder, the present work shows that there is an inverse correlation. If you leave in the individuals who commit murder and just look at murder then you have a correlation of .01 and the p

value is $p=.12$. This is not statistically significant as it is not $p=.05$ or less. The present work, does not meet any assumptions due to the fact that it is not a randomized sample. The sample size for this work was $N=389$, but, journalistic reporting only afforded reporting length of sentence on 179 individuals. This, also, affected the correlation and any attempts to meet the assumptions. Therefore, by removing suicide and murder the present work shows an inverse correlation that is fully congruent with Champion (1988); Wilbanks (1985) and the 1980 Dade County homicide study (Alston,1986:132).

Table 1: Distribution of Elderly Offenders by Offence, Crime and Age

Age	WAR CRIMES			MURDER			FRAUD			MISCELLANEOUS			TOTALS		
	No.	%	Charges (Count)	No.	%	Charges (Count)	No.	%	Charges (Count)	No.	%	Charges (Count)	No.	%	Charges (Count)
55-59	-	-	-	30	7.7	59	36	9.3	696	73	18.8	495	139	35.8	1,250
60-69	2	0.5	2	22	5.7	183	55	14.1	1,105	83	21.3	794	162	41.6	2,084
70-79	12	3.1	31,490	17	4.4	19	11	2.8	74	25	6.4	74	65	16.7	31,657
80-89	4	1.0	20,327	6	1.5	7	3	0.8	6	5	1.3	21	18	4.6	20,361
90+	1	0.3	1	2	0.5	2	0	-	-	2	0.5	2	5	1.3	5
TOTAL	19	4.9	51,820	77	19.8	270	105	27	1,881	188	48.3	1,386	389	100	55,357

Source: Case Studies

Notes: These cases were hand computed using North American newspapers from April 1988 to November 1990. Therefore, the sample is not randomized. The validity and accuracy varies due to using journalistic accounts.

The number (count) of criminal charges are calculated according to numerical numbers reported in individual newspaper articles. Omissions and errors did occur in newspaper accounts.

Table 2: Distribution of Court Disposition and the Offence

Murder

Age	Alcohol		Health		Domestic Disputes		No Report		No.	%
	No.	%	No.	%	No.	%	No.	%		
55-59	1	0.3	1	0.3	8	2.1	20	5.1	30	7.7
60-69	2	0.5	-	-	4	1.0	16	4.1	22	5.7
70-79	-	-	3	0.8	8	2.1	6	1.5	17	4.4
80-89	-	-	2	0.5	4	1.0	-	-	6	1.5
90+	-	-	-	-	-	-	2	0.5	2	0.5
TOTAL	3	0.8	6	1.6	24	6.2	44	11.2	389	100

Table 3: Distribution of Court Dispositions And the Offense

Miscellaneous

Age	Alcohol		Health		Domestic Disputes		No Report		No.	%
	No.	%	No.	%	No.	%	No.	%		
55-59	5	1.3	1	0.3	-	-	67	17.2	73	18.8
60-69	1	0.3	-	-	-	-	82	21.1	83	21.3
70-79	1	0.3	4	1.0	-	-	17	4.4	25	6.4
			3	0.8						
			(age considered)							
80-89	-	-	2	0.5	-	-	3	0.8	5	1.3
			(age considered)							
90+	-	-	-	-	-	-	2	0.5	2	0.5
Total	7	1.9	10	2.6	-	-	171	44.0	389	100

In the 19 case studies of War Crimes only five individuals had their health status indicated in the newspaper accounts. The remainder were no report in regards to health, alcohol or domestic disputes. In the 105 case studies of Fraud only two cases reported health, and alcohol and domestic disputes were not reported in the newspaper accounts.

Table 4: Distribution of Elderly Offenders by Age and Court Status

Age	War Crimes				Murder				Fraud				Miscellaneous			
	Accused	Convicted	Acquitted	Re-Trial	Accused	Convicted	Acquitted	Re-Trial	Accused	Convicted	Acquitted	Re-Trial	Accused	Convicted	Acquitted	Re-Trial
55-59	-	-	-	-	30	11	3	-	36	14	8	-	73	27	5	1
60-69	2	2	-	-	22	9	1	1	55	15	4	3	84	18	3	2
70-79	12	1	1	1	17	9	1	-	11	3	2	-	25	10	2	-
80-89	4	1	1	-	6	2	-	-	3	1	-	-	4	-	-	-
90+	1	-	1	-	2	1	-	-	-	-	-	-	2	-	1	-
TOTAL	19	4	3	1	77	32	5	1	105	33	14	3	188	55	11	3

Note: Court Status means: Accused, Convicted, Acquittals, Te-Trials

Table 5: Distribution of Elderly Offenders by Age and the Situation

Age	War Crimes				Murder				Fraud				Miscellaneous			
	Penal Inst.	Mental Inst.	Comm./ Prob.	Suicide & Death	Penal Inst.	Mental Inst.	Comm./ Prob.	Suicide & Death	Penal Inst.	Mental Inst.	Comm./ Prob.	Suicide & Death	Penal Inst.	Mental Inst.	Comm./ Prob.	Suicide & Death
55-59	-	-	-	-	10	1	1	3	2	-	3	-	21	2	14	1 (attempted)
60-69	2	-	-	-	7	2	1	3 1 attempted	16	-	14	2	15	-	12	5
70-79	5	-	1	-	9	-	2	1	3	-	1	3	4	-	8	1
80-89	2	-	1	-	3	1	-	3	-	1	-	-	2	-	-	-
90+	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-
TOTAL	9	-	2	-	29	4	5	11	21	1	18	5	42	2	34	8

Note: Situation means: Penal Institution, Mental Institution, Community/Probation, Suicide and Death.

STUDIES: THE VIOLENT OFFENDER

The need to be just and fair in a system that holds death and confinement as possible outcomes is the grey overlapping area in both the criminal justice system and the mental health institutions where the elderly offender virtually disappears statistically. Literature is sparse. For example, the author of the present work reviewed ten U.S. and eight Canadian NGRI studies. NGRI was sub-grouped in the U.S. studies as follows; Roth (1986-87) diversion. Pantle, Pasewark and and Stedman (1982) and the Report on the President's Commission of the district of Columbia (1958-65) compared mental institution confinement rates to the criminal justice system incarceration length. Monahan, Hartstone, Davis and Robins (1982) analyzed a three states study comparison of recidivism rates of NGRI and felons.

The predictor of violence was examined by (1) Coccozza, Melick and Stedman (1978) to compare recidivism rates to civilly committed persons as a predictor of violence, and (2) Rosner, Wiederlight and Schneider (1985) compared competence to stand trial NFST as a predictor of violence. The latter study in a sample of 25 for violent crimes "45.5% were aged 70 and over" (Rosner, Wiederlight, and Schneider, 1985:735). Bloom and Rogers (1982) contend that forensic psychiatry draws its vitality from the law, e.g., the hidden aspects of the insanity defense. Hastings and Bonnie (1981) found 60-80% NGRI psychotic and the New York State Department of Hygiene (1977-1982) showed NGRI patients as 8 persons in 1977 and the patients increased to 37 persons in 1982 or a 462.5% increase.

Stedman and Coccozza (1978) asked citizen respondents to name offenders that could be classified (1) insane, (2) incompetent to stand trial, and (3) prisoners who had become mentally ill. The range in the above studies was from no report to 78 years of age. The sample sizes varied from no report to 417. The U.S. studies gives credence to the labelling theory "as those labeled "criminals" [or, NGRI] were liable to the tagging because they fit some public's prejudiced stereotype of the criminal" (Nettler, 1978:305). The U.S. studies also show the "ping-pong" senario between the criminal justice and mental health institutions for elderly offenders because the public fears not only the criminal and the insane, but, also the "dark figure" of crime.

MENTAL HEALTH STATISTICS

In calculating the criminally insane "national statistics are lacking' (Roth:1986-7:93). Webster, Phillips and Stermac (1985) prepared a paper on 1983 data entitled "Persons held on Warrants of the Lieutenant Governor in Canada" to provide much needed, up-to-date descriptive data on the Canadian WLG population. The authors found difficulties in coordinating even simple data. A literature review is sparse, but, on the Canadian National level Quinney and Boyd (1977) indicated that 677 persons were under a WLG. The Webster, Phillips and Stermac (1985) study reveals that in nine Canadian provinces 867 persons were under a WLG [not age specific]. In this data, 322 (Ontario) and 285 (Quebec) comprised 70.43% of the national WLG level. The Ontario mean age was 38 indicting a certain percentage would be over the age of 55+ in a frequency distribution.

Ontario studies have been undertaken by Quinsey (1981); Phillips, Lando, Sepejak and Gillis (1983, unpublished) and a Quebec cohort (Hodgins, in press). Nationally in Canada Coles and Grant (1990:239) state: "Today, there are over 400 patients on Warrants and

their numbers are being added to a rate of 50 to 70 per year." The authors indicate that NGRI elderly offenders are sent to a hospital not a prison. As "a special class of patient" (Coles and Grant, 1985:239) the label changes from "offender" to "patient". The Webster, Phillips and Stermac (1985) methodology for data was "extracted from files by staff of the Provincial Lieutenant Governor's Boards of Review in 1983." The state or ministry of Health operates "ten regional psychiatric facilities...or a psychiatric facility of a public hospital" (Coles and Grant, 1990:240). In Ontario, for example, an elderly offender given a court disposition of NGRI would be sent to the Penetanguishene mental Health Centre" (Coles and Grant, 1990:240).

A 1988 journalistic headline read: "BY REASON OF INSANITY" where the director of forensic psychiatry at the Royal Ottawa Hospital, Ontario said "150 of the 500 warrants should have been left in the criminal justice system" (The Toronto Sun, Sun. April 17, 1988:34). In the 500 WLJ the Ontario mental health system would reduce the patients by 33.33% to the criminal justice system. The re-labelling to "offender" creates a "ping-pong" senario. At a national level from all mental health facilities similar statistics might be projected to the prison admission rates in the criminal justice system. The results would cause chaos in an already overcrowded criminal justice system. In the insanity defense statistical calculations must include any hidden aspects. For example, the United States study on insanity acquittals suggest hidden aspects of the insanity defense, including plea bargaining to show "more than 80% of the acquittals do not reach trial" (Bloom and Rogers, 1982).

To gather accurate statistics on the criminally insane or NGRI presents limitations in the data. For example, the author of the present work in May 1991 placed a telephone call to the Ontario Board of Review that revealed WLG statistics in Ontario are not gathered by age. In the criminal justice system, the Attorney General Department is responsible for criminal processing of elderly offenders at the court level and this state agency does not gather age specific statistical data.

The overall North American statistics shows the elderly offender utilizing the insanity defense as a minority group in criminal justice and mental health statistics. In the present work the sample of 389 the same observation is drawn. For example, only seven cases or 1.8% of the elderly offenders were found guilty by reason of insanity. The case studies sample size represents a small percentage of elderly offenders in North America use the legal defense of insanity.

WHICH SYSTEM, WHICH LABEL

Total institutionalization for elderly offenders begins at the point of apprehension by the police to imprisonment or confinement in a mental health institution. Labels vary at various junctures along this route. The data in "Table 5 DISTRIBUTION OF ELDERLY OFFENDERS TO PENAL INSTITUTION, MENTAL INSTITUTION, COMMUNITY/PROBATION, SUICIDE AND DEATH" indicates statistical validity and reliability are questioned because not all journalistic accounts include the court disposition (verdict). Many elderly offender cases never get printed in newspapers. Many cases are dragged through the courts over a period of two or more years. All of these reasons make it impossible to report a one-hundred percent final court disposition for elderly offenders when using newspaper articles as the data base.

The deciding factor for elderly offenders at the court disposition is "whether the mental hospital would be a more suitable place of confinement than the prison" (Foucault, 1979:21). The label varies in prison or the mental hospital to create a "ping-pong" scenario for elderly offenders using the insanity defense. For example in the data Table 5 indicates of the 389 sample only 7 or 1.8% of elderly offenders were sent to a mental institution which changed their label from "offender" to "patient." A large proportion of elderly offenders 59 or 15.2% received a community disposition or probation. Not all elderly offenders survived the ordeal as 27 or 6.2% either died in the criminal process or committed suicide.

The bulk of the data in Table 5 shows the penal system or "offender" label applies to 101 or 26% of elderly persons in the sample. Table 5 includes only 49.2% of elderly offenders in the sample. The "ping-pong" scenario applies to a small proportion of the sample. But, circumstances could add elderly offenders in the community or on probation to the "ping-pong" scenario.

STUDIES: MENTAL ILLNESS

The literature review centering around the general elderly are U.S. based discussing three issues: (1) lack of uniform knowledge, (2) mental states, and (3) learned helplessness. Miller (1985) addresses lack of uniform knowledge in outpatient commitment by mental health directors and attorneys general; and, Goldman, Feder and Scanlon (1986) extend this to include conflicting and ambiguous court decisions on regulations and laws. Yet, on the front-line caregiving nursing assistants have no gerontological training to attend the elderly's special needs according to Lehman and Vargo (1979).

Mental states are addressed in seven classical studies from 1956 to 1969 including Simon and Talley (1969) examines the association of physical and mental illness in the elderly. The organic functional mental disorders are linked to violence by Solomon (1982). Meeks et al. (1990) estimate nursing home residents have 50-60% psychiatric histories and "approximately half of these residents have been classified psychotic." Yet, Blazer et al. (1987) put forth The Epidemiologic Catchment Area (ECA) of the National Institute on Mental Health studies underestimate mental illness in the elderly.

Petrie, Lawson and Hollender (1982) analyze learned helplessness and Solomon (1982) extends this to include violence in the elderly being associated with organic and functional mental disorders. Tarrier and Larner (1983) and four other studies from 1974 to 1985 investigate the limitations of individual directed changes without staff input concurring with Baler (1963). McDonald and Butler (1974) analyze the sick role being reversed by behaviour modification. The above studies on the general elderly range from no report to 60 and over. The number of cases in each study were often not reported.

In the literature review elderly studies in the U.S. focused on (1) arrest rates, (2) mentally ill offenders, (3) health issues, (4) the homeless and crime and (5) NGRI. Steffenmeier (1987) investigated elderly crime over a 20 year period and documented the nonspurious nature of elderly criminality. The crime arrest rates among the elderly were examined by Shichor and Korbin (1978), and Covey and Minard (1987). The Inciardi study (1987) Reports violent crimes among the elderly increased by 76 percent. Mentally ill prisoners studies have been examined by (1) Phillips, Wolfe and Coons (1984) on Native offenders and mental health, and (2) L. Teplin's (1985) landmark Chicago study at Cook's County Jail in a sample of 728 mentally ill offenders revealed that 50% or 364

offenders had committed felonies. The California Department of Corrections (1989) study extended Teplin's study finding 7.9% currently suffered from mental disorders (Corrections Today, Dec.1990:172). Kratcoski and Walker examined 2,600 cases of nonjustifiable homicide from the Cuyahoga County, Ohio coroner's records from 1970 to 1983. The results showed that elderly homicide was disproportionately committed in the home, and, in the 60+ category there is a high proportion of white males. The Los Angeles County criminal justice system recently reported that "more than half of those charged with misdemeanors [minor crimes] had been living in cheap hotels, in emergency shelters, or on the street" (Lurie and Swan,1987:221).

Alcohol use by elderly offenders who commit violent crimes are likely to be either intoxicated or to some degree under the influence of alcohol at the time of the crime (Jennison, Federal Probation, Sept. 1986:60; Ham,1976; Krajick,1979; and Wiegand and Burger,1979). In the above studies the range was from no report to the 65 and over category. The sample size was from no report to 728 offenders.

Returning to Canada, Coles and Grant (1990:246) study concurs with Roth (1986-87) that NGRI "are generally diverted from the criminal justice system into the mental health system where they are treated for their mental illness rather than punished for their crime." Jobson (1969) was an early study of mentally disordered persons admitted as inpatients to the Nova Scotia Hospital under the auspices of the Criminal Code [criminal law]. Robert J. Menzies and C.D. Webster (1987) discussed (1) the disappearance of forensic patients into mental health and criminal justice systems, and (2) the consequences of mental hospital deinstitutionalization as "health justice" via "bus therapy" [see Toch (1982)]. Elderly criminality associated with violent crimes was addressed by (1) Webster, Phillips and Stermac (1985) and, (2) Hucker and Ben-Aron (1984) sample of 16 violent crimes showed 19% were found NGRI. In the above studies the range was from no report to 60 and over. The sample size in the above studies varied from no report to a sample size of 867.

In Canada, R. Menzies and C. Webster (1988) exhibit a central forensic issue, the saliency of treatment at a clinical assessment agency providing evaluation of criminal defendants in Canada. Coles and Grant (1990:239) address the issue to reduce the risk of antisocial behaviour every effort has been made through treatment to re-integrate the NGRI patient or elderly offender to the community at the functioning level of an ordinary citizen. Hodgins (1988) study investigated (a) organization and (b) funding of mental health services in Canada for individuals accused or convicted of criminal offences found NFST and NGRI. G. Harris and M. Rice (1988,1989) addressed (1) the problems demonstrated by patients prior to admission or within the regional psychiatric hospital, and (2) examined pre-trial psychiatric evaluation of (a) insanity acquittees, and (b) a random sample of persons accused of a criminal offence that psychiatric assessment found them not insane. For the minority group of elderly offenders and the insanity defense to become a citizen through re-integration it is the community's perception of fitness or sanity that must be met.

SUMMARY

The author of the present study hypothesis is the label for the elderly offender and the insanity defense is applied within the criminal justice system and is re-defined to patient within the mental health system. The re-defining elderly as "offender" or "patient" creates a "ping-pong" senario for the elderly offender utilizing the insanity defense. Schur (1971:171) cautions labelling theoriest to "Avoid unnecessary labelling" (G. Nettler,1978:305).

CHAPTER 6: SOCIAL POLICY ISSUES

WHETHER SOCIAL POLICY

The unit of analysis for social policy purposes is the elderly offender (Morton and Anderson, 1982; Bachand, 1983; Gewerth, 1984; and Taylor and Parrots, 1988). The grey area of overlapping circles are (a) the criminal justice system, and (b) the mental health institutions where the Elderly Offender and the Insanity Defense disappear equals a social policy issue. In the "ping-pong" scenario between the criminal justice and mental health institutions the elderly offender is often re-labelled and re-classified. For example, as a consequence of demographics, two-hundred elderly inmates due to chronic ailments and aging were labelled "ill" or "patient" instead of "offender." A recent article entitled "Leprosy Center Takes 200 Ill Inmates" states:

Two hundred cronically ill and aging federal inmates from crowded prisons in Springfield, Mo, and Fort Worth, Texas, were sent in December to live at a 300-acre research center in Carville, La., that the houses 180 patients suffering from leprosy. The inmates were moved because the Bureau of Prisons has a shortage of long-term medical care centers. The leprosy patients will be segregated from the inmates, who are receiving long-term medical care from the Department of Health and Human Services.

Corrections Today, Feb. 1991:14.

It is necessary to involve both the community and researchers to develop a balanced approach to focus on "the field of geriatric mental health services research" (Lurie, Swan and Assoc., 1987:vii). The present work deals with the Elderly Offender and the Insanity Defense. Here, "the "not guilty by reason of insanity" [NGRI] plea is designed to cover an aberrant mental state

in the past" (Webster, Phillips and Stermac,1985:28). The not fit to stand trial [NFST] or "unfitness deals with the person's inabilities in the present" (Webster, Philips and Stermac,1985:28). The question of insanity can and does effect who should go where and for what purpose. The Elderly Offender experiences a "ping-pong" senario between the criminal justice system and the mental institutions. Mental states do vary. Whereas:

Many accused people who were insane at the time of their offence are no longer insane at the time of trial. As noted by S.L. Golding, D. Eaves and A. Rogow, such individuals are typically remanded for an assessment of fitness to stand trial at their first court appearance. They are subsequently found to be unfit to stand trial, and then effectively treated before their trial commences. They are consequently not insane at the time of admission into a psychiatric facility subsequent to being found not guilty of their offence by reason of insanity.

Coles and Grant,1990:243.

THE AIMS OF THE STATE POLICY RE: ELDERLY OFFENDERS

G. Groh's (1983:73-79) publication "What doctors think of the insanity defense" showed 83% of our professional colleagues indicated their belief that psychiatric testimony in criminal trials is harmful to the profession" (Roth,1986-87:100). Psychiatrists, the medical profession, make assessments on Elderly Offenders. The result of the assessment means they may be detained perpetuating a "ping-pong" senario by the criminal justice system via a medical mental assessment by the mental health institution.

THE STATE'S CAPACITY TO PUNISH OR REHABILITATE

In the mid-19th century the American Insane Asylum like the penitentiary provided a custodial operation and both institutions remain central to public policy (Rothman,1971). The custodial operation is evident in the state's limited capacity to punish financially due to government budget cuts and resulting heavy tax burden to citizens." It costs very large sums of money to detain and monitor a person under warrant" (Webster, Phillips and Stermac,1983:36). The "ping-pong" senario includes the Elderly Offender and the Insanity Defense as "pseudo-offenders or special needs offenders" according to authors Briar and Snow (Pallone and Chaneles, 1990:147).

David E. Duffee presented a paper at the First Annual Elderly Offender Conference (1982) entitled "A Research Agenda Concerning Crime Committed by the Elderly" (Newman, Newman, Gewritz and Assoc.,1984:212). Duffee says "we should be examining whether decisions to deinstitutionalize the elderly have increased their presence in the criminal justice system" (Newman, Newman, Gewirtz and Assoc., 2984:216). The "ping-pong" senario or "flip-flopping of priorities could perhaps be avoided...researchers and policymakers can have some initial discussions about the possible shape [or, context] of the [social] problem area [the Elderly Offender and the Insanity Defense] according to Duffee (Newman, Newman, Gewirtz and Assoc.,1984:219). There appears to be a lacuna in decision-making of the context of which social policy is being considered (Donald G. Evans, O.A.C.C. Spring Conference, Toronto, March 7,1991).

State deficit problems are paramount to any policy implications for elderly offenders. For example, three hundred years ago, the technology of the architecture of the prison was designed as a major social control weapon to detain people who did not obey the law. That investment and the state's problem of

financial deficit across the United States today is crippling their budget. It is necessary to remind ourselves that the state has a limited financial capacity and limited political capacity to punish (Donald G. Evans, O.A.C.C. Spring Conference, Toronto, March 7, 1991). To rehabilitate (correct) elderly offenders is an issue the state has limited capacity to formulate. Arguably, "none of the law's purposes of punishment, deterrence, or rehabilitation are fulfilled when a mentally ill person, whose behaviour is casually related to illness, is punished as a criminal rather than treated as a patient" (Roth, 1986-87:95). The question is - Rehabilitate elderly offenders using the insanity defense to what? Jobs? Education? Volunteerism? Improved Interpersonal Relationships? Spiritual insights?

Some authors have implied that state budget cuts affect the elderly offender in the "ping-pong" scenario between the criminal justice system and the mental health institutions. For example, Briar and Snow state "Jail serves as a modern day asylums" (Pallone and Chaneles, 1990:147); "Jail becomes the mental facility of the last resort" (Corrections Today, Dec. 1990, 167); "Who Should Go Where And For What Purpose" (Menzies and Webster, 1987:289); "Jail saturated with mentally ill..." (Globe and Mail, Thursday, March 22, 1990:A15); "Ex-patient raps Oak Ridge 'dungeon'" (The Hamilton Spectator, Saturday, April 29, 1989:A1). "Relic of another age: treatment refusals by some patients can pose problems" (The Hamilton Spectator, Saturday, April 19, 1989:C3); and "A long road to freedom for the criminally insane: St. Thomas residents fear out-patients from hospital (The Toronto Star, Sunday, July 25, 1988:A9). The problem of state budget cuts can create a "ping-pong" scenario for elderly offenders utilizing the insanity defense.

The deficit means the state's financial pie does not increase. The taxpayers hardly would accept more taxes for the criminal justice system. To translate the taxes "in corrections Ontario spends .09 of all taxdollars and Canada spends .06 of all taxdollars" (Donald G. Evans, 1987). It is necessary to look at the Gross National Product (GNP). Chan and Erickson (1981:46) decipher the one percent GNP to be spent on the criminal justice system as follows: police (60%); corrections (30%); and courts (10%). The pragmatics of state funding is small and that emphasizes the need for alternative funding.

In fact, finances are already siphoned off state Health, Education and Welfare Budgets. When funding is siphoned off these other ministries these financial adjustments in the long-term cause effects to (a) programs and (b) prevention (Donald G. Evans, O.A.C.C. Spring Conference, Toronto, March 7, 1991). The state's limited ability is evident in the following example: "in 1989, the Minister of Health, Elinor Caplan "has said building a new Oak Ridge [mental institution] is "a priority," there has been no firm commitment - either in planning or dollars - from the ministry" (The Hamilton Spectator, Saturday, April 29, 1989:C3). The above examples are clear evidence that state run ministries have a limited capacity to punish both financially and politically. In turn, the state has a limited capacity to correct elderly offenders in both the criminal justice system and the mental health institutions due to the lack of funds and programs.

Instead of policy explanations researchers and policymakers must conversely address policy explications. That is, "research can be implied in policy options and the formulation of the research can be used to explicate assumptions and clarify the organization of action" (Newman, Newman, Gewirtz and Assoc., 1984:220). To determine the conceptual rubric guiding the search for unalterable facts about the elderly offender "is not a high-priority investment of public

money* (Newman, Newman, Gewirtz and Assoc., 1984:219,220). The public money earmarked for state run institutions, such as, the criminal justice system and mental health institutions includes public or social policy. The development of alternative funding and alternative social policies will be necessary in dealing with the elderly offender and the insanity defense.

ADMINISTRATORS

The criminal justice system and mental health administrators and policy people organizations must pay closer attention to demographic changes, that is, the increased numbers of elderly in the population. For example, "by 1984, the over-65 age category numbered 28 million persons" (American Association of Retired Persons, 1985:1). Administrators must understand, interpret and try to understand what relationship demographics has in the way they do business or will do business in the future (Donald G. Evans, O.A.C.C. Spring Conference, Toronto, March 7, 1991). For example, Michael Wilson's 1991 ministry has a great number of people to tackle social policy issues for elderly offenders, but budget restraints may affect social policy options. In turn, it is the elderly offender utilizing the insanity defense who loses (a) to the demographic shift and (b) to state budget cutbacks.

Unique problems for correctional and mental health management are posed by the demographic changes to elderly offenders. In a study examining patterns of adjustment for elderly inmates [offenders] in Missouri's correctional system Sabath and Cowles said "they are substantially different from those of the average inmate" (McCarthy and Langworthy, 1988:179). In fact, for elderly offenders bivariate relationships could conform to intuitive logic about age and institutional adjustment. That is, age and institutional adjustment is a logical measurement of the elderly offender's re-integration into the community or society.

More specifically, community ties, family interpersonal relationship ties in parole considerations or probation conditions could differ from an elderly offender with a long history of incarceration when compared to first offenders in the elderly offender category. The following program is one example: Project 60, a geriatric education program based in Pittsburgh, Pennsylvania points to the problems of the elderly offender obtaining parole. Parole boards criteria include the issue of housing. Housing is important because "an inmate must have a place to live before he can be paroled. ...This issue becomes a much larger problem for the older offenders" (Wiegand and Burger, 1978-79:52). Consequently, "Project 60 found this issue [housing] to be one of the most difficult problems facing the elderly offender" (Wiegand and Burger, 1978-79:51). A further issue is prior criminal record when deciding parole. The elderly offender is 'at risk' as "this becomes a problem simply because the potential length of criminal involvement is much greater for the older offenders" (Wiegand and Burger, 1978-79:52). In the same vein, Szabo (1984:200) stated that "Canadian policies on sentencing, bail, preventive or provincial detention, penitentiary systems...depends on a greater knowledge of the risks that various types of offenders represent." Administrators must address the above issues for elderly offenders instead of concentrating only on management dealing with overcrowding issues and crisis periods in prison and probation/parole caseloads.

The key to any business success in the future to make solutions work means "mastering the information-technology skills" (The Economist, Feb. 9th, 1991:67). The same applies to correctional and mental health administrators determining policy. Administrators should continually upgrade academically, study more and read not only what comes across their desk, but multidisciplinary information. A recent survey investigated by Hanson, Chisholm, McGuire, Rennin, Stoline and Lyketso (1991) comprised of 200 members from the Maryland

Psychiatric Society. The survey results "suggest that psychiatrists use a relatively small number of sources for their continuing education...it may represent a lack of knowledge about alternative sources" (Academic Psychiatry, Spring 1991:33,34). The above example gives credence to the fact that administrators must examine multidisciplinary literature.

In information-technology skills the administrator's decisions "are influenced by the independent variable - information" (Roszak, 1986). Administrators need to become more analytical and interpretative by (a) finding out what is going on in other jurisdictions; (b) by asking more penetrating questions of what are these policies and these programs, and (c) address what is the expected return. Rather than get tough sounds like a great idea...it may be, but in what context? (Donald G. Evans, O.A.C.C. Spring Conference, Toronto: March 7,1991). And, the power of computer literacy "it's like carrying a six-gun on the old frontier" (Roszak,1986). The criminal justice system and mental health institutions are large state run businesses that need top managers skilled in various forms of information.

The developing and implementing information-technology skills to administration managers will be no easy feat. Already problems do exist. For example "most mental health professionals who specialize in forensic assessments have insufficient knowledge and understanding of the current insanity standard" (Rogers and Turner,1987:75). Another problem area is the "paucity of treatment resources" (Roth, 1986-87:94). An understanding and knowledge of all information changes by administrators and policymakers would be beneficial to the elderly offender and the insanity defense.

PUBLIC RISK

The protection of society's mandate was formulated to set offenders apart from the general population. Binchy (1989:39) said "the competing values of our criminal justice system - namely to protect society, and the individual within it." For example: public risk is deciphered as "the insanity defense and the associated arrangements for disposing of insanity acquittees appear to have as objectives the protection of the "insane" from unjustified retribution and the protection of the public from the "insane" "(American Psychiatric Association Statement on the insanity defense, 1983:681-688; Ormrod,1975:193-203; and Brooks,1988:122). The protection of society or public risk is part of the dark figure of crime and this is partially due to the fear of violence. For example, in the Victorian Era "early 19th Century lived in fear of violence...ties in clearly with the nature of the insanity defense choice: (1) death penalty, and (2) the prospect of indeterminate detention in a criminal lunatic asylum" (Binchy,1981:96). The Canadian insanity defense law is ninety-two years old and it is time to address the social policy issue of public or societal risk. This is applicable for all North American insanity defense laws.

In Canada, a new insanity law is to be formulated by November 1991 as issued by the Supreme Court of Canada. It is here that public risk or protection of society should be part of social policy formulations. Who is at risk society or the elderly offender? The question poses many concerns. An example is when elderly offenders utilizing the insanity defense die inside either institution the remaining pivotal question is - Would elderly offenders be better placed in pre-or-post community diversion programs?

FUTURE DIRECTIONS OF SOCIAL POLICIES

The elderly offender and the insanity defense include legal, sociological, criminological, criminal law and gerontological perspectives. One author highlighted "the major policy issues which must be addressed in order to deal with this phenomenon can be labelled "gerontological rather than criminological" (Newman, Newman, Gewirtz and Assoc., 1984:xxi). Joseph Neal Ham's (1976) study on institutionalization of aged inmates was approached from a gerontological viewpoint. Ham's (1980) evaluation report was prepared at the request of the Special Litigation Section, Civil Rights Division, United States Department of Justice on the Columbus Correctional Facility. The primary objective "was to report on the conditions of confinement at the Limited Duty Unit, as they affect aged, aged-infirm, and young-infirm male prison inmates" (Ham,1980:24). The results culminated in a victory for all of the inmates in the legal battle of Stewart v. Rhodes. The consequence was "just as unprecedented is the order of the court that ... Defendants shall consult with gerontologist(s) or other similarly qualified persons in the development of programs designed to meet the special needs of the aged and aging population at the Limited Duty Unit (Ham:1980:31). The court legitimized that gerontologists should have a place in elderly offender programming stemmed from social policy proposals. In future times, gerontologists could take a more productive role in correctional and mental health institutions to assist the elderly offender.

The 1960s brought political and social policy changes, such as, deinstitutionalization. In the mid-1960s the United States Attorney General, Nicholas Katzenbach's Commission reported that "crime had increased from the 1960s to 1977 by 70 percent, while the American population had only grown 7 percent" (Szabo,1978:79). It was for ideological reasons in the 1960s that criminology was established as a science "in the great adventure of a fairly interventionist social policy" (Szabo,1978:68). Today, innovative social policies must be multidisciplinary to meet the needs of elderly offenders. The present work takes a criminal law focus along with a gerontological perspective.

Denis Szabo's (1981) paper "L'Évaluation des politiques criminelles quelques reflexions preliminaires" urged "analysts of criminal justice policies to transfer part of their attention from substantive issue to the politics responsible for shaping policies" (Solomon,1981:6). Szabo laid out five phases a policy proposal might pass. They are, namely, (1) formation (generation of idea); (2) formulation (elaboration and gradual acceptance of the idea by relevant actors); (3) mise au point (specification of detail accompanying a decision to adopt); (4) mise en oeuvre (implementation), and (5) evaluation (assessment) of the program's various conceptual difficulties in criminal law reform.

In North America, among the situations complicating difficult policy issues include (1) the fragmentation of criminal policy among multiple levels of government in Canada; and (2) the Canadian British North American Act (BNA) gave federal jurisdiction to Criminal Law and Procedure. The United States likewise designated formal responsibility for crime control divided between two levels of the federal system. Although (3) administering justice and supervising policing is a Canadian provincial responsibility the actual administration of courts and police remain...within those institutions. That is, effectively beyond the reach of the federal and provincial government (Solomon,1981:6-7).

The elderly offender and the insanity defense is not only subjected to criminal law reform social policies, but, also mental health social policies. They come under the jurisdiction of the provincial review board "an independent autonomous body like the courts" (Sim, The Toronto Sun, Sun. April 17,1988:34). A policy change is since the Charter of Rights infusion in the Canadian Constitution eight years ago the Supreme Court dealt with the insanity defense issues.

On May 2,1991 the Supreme Court of Canada annuled the insanity law and the current policy is "that no one ordered into custody before new legislation is passed can be confined more than 30 days before a decision is made by a provincial review board on whether a person is a danger to society" (Shoalts, The Globe and Mail, Fri. May 3,1991:A1). That means the warrants are no longer an indefinite detention - equivalent to a life sentence.

A forerunner to the policy change of the Canadian insanity law was the following proposal put forth by the Law Reform Commission of Canada (1983): (1) Alternative 1 allows for additional tests rather than the M'Naghten test; and, (2) Alternative 2 proposed for the first time in Canada a test for the control of insanity in addition to the more accepted tests of cognition (Stalker,1982-83:275). The former Canadian insanity law had unclear criminal law reform legalities that made a policy proposal for elderly offenders a more complex task. It is evident that changing legislation and political strategies affect social policy for elderly offenders.

A further social policy formation for the elderly offender and the insanity defense would be to have the courts dismiss charges due to unreasonable delays. In Ontario, Canada dismissing charges recently became a reality. One journalistic headline reports "5,800 Charges Thrown Out" (The Hamilton Spectator, Wed. Dec. 5,1990:A4). In agreement with this proposal a Judge and former criminal lawyer told correctional and community administrators that "all sentences

under three months should be abolished" (Judge David Cole, O.A.C.C. Spring Conference, Toronto, March 6, 1991) The Judge's comments were reiterated during a panel discussion of the Federal Government's recently released policy paper on sentencing and corrections. The comments are fully congruent to Szabo's (1981) formulation phase of a policy proposal.

A variable in future social policy will be management of research on elderly crime. Kenneth E. Gewerth's paper entitled "Elderly Offenders: A Review of Previous Research" perspective is on the processing and treatment of the elderly offender in the criminal justice system. Alternative research areas having an impact on social policy impact on social policy for the elderly offender will need to be generated by field research. That is, (1) the business world [investigating fraud, racketeering and embezzlement]; and, (2) crime in retirement havens (McCarthy and Langworthy, 1988:xxv). A focal concern will be the "reemergence of communities of interest, finding out who is out there, what can be done, and finding out what their interests are" (Donald G. Evans, O.A.C.C. Spring Conference, Toronto, March 7, 1991). The above ideas are fully congruent with Szabo's (1981) formation and formulation phases of a policy proposal.

Field research investigation could include (1) quality of the criminal justice we are creating, and (2) explanations of crime (McCarthy and Langworthy, 1988:xxv). The "ping-pong" scenario between the criminal justice system and mental health institutions for Elderly Offenders and the Insanity Defense is another area requiring field research. Gewerth put forth "research is needed to ensure that differential treatment is planned, however, and not the result of prejudice or misguided assumptions" (McCarthy and Langworthy, 1988:xxv). In mental health institutions, "research on age-specific

treatment strategies is quite limited" (Lurie, Swan and Assoc., 1987:93). Field research findings is a conceptual tool for Szabo's (1981) formation and formulation phases of a policy proposal. Consequently, field research could be of assistance when politicians impliment social policies for the elderly offender and the insanity defense.

Forsyth and Gramling (1986) "perceive many opportunities for research created by the construction of this social problem" (McCarthy and Langworthy, 1988:xxv). The authors found two not proven assumptions about the elderly offender social problem. The assumptions are as follows: (1) the phenomenon was significant in size and scope, and (2) provided documentation that the phenomenon represented a compelling social problem. McCarthy and Langworthy (1988:xxi) concluded that "it is our position that these assumptions have little merit." Field research like any research on elderly offenders must be done so in a proper context.

A further cautioning of researchers about elderly crime is put forth by Akers, La Greca and Sellers who concur with McCarthy and Langworthy (1988) as "building upon the assumption that elderly crime is not an enormous social problem" (McCarthy and Langworthy, 1988:xxv). Again, researchers must be aware of the context due to future social policy proposal implications affecting the elderly offender and the insanity defense.

Institutionalization seems redundant and it is not the "quick fix" answer to crime for elderly offenders. An example is as the sensational journalistic headline reported, "System blamed for death of inmate":

The 63-year-old inmate was model prisoner. He just had to pay his debt to society, he paid more. He died of a head injury suffered in a beating in his Hamilton Wentworth Detention Centre, cell early Tuesday.

His job at Rheem Canada Ltd. where he was a lubrication mechanic, was being held for him.

The father of six was serving a 15-month sentence for sexual offences. I feel cheated. In a couple of months, he would have been out said his wife.

For his family, coping with the charges has been difficult. We were ready to give him forgiveness and get the family back together said the family spokesman.

He was in a protective custody area. He shared a cell with a 48-year-old inmate until Monday night when a third man, 35-year-old inmate was placed in the two-bunk cell.

The correctional officers interview each inmate on arrival complete a detailed form covering the inmate's personal background and circumstances. You have to rely on the truth of the individual. But, it's a questionnaire in effect, you have to hope the person's honest. We would have nothing further to go on said Supt. Villeneuve.

The 63-year-old man's yelling and pleading from his cell in protective custody...went on for more than an hour before the guards finally responded, inmates claimed.

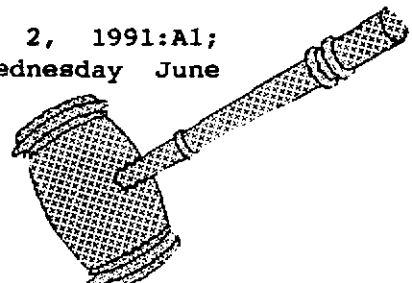
The 35-year-old cellmate was brought into the institution on Monday on a remand for a weapons charge. He is charged with second-degree murder.

The 63-year old man died of head injuries suffered in a fight in his cell on range 3B, an area usually reserved for psychiatric inmates.

Relatives of the slain 63-year-old inmate say they're devastated and angered by his brutal death and have been cheated by a failure in the correctional system.

At the trial of the 35-year-old cellmate the headline read: "Man not guilty by insanity in jail slaying."

The Hamilton Spectator, Tuesday April 2, 1991:A1; Thursday, April 4, 1991:B1; and, Wednesday June 26, 1991:B1.



Elderly Offenders are also 'at risk' in the mental health institutions. An example is put forth in Ahr and Halcomb's (1985) study of United States mental health directors investigating policy for Community Mental Health Care. The results of the survey showed "concern for geriatric care was fairly low...funding and reimbursement issues were rated as important" (Lurie, Swan and Assoc., 1987:117). Additudinal changes will be extended to Community Care mental health directors as the demographic shift becomes more visible.

The mental community-based services were promoted by Phillipe Paumelle, a French psychiatrist (Shepherd,1990:219). A concern of confining elderly offenders in either a criminal justice system or mental health institution is "institutional dependency" (Aday and Webster,1979). In 1968, the Canadian National Parole Board produced a paper called "The Concrete Womb" and it gives a similar interpretation to institutional dependency (Phillips,1968). The negative consequences of confinement will have to be considered for a policy proposal for Elderly Offenders and the Insanity Defense. Institutional dependency could put stress on other state run ministries, such as, health and welfare as elderly offenders are re-integrated into the community.

Future social policies will have to address health problems for elderly offenders in current criminal justice system institutions built for younger offenders. There are many power dimensions to the health issue. Namely, the impact of age on well-being. The physical dimensions include (1) health, and mental health; (2) energy level; (3) functioning of the senses; (4) agility; (5) how an older offender views themselves and others, and (6) the perception of time and space including adjustment to confinement (McCarthy and Langworthy, 1988:xxiii; Ham,1976,1980). In addressing social policy proposals it

is important to be reminded that "some offenders are frail, and disabled, or have mental health problems; others function well (Newman, Newman and Gewirtz,1984:197). As a social policy proposal for the Elderly Offender and the Insanity Defense a consideration is that not all elderly offenders function poorly or function on the same physical or mental level.

Co-ordination and networking in the helping professions appear difficult with rules of confidentiality and the Access to Information Act in Canada and many United States laws. Complicating factors are "because of the fragmented nature of mental health services for the aged" [including elderly offenders and the insanity defense] indicating that integration and co-ordination of services should be part of a policy proposal (Lurie, Swan & Assoc.1987:129).

The far reaching implications of future social policies should be addressed. One example that may affect elderly offenders is "the nursing home [and general hospital] has replaced the mental hospital as the primary site for treatment of older chronically mentally ill patients" (Lurie, Swan & Assoc.,1987:85). Another social policy problem in crime prevention to elder crime and mental illness is "the underutilization of the formal mental health system by the aged" (Lurie, Swan & Assoc., 1987:111). All of these matters complicate the development of a social policy for elderly offenders and the insanity defense at the community level.

Community re-integration and community absorption of the elderly offender and the insanity defense may become a social policy reality. As "there is a need for community-based treatment programs to serve the elderly and for careful evaluations of such programs" (Lurie, Swan and Assoc.,1987: 61). Most programs resulting from policy decisions are re-active. These social policies will not be easy to develop. The resulting policy programs should emphasize the following: (1) outpatient clinics; (2) day care services; (3) community health services; (4) halfway houses; (5) psychiatric services in hospitals and nursing homes; (6) address the paucity of

treatment intervention; (7) include pastoral services, (8) ensure correctional and mental health managers are using information-technology skills to be literate on geriatric needs; (9) develop more self-help groups; and, (10) utilize public education forums implemented by correctional and mental health professional associations. In other words, these re-active policy solutions must be changed to prevention policies in our thinking patterns. That is, "by putting up a vanguard railing at the top of the cliff as a prevention strategy" (Donald G. Evans, O.A.C.C. Spring Conference, Toronto, March 7, 1991). So, causation, violence, "ping-pong" senario, demographic shift and other areas will become future social policy concerns for the elderly offender and the insanity defense.

"Making Justice Real: social responsibility in criminal justice" (1990) was a discussion paper prepared by the National Associations Active in Criminal Justice (NAACJ). As part of the guidelines for practice and implications the paper indicated "to deal with each offender in the way best calculated to return the offender to the community as a more social responsible person" (NAACJ;1990:12). It is here that society interdependence may assist the criminal justice and mental health institution professionals to re-integrate the elderly offender back into mainstream society. The following are two possible interdependent considerations: firstly, the Canadian Northern Shield Insurance Company is assisting the John Howard Society with an innovative program. The program is that the insurance company post bonds of \$10,000 to employers that help ex-cons find jobs (The Hamilton Spectator, Saturday, August 18, 1990:C11).

The second interdependent consideration is put forth by the Canadian Criminal Justice Association (C.C.J.A.) as "emphasis on the importance of offender participation, as well as community involvement, consideration will be given to including these elements in the statement of purpose and principles of corrections, in addition to reflecting them throughout the [Corrections] Act as a whole" (Bulletin, July, 15, 1991:4). Interdependence is evident in

"The Toronto 27 Group": A Canadian experiment shows that communication [networking] is the key to cooperation between the public and law enforcement [including Corrections] (Corrections Today, July, 1991:1982). This group formed in 1989 and in answer to the NAACJ position is rationalized in this manner: "Basically, all we do is work with people in the system those whose needs and interest seem contradictory to our own, but prove in the end to be the same" (Corrections Today, July 1991:184). This includes the needs and interests of the elderly offender utilizing the insanity defense. Community Absorbtion is proposed by mental health institutions as a journalistic account of a pilot project is as follows: "Ontario plans psychiatric group homes" (The Hamilton Spectator, Tuesday, July 2, 1991).

In any social policy evaluation addressing the "ping-pong" senario for the elderly offender and the insanity defense it is plausible to develop similar alternative funding programs. The researchers, policymakers, and administrators should remember in designing future social policies, above all, since both the criminal justice system and the mental health institution are state run institutions funded by public money "we should be productive and efficient in what we do" (Donald G. Evans, O.A.C.C. Spring Conference, Toronto, March 7, 1991).

CHAPTER 7: CONCLUSIONS

CONCLUSIONS:

As a way of synthesizing the various points concerning the elderly offender and the insanity defense the discussion takes a multidisciplinary approach. This work follows the elderly offender and their processing, labelling, consequences of being labelled insane, legal documentation, statistical notations to criminal law reforms and future social policies affecting elderly offenders aged 55 and over. The elderly offender age category concurs with J.N. Ham (1976). The consequences of labelling appear to serve social control agencies as self-perpetuating.

Crime on age variables in the literature review are argued as an inverse correlation and non-spurious relationship (Greenberg and Larkin,1985:230; Steffenmeier,1987). The following areas in the literature review show an inverse correlation: (1) causation concurs with Duffee (1984); (2) crime declines as a direct relationship of the age variable (McCarthy and Langworthy,1988:66); (3) charges digress toward older years of life is congruent with Cutshall and Adams (1983) ; and ,(4) age increases and the length of sentence declines is put forth by Champion (1988), Wilbanks (1985) and the (1980) Dade County homicide study (Alston,1986:132).

In the present work, Table 1 indicates that by taking out everybody who commits suicide there is a negative (inverse) correlation and $p=.0048$. By adjusting for those who commit suicide and murder, the present work shows that there is an inverse correlation. This is because if you leave in the individuals that commit murder then you have a correlation of .01 and $p=.12$. Therefore, by removing suicide and murder the present work shows an inverse correlation that is fully congruent with Champion (1988), Wilbanks (1985) and the (1980) Dade County homicide study (Alston,1986:132).

The theoretical perspective takes a symbolic interactionist approach to labelling and the thrust incorporates a Constructionalist approach to labelling elderly offenders and the insanity defense. "Age" is a label and the focus of concern rests in the "condition" (e.g., behaviour, health, and cognitive skills relating to social adaptation). The criminal justice system and the mental health institutions are lacking multidisciplinary behavioural experts to network for solutions regarding the elderly offender and the insanity defense. Elderly offenders are also victims of stigma and ageism.

Criminal law in North America is a public process. The insanity standard determined that to be relieved from responsibility of crime the elderly offender had to be lacking a guilty mind. Canada's insanity standard relies on the 1843 M'Naghten rule and although the United States had similar laws it introduced the guilty but mentally ill verdict. The GBMI verdict has been argued as leading to the abolition of the insanity law. On May 2, 1991 Canada took this step further by annulling their one hundred and ninety year old insanity law. Elderly offenders utilizing the insanity defense are determined not guilty by reason of insanity (NGRI) and not fit to stand trial (NFST). Not all elderly offenders are calculated in legally registered convictions or dismissals. Other community dispositions given to elderly offenders included probation, suspended sentence, and community service orders (CSO). The state originally was the main actor to punish offenders but today they appear to be losing their capacity to punish financially, politically and to rehabilitate (correct) elderly offenders.

The author of the present work did review 445 newspaper articles, 90 books, 175 journals, 3 thesis, 9 papers, 40 documents, 6 professional association conferences, also attended one conference, 5 legal cases and several penal codes (U.S. has individual penal codes for each state). The present work's data comprised of N=389 case studies. The categories were as follows: War Crimes, 19 (4.9%); Murder 77 (19.8%); Fraud 105 (27%); and Miscellaneous 188 (48.3%).

The data showed that elderly offenders are still a minority, that is, a small percentage of the general prison population. Further to this fact, elderly offenders utilizing the insanity defense in North America are a smaller minority group. In this way, the elderly offender and the insanity defense concur with Ham's (1976) forgotten minority.

Studies of elderly offenders concentrated on arrest rates, health issues, violent offenders, mentally ill offenders, offenders in prison, the homeless and crime, and NGRI. Although large numbers of elderly offenders are arrested for misdemeanor (minor) crimes, such as drunkenness others commit violent crimes and that is a protection of society concern or public risk. Studies indicate that the elderly offender uses the following weapons: firearms, axes, beatings and burnings. The invisible elderly offender will be more visible due to changing demographics especially in highly urbanized areas. The "ping-pong" senario exists in what label, who is labelling and why the label is applied. The present work concurs with Shur (1971) to avoid unnecessary labelling as the consequences can be devastating for the elderly offender utilizing the insanity defense.

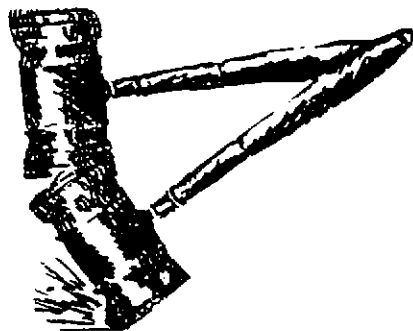
Institutionalization was not viewed as a quick fix solution for policy proposals regarding the elderly offender and the insanity defense. In fact, the present work concurs with Baier's (1963) views of adjustment of older prisoners. Furthermore, one of the consequences of institutionalization could be the creation of institutional dependency in elderly offenders. A further problem is the health issue and a current solution by the American prison system is to re-label the elder offender by placing them in a leper colony

as "patients" instead of "offenders." The health concern is being reiterated to prison administrators. For example, a conference of prison and community administrators were informed that infusion of health care and social services in the prison that we have not seen before" (Donald G. Evans, O.A.C.C. Spring Conference, Toronto, March 7, 1991).

Future social policies will have multidisciplinary approaches when dealing with the social problem of the elderly offender and the insanity defense. The author of the present work suggests that researchers and policymakers may examine the following areas: (1) management of research of elderly crime; (2) field research; (3) co-ordination and networking between correctional and mental health professionals; (4) community absorption and re-integration of elderly offenders; (5) society will have to take responsibility for elderly offenders and the insanity defense; (6) identify the core values that drive social policies, and (7) policies and programs should incorporate multidisciplinary approaches. As the demographic shift occurs and more elderly appear in the criminal justice system and the mental institutions, different social policies will be necessary to North America.

The results of this study show that the elderly offender is subject to a "ping-pong" scenario via the criminal justice system to mental health institutions to nursing homes, general hospitals or community group homes to the street where a small percentage recidivate activating another "ping-pong" scenario. The question remains - Would criminal justice pre-or-post diversion programs vs. institutionalization be a more appropriate court disposition for elderly offenders?

We are cautioned in a paper prepared by Reker, Cote and Peacock stating "What is of vital concern today is that the justice system behaves as a sort of giant vacuum cleaner which "sucks" people into itself, treating all as criminals regardless of the nature of problematic behaviour (Canadian Journal of Criminology, Jan. 1980:36). The same perspective is extended as the criminal justice system provides mental health institutions with elderly offenders utilizing the insanity defense creating a "ping-pong" senario. Part of the problem that impedes decision-making on the elderly offender and the insanity defense is the lacuna of empirical research. It appears that more research is needed with a gerontological and criminal law emphasis on the elderly offender and the insanity defense. This in turn, will allow for theoretical generalizability in order to address the "ping-pong" senario of elderly offenders and the insanity defense. As Szabo (1978:82) recapitulated "our heuristic arsenal would be greatly increased and would be reflected in the quality of our interpretations."



C A S E S T U D I E S : Newspaper Search

April 1988 to November 1990

WAR CRIMES and MURDER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	SEX	POSITION
ELDERLY	-MURDER GERMAN COMMUNIST LEADER ERNST THAELMANN		1		X		X		1988	DUSSELDORF, WEST GERMANY	NOT GUILTY		M	FORMER NAZI-DEATH CAMPGUARD
95	-MURDER 88 YEAR OLD WOMEN BEATEN WITH METAL PIPE		1 VICTIM - FRACTURE JAW AND RIBS - MASSIVE CUT & BRUSES		X				1990	NEWYORK U.S.A.			M	
94	-SECOND DEGREE MURDER	1	X	X	X				1988	SANTA ANTA, CALIFORNIA	TO SPEND 5 YEARS IN A CONVEL- ESENT HOME		M	HUSBAND

Note:

CCO = (Canadian) Criminal Code Offences

co. = co-Accused

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
88	FIRST DEGREE MURDER		VICTIMS 2 2 MURDERED 4 INJURED IN RETIREMENT HOME		X				1989		-HELD WITHOUT BOND PASCO COUNTY DETENTION CENTRE DADE CITY, FLORIDA		M	RETIRED FRUIT PICKER
85	FIRST DEGREE MURDER		1		X	X			1987	OAKLAND, COUNTY MICHIGAN U.S.A.	SENTENCE: 1 DAY IN JAIL REMAND TIME CONSIDERED BY JUDGE (1239 DAYS) DIMINISHED CAPACITY BECAUSE OF WIFE'S ILLNESS <u>INTENT (C. LAW)</u> MISSING		M	HUSBAND (47 YEARS)
84	HELPING MURDER MORE THAN 130 PEOPLE IN THE LATVIAN VILLAGE OF AUDRINE	WAR CRI- MES	130		X	X	WEST GER- MANY		1988	BOWN, WEST GERMANY 1 ARRESTED MUNSTER OCT.19/91	-1965 SENTENCED TO DEATH IN ABSENTIA. -1976 (U.S.) DEPORTATION PROCEEDINGS -1986 (U.S.) APPEAL DENIED U.S. SUPREME COURT		M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
84	MURDER		1 WIFE (50 YEARS)		X				1988	KILLARNEY, MANITOBA CANADA	-FACING A MURDER CHARGE FOR THE SLAYING OF HIS WIFE AND DIED OF HEART ATTACK		M	HUSBAND
83	SUSPECTED OF PERSECUTING SLAVE LABOURERS (HE WAS DIRECTOR OF SECRET UNDERGROUND (1-2 ROCKET FACTORY IN GERMANY W.W.II) ALLEGED-20,000 PEOPLE DORA NORDHAUSEN CONCENTRATION CAMP DIED AT MITTLEWERK FACTORY	WAR CRIMES CRIMES AGAINST HUMANITY	20,000		X				1990	TORONTO ONTARIO CANADA	NOTE: LEAVING CANADA <u>POOR HEALTH:</u> RETURN TO WEST GERMANY BECAUSE MEDICINE TO TREAT HIS HEART AND HIGH BLOOD PRESSURE ARE ONLY AVAILABLE THERE <u>IMMIGRATION HEARINGS</u> (1) DEAL WITH FINANCES (2) STAY IN CANADA		M	FORMER NAZI ROCKET SCIENTIST
82	3-MURDER		3 (JEWS IN POLAND 1942)		X				1988	HARENBURG WEST GERMANY	-LIFE IN PRISON *WILL REMAIN OUT OF JAIL WHILE AN EXAMINATION IS MADE OF HIS HEALTH		M	FORMER NAZI POLICE OFFICER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	COM VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
81	MURDER WIFE		1		X	X 1985 SHOT WIFE			1990	LAKE BUTTER, FLORIDA U.S.A.	25 YEARS LIFE IMPRISONMENT FOR MERCY-KILLING -WIFE EMILLY 73 (ALZHEIMER'S DISEASE & OSTEAPOROSIS) *SERVED 5 1/2 YEARS POOR HEALTH RELEASED DUE TO HEALTH PROBLEMS -HEART AND LUNG DISEASE -OTHER ILLNESSES NATIONAL SYMBOL OF RIGHT TO DIE MOVEMENT 1987 MOVIE FOR TELEVISION MERCY OF MURDER		M	HUSBAND FATHER RETIRED ENGINEER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E	POSITION
81	NO CRIMINAL CHARGES LAID (ASSAULT RESULTED IN MURDER) VICTIM- 92 YEARS OLD		1		X				1988	KITCHENER, ONTARIO CANADA	-TRANSFERRED TO LONDON PSYCHIATRIC HOSPITAL THE DAY AFTER THE ASSAULT *PARANOID, AGGRESSIVE *25 ACTS OF VIOLENCE IN THE YEAR BEFORE THE ATTACK INSANITY (?)		F	NURSING HOME RESIDENT

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
80	MURDER WIFE		1		X CLAIMED DID NOT REMEMBER						<p>WIFE: ARTHRITIS, ALZHEIMER'S DISEASE EUTHANESIA</p> <p>COMMITTED SUICIDE A FEW DAYS BEFORE HE WAS TO FACE A COMPETENCY HEARING SEPT. 14/90</p> <p>-OVERDOSE PRESCRIPTION PILLS</p> <p>-CONFINED TO (STATE LAW) TO DETAIN PEOPLE FOR PSYCHOLOGICAL TREATMENT IF THEY ARE DEEMED DANGEROUS TO THEMSELVES OR OTHERS</p> <p>-2ND SUICIDE ATTEMPT (SUCCESSFUL) DRANK MIXTURE OF SLEEPING PILLS, ALCOHOL & BLEACH</p>		M	HUSBAND

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
80	194 JEWISH CHILDREN		194		X				1989	PARIS, FRANCE			M	FORMER POLICE CHIEF FRANCE'S VICHY GOVERNMENT

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
79	KILLING 13,000 LATVIANS MOST OF THEM JEWS "ARAJS COMMANDO"	WAR CRIMES	13,000		X				1988	ST. PAUL, MINNEAPOLIS U.S.A.			M	U.S.(1949) CITIZENSHIP HIRED BYTHE ARMY'S LABOUR SERVICE AS CIVILIAN GUARD
79	-MASACRE OF 35 PRISONERS -KILLING 6 PRISIONRS (MESNIL-PATSY) -MACHINEGUN DEATHS (LE HAUT DE BOSG) -SHOOTING 3 PRISONERS (LES SAULLETS)	44 PRISIONERS & MACHINE GUN DEATHS		X	X				1990	TORONTO, ONTARIO CANADA LIVES IN WEST GERMANY	-TOPS CANADA'S MOST WANTED NAZI LIST AFTER WORLD WAR II LIVES OPENLY ON A \$40,000 PENSION IN WEST GERMANY -WANTED IN BRITAIN, U.S., AND IN CANADA FOR ALLEGEDLY ORDERING AND OVERSEEING 4 SEPERATE ATROCITIES IN 1944, DURING THE ALLIED INVASION OF FRANCE CANADA HAS REVIEWED HIS CASE 4 TIMES BUT CAN ONLY BE TRIED BY THE GERMANS.		M	SECRET SERVICE NAZI

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
79	WAR CRIMES CRIMES AGAINST HUMANITY		MURDERING 28 JEWISH PRISONERS, LABOUR CAMP POLAND WORLD WAR II (HE PERSON-ALLY SHOT 18 OF THE 28 PEOPLE, CAMP RADOM OCCUPIED POLAND		X	X			1989	BERLIN, WEST GERMANY	LIFE IMPRISONMENT		M	FORMER NAZI GUARD
78	ACCUSED OF INVOLVEMENT OF DEATHS OF UP TO 3,000 -RETURNED TO WEST GERMANY	WAR CRIMES	3,000		X				1990	BONN,	NOTE: HEALTH ARRIVED WEAK AND FRAIL AT THE FRANKFORT AIRPORT AND WAS TRANSFERRED TO A PRISON HOSPITAL		M	FORMER SECRET SERVICE NAZI OFFICER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
78	FIRY DEGREE MURDER REDUCED TO MANSLAUGHTER		1 (WIFE 40 YEARS)		X				1988	TORONTO, ONTARIO CANADA	2 YEARS LESS A DAY -MAXIMUM REFORMATORY SENTENCE JUDGE RECOMMENDED JAIL OFFICIALS CONSIDER AN EARLY RELEASE (ORIGINALLY UNFIT FOR TRIAL).		M	VIETNAM FISHERMAN
78	MURDER		1 (SNAPPED UNDER PRESSURE OF CONSTANT NAGGING WIFE).		X	X			1989	PHILLIDEL- PHIA, U.S.A.	10 YEARS PROBATION FOR STRANGLING HIS WIFE OF 56 YEARS JUDGE - "IT IS IMPORTANT THAT YOU <u>NOT</u> TORTURE YOURSELF. TRY TO GO ALONG ENJOY YOUR LIFE."		M	HUSBAND (56 YEARS)

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
77	COMPLICITY OF MASS MURDER 200 (SHOT OR KILLED BY LAND MINES) CORRUPTION ABUSE OF OFFICER	WAR CRIMES 1 HARBOURING ING WEST GERMAN TERROR-ISTS	GASSING 60 POLISH JEWS MAIDENEK CAMP + 200 (SHOT OR KILLED BY LAND MINES)		X	X			1989	BIELEFIELD, WEST GERMANY	4 YEARS IN PRISON NOTE: POOR HEALTH SURGERY FOR KIDNEY CANCER STAYING IN SOVIET MILITARY HOSPITAL IN EAST BERLIN		M	FORMER NAZI SECRET SERVICE
77	WAR CRIMES CRIMES AGAINST HUMANITY KIDNAPPING & CONFINING JEWS MANSLAUGHTER UNSPECIFIED JEWS ROBBERY CRIMINAL NEGLIGENCE DEPORTATION OF JEWS 8,617		THOU-SANDS OF JEWS 8,617 DEPORTA-TION		X	X			1990	TORONTO, ONTARIO CANADA (JUSTICE ARCHIE CAMPBELL)	-LANDMARK CASE: 1ST WAR CRIMES IN CANADA HEALTH: A FACTOR IN A MONTH TRIAL OF WITNESSES. LOST HOME DURING TRIAL ACQUITTED ON ALL COUNTS		M	HUNGARIAN POLICE RESTRAUN-EUR (TORONTO)

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITTED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
76	MANSLAUGHTER		1 SHOOTING DEATH OF 37 YEAR OLD BOYFRIEND		X				1989	MANIWAKI QUEBEC CANADA			F	
75	MURDER OF HER INVALID HUSBAND BY A LETHAL INJECTION (EUTHANASIA)		1 CO.		X				1990	LOS ANGELES, CALIFORNIA U.S.A.			F	WIFE
75	ACTIVE PARTICIPANT IN ROUNDING UP JEWS (THOUSANDS WHO WERE SENT FROM OCCUPIED CZECHOSLOVAKIA TO NAZI DEATH CAMPS WORLD WAR II	WAR CRIMES	3,000		X				1990	ST. CATHARINES, ONTARIO CANADA SUPREME COURT, TORONTO, ONTARIO	\$100,000 BAIL HELD IN DON JAIL (FAMILY PUT UP HOME FOR BAIL)		M	RETIRED AUTO WORKER WAS BARDEJOR DISTRICT SECRETARY OF THE HINKA GUARD
74	24-MURDERS IN UKRAINE DURING WORLD WAR II 9-OFFENCES AUSTRALIA WAR CRIMES ACT.	WAR CRIMES	24 COUNTS OF MURDER 9 OFFENCES AUSTRALIA 850 JEWS (MURDER) WAR CRIMES ACT		X				1990	SYDNEY, AUSTRALIA	1ST PERSON CHARGED WITH AUSTRALIA'S WAR CRIME LEGISLATION SHOT AND WOUNDED ON EVE OF HIS TRIAL		M	ADELAIDE PENSIONER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
74	GENOCIDE OPENED FIRE ON DEMONSTRATORS IN TIMISCARA AND LATER BUCHAREST, DEC. 17, 1989		GENOCIDE CO.		X	X			1990	BUCHAREST	LIFE IMPRISONMENT THE BLOOD SHED GALVANIZED ROMANIAN TO OVERTHROW		M	FORMER VICE- PRESIDENT TO NICOBIE CEAUSES DICTATOR
74	2ND DEGREE MURDER		1 WIFE 84 YEARS OLD		X				1990	TORONTO ONTARIO CANADA			N	HUSBAND
74	MURDER		1 VICTIM: WIFE-85 <u>CLUBBING</u>		X	X			1989	LONDON, ENGLAND	-TO SPEND THE REST OF HIS LIFE IN A MONASTERY *FLEW INTO A RAGE AND CLUBBED HIS WIFE 85, WHEN HE WAS UNABLE TO HIS FAVOURITE RADIO PROGRAM <u>DESERT ISLAND DISOS</u>		M	VICAR

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
74	CRIMINAL SOLICITATION TO COMMIT CAPITAL MURDER		(SEEKING A HIRED ASSASSINATE A PUBLIC OFFICIAL	1	X	X			1988	SAN ANTONIO U.S.A.	-CARRIES A POSSIBLE SENTENCE OF 5 TO 99 YEARS IN PRISON AND A \$10,000 FINE		M	KILLER
74	CRIMES AGAINST HUMANITY 1981 - NEW CHARGES		ORDERED AND CARRIED OUT EXECU-TIONS OF FRENCH RESIS-TENCE FIGHTERS DURING WORLD WAR II ARRANGED FOR FRENCH JEWS TO BE DEPORTED		X	X		X	1989	PARIS FRANCE	-TWICE SENTENCED TO DEATH IN HIS ABSENCE FOR CRIMES COMMITTED	PARD-ONED 1972 BY LATE GEORGE POMPIDOU	M	POLICE CHIEF IN LYONS

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
74	1ST DEGREE MURDER		1 PREMEDITATED HER LOVER		X	X 1979			1990	QUEBEC	LIFE IMPRISONMENT NOTE: HAS HER OWN WING IN PRISON ABOVE THE ADMINISTRATION WING TO MALSON-GORMIN		F	SECRETARY FOR QUEBEC AND FEDERAL GOVERNMENTS SECRETARY
73	ATTEMPTED MURDER		1 STABBED WIFE 65 YEARS EXTRA MARITAL AFFAIR= CULTURALLY & PROSTITUE		X				1990	KITCHENER ONTARIO CANADA	PLEA: GUILTY PRE-SENTENCE REPORT ORDERED		M	ELDERLY VIETNAMESE MAN

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
72	490 PEOPLE WAR CRIMES		8 1 4 (MURDER) WAR CRIMES 4 CRIMES AGAINST HUMANITY	490 PEOPLE 400 JEWISH 80 NON- JEWISH POLES WW II 19 1/2 + 10 ESCAPED 490	X	X			1989	OTTAWA, ONTARIO CANADA	FREE ON BAIL, JAN. 22, 1989		M	RETIRED CARPENTER
71	2 X SECOND DEGREE MURDER DISGRUNTLED THOUGH HE WAS BEING MOVED OUT		2 VICTIMS (1) JOHN RIPSHER (52) ELEMENTARY CARETAKER STARTED T.A.P. AT DON JAIL (2) CAROL HARRISON (43) ELEMENTARY SCHOOL TEACHER SHOOTING	X	X				1989	TORONTO, ONTARIO CANADA			M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITTED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PARDON ELIGI- BILITY	S E X	POSITION
71	AIDED IN ATROCITIES AGAINST LITHUANIAN JEWS		-HELPED FORCE MORE THAN 2,000 JEWISH MEN, WOMEN AND CHILDREN TO UNDRESS AND WALK INTO DITCHES WHERE THEY WERE SHOT		X			SUPREME COURT (U.S.A.) DEPORT- ATION (2)	1988	WASHINGTON D.C. U.S.A. 1 CLIFTON NEW JERSEY			M	DENTAL TECHNICIAN

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
71	-CONSPIRING TO MURDER -LABOUR RACKETEERING		(WIDELY SUSPECTED BUT NEVER CHARGED WITH DIS-APPEAR-ING OF TEAM-STER LEADER	NO 1979 20 YEARS 10 MON. 29 DAYS 6 HRS. RACKETEERING 1978 CON-VICTED OF ORDERING MURDER OF HIS DEATH	X	X			1988	LOMPOC CALIFORNIA U.S.A.	LIFE -SERVING 20 YEARS *DIED IN LOMPOC DISTRICT HOSPITAL OF HEART ATTACK		M	
70	DANGEROUS DRIVING CAUSING DEATH		1 KILLED 4 INJURED		X	X			1988	BARRINGTON NOVA SCOTIA CANADA	SENTENCED TO 1 DAY IN JAIL *READING A MAP AS HE DROVE ALONG THE HIGHWAY		M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CON VICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
70	SECOND DEGREE MURDER		1 VICTIM KILLING A WOMAN IN A DISPUTE OVER GARBAGE ON HIS PATIO		X	X			1988	VANCOUVER BRITISH COLUMBIA CANADA	LIFE IMPRISONMENT -WITHOUT PAROLE ELIGIBILITY FOR 10 YEARS *ILL WITH PROSTRATE CANCER		M	
70	FIRST DEGREE MURDER		1 VICTIM 79 YEAR OLD HUSBAND (HOUSE FIRE)		X				1989	SIMCOE, ONTARIO CANADA			F	WIFE

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
70	3 X MURDER ROLE IN THE SLAYING OF A UNION DISSIDENT AND HIS FAMILY \$20,000 UNION MONEY TO PAY FOR KILLINGS (1969) (ACCUSED OF HELPING PLAN KILLINGS)		3 <u>SHOOT-</u> NEW YEAR'S EVE, 1969 (IN 54TH YEAR IN 1969)		X	X			1989	DALLAS, TEXAS U.S.A.	LIFE SENTENCES (3) <u>NOTE:</u> <u>SERVED</u> 16 YEARS TRANSFERRED TO PENNSYLVANIA STATE PRISON SEPT. 1988 TO SERVE THE LIFE SENTENCES IMPOSED UNDER STATE LAW MOVED TO DALLAS LATER THAT YEAR, 1988. <u>NOTE:</u> SUFFERED STROKE 1983 - USED WHEELCHAIR IN PRISON -DIED IN JAIL CELL 6:10 A.M. SAT. AUG. 12/89 "NATURAL CAUSES"	PAROLED ON A CIVIL RIGHTS CON-VICTION ON THE SAME CASE	M	FORMER OFFICIAL UNITED NIME WORKER (FROM LA FOLLETTE TENN., U.S.A.)
70	3 X FIRST DEGREE MURDER		3 <u>VICTIMS</u> POLICE OFFICERS	CO. WITH 3 SONS	X	X			1988	DETROIT, U.S.A.	-CARRYING MANDATORY SENTENCE OF LIFE IN PRISON		F	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
69	WAR CRIMES	WAR CRIMES CON-CEALED HIS WARTIME ACTIVI-TIES WHEN HE APPLIED TO ENTER CANADA FROM PARAGUAY 1961	LEADER OF DUTCH NETHER-LANDWACHT COLLABOR-ATED WITH THE GERMAN GESTAPO ROUNDING UP JEWS IN 1942	PRE-VIOUS CONVIC-TIONS	X	X		X	1989	VANCOUVER, BRITISH COLUMBIA CANADA	-CONVICTION IN ABSTENTIA IN 1948 IN THE NETHERLANDS (HOLLAND) *HOLLAND'S REASON FOR EXTRADITION FROM CANADA "THE CRIME FOR WHICH HE WAS CONVICTED WAS NOT AN EXTRADIC-TABLE OFFENCE UNDER THE CRIMINAL CODE.		M	FORMER BOTONY INSTRUCTOR UNIVERSITY OF BRITISH COLUMBIA
69	FIRST DEGREE MURDER		1984 LABOUR DAY BOMBING OF MONTREAL MAIN TRAIN STATION		X	X		X QUEBEC COURT OF APPEAL	1989	MONTREAL CANADA	1ST TRIAL CONVICTED LIFE IMPRISONMENT JUNE 1988. *HAS BEEN SERVING HIS SENTENCE IN THE PINEL INSTITUTE FOR THE CRIMINALLY INSANE IN MONTREAL INSANITY (2)		M	FATHER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
69	MURDER (WIFE)		1		X				1989	BUFFALO, NEW YORK	HE ATTEMPTED SUICIDE NOT CHARGED WITH MURDER SENT TO PSYCHIATRIC HOSPITAL BY GRAND JURY HEARING (CH. 4 NEWS BUFFALO)		M	HUSBAND
69	MURDER (LETHAL INJECTION OF INVALID MAN) (EUTHANASIA)		1		X				1990	LOS ANGELES, CALIFORNIA			M	PHYSICIAN

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
68		WAR CRIMES	CAPTURED 39 YEARS AFTER ESCAPE		X	X			1988	BUENOS AIRES, ARGENTINA	20 YEARS IMPRISONMENT MAY 1949 5 MONTHS LATER ESCAPED		M	POLICEMAN ANDEAU CITY OF MENDOZA -MARRIED -1 SON
68	SECOND DEGREE MURDER		1 VICTIM: KILLED ILLEGITIMATE BABY 37 YEARS <u>1952</u> EXTRA-MARITAL AFFAIR		X				1989	TROY NEW YORK U.S.A.	PSYCHIATRIC EXAMINATION SHE HAD BEEN UNDER PSYCHIATRIC CARE FOR SEVERAL YEARS		F	WIFE
68	1 DANGEROUS DRIVING (11 YEAR OLD GIRL) CAUSING DEATH 2 DANGEROUS DRIVING 1 FAILING TO REMAIN AT SCENE OF ACCIDENT		4		X				1989	TORONTO ONTARIO CANADA	AWAITING TRIAL COMMITTED SUICIDE <u>HUNG</u> FROM A TREE IN EAST YORK'S TAYLOR PARK		M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
67	2 ATTEMPTED MURDER -SUICIDE (WIFE & SON SHOT WITH PISTOL & THEN SUICIDE)				X				1988	SPRINGFIELD OREGON U.S.A.	COMMITTED SUICIDE		M	HUSBAND FATHER
67	MURDER-SUICIDE (ALZEIMER'S DISEASE) <u>GUNSHOT</u>		1		X				1986	TOLEDO OHIO U.S.A.	67 YEAR OLD MAN (TOLEDO POLICE DEPARTMENT)		M	HUSBAND
67	MURDER SHOOTING		1 (SHOT & KILLED A 56 YEAR OLD JUDGE (FEDERAL))		X				1988	NEW YORK, U.S.A.	FATALLY SHOT HIMSELF -NO ACCOMPLICES (EVIDENCE) F.B.I.		M	FATHER
66	MURDER X 7		7 PEOPLE IN DEC. 1989		X				1990	BUCHAREST, ROMANIA			M	LIEUTENANT GENERAL NICOLAE ANDRUTA CEAUSESEA (YOUNGER BROTHER OF ROMANIAN DICTATOR)

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
66	MURDER REDUCED TO INFANTICIDE	PENN-SYLVANIA CONTROL ACT	1		X						-FACES 3 1/2 TO 7 YEARS PRISON *13 YEAR OLD GIRL FETAS ALIVE NOT STILL BORN		M	OBSTETRICIAN
		-REQUIRES THAT A PHYSICIAN PERFORMING AN ABORTION MUST ATTEMPT TO KEEP THE FETUS ALIVE IF POSSIBLE												
64	1ST DEGREE MURDER				X				1990	TORONTO, ONTARIO CANADA ONTARIO SUPREME COURT MR. JUSTICE DAVID WATT	PLEA: GUILTY		M	TRANSIENT

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CON VICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
64	MURDER X 5 -WIFE -MOTHER -3 CHILDREN (IN 1971)		5	NO ACCUSED 18 YEARS AGO	X S LIFE TERMS	X			1990 (1971 CAPTURED 1988)	ELIZABETH N.J. U.S.A.	5 CONSECUTIVE LIFE TERMS -SPENT 10 MONTHS IN UNION COUNTY JAIL-MODEL PRISONER DR. STEVEN SIMRINA PSYCHIATRIST RETAINED BY THE PROSECUTION SAID "MR. L WAS SUFFERING FROM NOTHING MORE THAN MID-LIFE CRISIS AT THE TIME OF THE MURDERS	NO PAROLE 75 YEARS	M	RELIGIOUS MAN UNABLE TO HOLD ONTO A SERIES OF EXECUTIVE POSITION WOULD NOT TAKE LESSER JOBS. -ACCOUNTANT (PRINCIPAL JOB). FATHER HUSBAND SUNDAY SCHOOL TEACHER
64	39 X MURDER FORGING A PASSPORT		40		X	X SEPARATE ACTION			1988	SAN FRANCISCO U.S.A.	-MUST PAY \$21 MILLION IN DAMAGES TO HORACIO MARTINEZ-BACA (SEPARATE ACTION DISTRICT COURT JUDGE)		M	FORMER GENERAL

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
64	MURDER -ACCUSED OF BLUDGEONING TO DEATH - HIS SISTER TWICE IN THE BACK WHILE THEIR MOTHER WAS IN ANOTHER ROOM *PLANNED MURDER		1	SHOT & KILLED 18 YEAR OLD SON (MIS-TOOK HIM FOR BURGLER) 1980 BAD CHECKS \$18,000	X	1980 TRIED & ACQUITTED FOR SON'S MURDER			1990	NEW YORK U.S.A.	M.O. APPARENTLY BECAUSE OF A DISPUTE OVER AN INHERITANCE	VIOLATION OF PROBATION IN 1983, GIVEN A SENTENCE OF 7 YRS. IN PRISON =1990	M	A JEWELLER
63	-CRIMINAL NEGLIGENCE CAUSING DEATH (CLEARED) REDUCED TO: CARELESS OPERATION OF AN AIRCRAFT CAUSING DEATH		1 (VICTIM 71 YEARS OF AGE) A NEIGHBOUR 1 ----- TOTAL 2		X	X ON SECOND CHARGE ONLY			1990	NIAGARA FALLS, ONTARIO CANADA	PLEA: NOT GUILTY -FOR SECOND CHARGE 4 MONTHS IN JAIL		M	FRIEND

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
63	GENOCIDE -OPENED FIRE ON DEMONSTRATORS IN TIMISCARA & LATER BUCARIST DEC. 17, 1989		GENOCIDE CO.		X	X			1990	BUCHAREST	LIFE IMPRISONMENT -THE BLOODSHED GALVANIZED ROMANIANS TO OVERTHROW CEAUSESCU AFTER 24 YEARS OF TYRANNY		M	FORMER COMMUNIST PARTY CHIEF TO NICOLAE CEAUSESCU DICTATOR
62	GENOCIDE -OPENED FIRE ON DEMONSTRATORS IN TIMISCARA & LATER BUCARIST DEC. 17, 1989		GENOCIDE CO.		X	X			1990	BUCHAREST	LIFE IMPRISONMENT -THE BLOODSHED GALVANIZED ROMANIANS TO OVERTHROW CEAUSESCU AFTER 24 YEARS OF TYRANNY		M	FORMER COMMUNIST PARTY CHIEF TO NICOLAE CEAUSESCU DICTATOR
62	SECOND DEGREE MURDER (REDUCED CHARGE) BEATEN TO DEATH WITH WHISKY BOTTLE		1 (EMPLOYER 80 YEAR OLD WOMEN BEATEN TO DEATH WITH WHISKY BOTTLE			X		X	JAN. 1987 CON-VIC-TED B.C. COURT APPEAL 1ST DEGREE	VICTORIA, BRITISH COLUMBIA CANADA	-LIFE IN PRISON (1ST TRIAL) -WITHOUT ELIGI-BILITY OF PAROLE FOR 25 YEARS -PAROLE REDUCED TO 10 YEARS B.C. COURT OF APPEAL 1989		M	EMPLOYEE

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
62	SECOND DEGREE MURDER REDUCED TO MANSLAUGHTER		1 (VICTIM =ALCOHOL ABUSE -STABBED		X	X			1989	TORONTO, ONTARIO CANADA SUPREME COURT JUSTICE ARCHIE CAMPBELL	PLEA: GUILTY DISPOSITION: 5 YEARS IN PRISON <u>NOTE:</u> AT COMMISSION OF CRIME-VICTIM'S BLOOD-ALCOHOL 4 X LEGAL LIMIT FOR IMPAIRED DRIVING (2 MONTHS ROBBERY & QUARREL OVER THE PROPOSED SALE OF SOME TOOLS		M	FELLOW DRINKER (ALCOHOL RELATED
61	NOT SECURING GRANDSON IN CAR SEAT - DIED (GRANDSON) DAUGHTER KILLED IN TRAFFIC ACCIDENT)				X	X					\$53 DOLLAR FINE		F	GRANDMOTHER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
60	ATTEMPTED MURDER 1-KIDNAP 1-RAPE 1-MAYHEM		4 VICTIM 15 YEAR OLD -CHOPPED OFF HER FOREARMS WITH AN AXE -1988 VICTIM WAS 24 YEARS OLD		X	X			1978 (WAS 50 YEARS OLD)	SAN FRANCISCO CALIFOR- NIA U.S.A.	-14 YEARS IN PRISON (THEN LEGAL MAXIMUM 1978) -ABSTAIN FROM ALCOHOL -SENTENCE COMPLETION APRIL 25/88 SERVED 7 OF 14 YEARS	-PAROLE APRIL 1987 -GOOD BEHAVIOUR -WORK CREDITS	M	FORMER MERCHANT SAILOR
60	ATTEMPTED MURDER REDUCED TO 2ND DEGREE MURDER		1 VICTIM STABBED IN CHEST (RETIRED BAKER IN HAMILTON)		X				1989	HAMILTON, ONTARIO CANADA	-BAIL HEARING		M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITTED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
59	GENOCIDE -OPENED FIRE ON DEMONSTRATORS IN TIMISOARA & LATER BUCHAREST, DEC. 17, 1989		GENOCIDE CO.		X	X			1989	BUCHAREST	LIFE IMPRISONMENT -THE BLOODSHED GALVANIZED ROMANIANS TO OVERTHROW CEAUESCU AFTER 24 YEARS OF TYRANNY		M	TOP HENCHMAN NICOLE CEAUSECU DICTATOR FORMER INTERIOR MINISTER
59	3 X MURDER		3 (1953 TRIPLE SLAYING NO CHARGES LAID		X				1989	TORONTO ONTARIO CANADA	-RELEASED INSUFFICIENT EVIDENCE *PROSPECTOR WILLIAM COFFIN WAS HANGED 32 YEARS AGO FOR THESE CRIMES <u>GALLOWS</u> (CASE CHAMPIONED BY LAWYER PIERRE ELLIOTT TRUDEAU		M	MAN
59	1 X MANSLAUGHTER 1 X DRIVING WHILE INTOXICATED 1 X DRIVING WHITHOUT A LICENCE (KILLED 4 MONTH OLD BOY)		3		X				1988	NEW YORK U.S.A.			M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
59	1 X MURDER <u>SLAYING</u> <u>SHOT IN THE HEAD</u> SALVATORE TESTA (AN UNDERWORLD RIVAL)				X				1988	PHILADEL- PHIA, U.S.A.			M	UNDERWORLD (ORGANIZED CRIME)
59	7 X MURDER (ACCESSORY TO HOMICIDE)		7	NOT 1982 CON- VIC- TION FOR DRUG- GING & ROB- BING 3 PEOPLE	X				1988	SACRAMENTO, CALIFORNIA U.S.A.	MOTIVE- <u>ROBBERY</u> CASHING SOCIAL SECURITY CHEQUES	ON PAROLE	F	ROOMING HOUSE OPERATOR

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
59	SECOND DEGREE MURDER -MANSLAUGHTER (RECOMMENDED FOR TAP)		1 (WIFE) STRANGLED		X	X			1990	MISSISSAUGA ONTARIO CANADA ONTARIO SUPREME COURT	JURY: NOT GUILTY OF MURDER BUT GUILTY OF LESSER OFFENCE MANSLAUGHTER JURORS HAD REASONABLE DOUBT AS TO WHETHER HE INTENDED TO KILL HIS WIFE OR FOUND THAT THE KILLING MAY HAVE BEEN PROVOKED FREE ON BAIL UNTIL SENTENCING \$30,000. 2 YEARS LESS 1 DAY (MAXIMUM REFORMATORY TERM)	PAROLE CONDITION: PROHIBITED FROM OWNING EXPLOSIVES, FIREARMS OR AMMUNITION FOR 10 YEARS AFTER HE GETS OUT OF JAIL	M	EX-BOXER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
58	SECOND DEGREE MURDER		1 VICTIM (WIFE) 49 YEARS OLD NOTE: INJURIES HEAD BASHED INTO CURB OUTSIDE HOME IN BOLTON, ONTARIO MARRIED 19 YEARS (SHE HAD EXTRA-MARITAL AFFAIRS)		X				1989	TORONTO, ONTARIO CANADA	NOTE: DEFENSE- "SLEEPWALKING" TESTIMONY- DR. HARVEY MOLDOFSKY "PEOPLE IN SUCH AN <u>AUTOMATIC STATE</u> AS SLEEPWALKING WOULD BE CAPABLE OF SPEECH" PLEA: NOT GUILTY		M	HUSBAND

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	SEX	POSITION
58	FIRST DEGREE MURDER -ATTEMPTED MURDER		2 KILLED WIFE ATTEMPTED TO KILL HIS BROTHER (SHOT & STABBED -WIFE) BROTHER GUNSHOT WOUNDS		X				1989	TORONTO, ONTARIO CANADA ONTARIO SUPREME COURT	NOTE: DIED - APPEARED TO HAVE SELF-INFLICTED STAB WOUNDS TO THE STOMACH. "THE CAUSE OF ACCUSED'S DEATH WAS NOT GIVEN"		M	
58	ATTEMPTED MURDER REDUCED AGGRAVATED ASSAULT		1 <u>VICTIM</u> WIFE- BURNS TO 40% OF BODY		X	X			1988	MONTREAL QUEBED CANADA	5 1/2 YEARS IN PRISON (MAXIMUM FOR AGGRAVATED ASSAULT 14 YEARS *COULD BE OUT OF PRISON WITHIN 22 MONTHS		M	FORMER TAXI DRIVER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CON VICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
58	INVOLUNTARY MANSLAUGHTER	FORCING PIECES OF A DOUGH-NUT INTO THE MOUTH OF A RESIDENT WHO CHOKED TO DEATH	1 <u>VICTIM</u> 59 YEARS OLD FEMALE		X				1988	ST. JOSEPH'S, MICHIGAN U.S.A.			F	FORMER FOSTER CARE HOME OPERATOR

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CON VICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
58	1 X SECOND DEGREE MURDER INSANITY	VICTIM DIS-ABLED FROM STROKE USED WALKER	1 VICTIM (69 YEAR WIFE) STRUCK HER 5 TIMES IN THE HEAD WITH AN AXE		X				1988	BEAVERTON, ONTARIO CANADA	-NOT GUILTY BY REASON OF INSANITY -ONTARIO SUPREME COURT -CLARKE INSTITUTE OF PSYCHIATRY (TORONTO) IN STRICT CUSTODY UNDER LIEUTENANT GOVERNOR'S WARRENT DR. MARK BEN-ARON TORONTO PSYCHIATRIST -MENTAL ILLNESS "MAJOR DEPRESSIVE EPISODE AT THE TIME OF THE ATTACK" (CHECK STUDIES BEN-ARON WAS AN AUTHOR) INTERVIEW BEN-ARON (2)		M	RETIRED BUSINESSMAN (EXECUTIVE)

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
58	-BANK ROBBERY (1989) *ALIAS GEORGE ALBERT MARCOTTE WHEN HE DRESSED UP AS SANTA CLAUSE JUST BEFORE CHRISTMAS 1962 AND LED A BANK RAID IN MONTREAL SUBURG		1	NOT 1ST OFFENCE 1962 2ND DEGREE MURDER (2 POLICE-MEN) <u>MACHINE GUNS</u>	X	X 1962 2 2ND DEGREE MURDER			1989	TORONTO, ONTARIO CANADA	SENTENCED TO GALLOWS (1962)		M	SANTA CLAUSE BANDIT
58	5 X MURDER "TRAILSIDE SLAYINGS" THAT TERRORIZED NORTHERN CALIFORNIA PARKS		5		X	X			1988	SAN DIEGO, CALIFORNIA U.S.A.	-FACES PENALTY OF EXECUTION OR LIFE IN PRISON		M	"TRAILSIDE MURDERS"
58	1 X FIRST DEGREE MURDER		1 (WIFE 35 YEARS) <u>BURNED</u> EXPLOSIVE DEVICE		X	COURT OF QUEEN'S BENCH JUDGE ALONE NO JURY	X		1987	CALGARY, ALBERTA CANADA	-ACQUITTED		M	HUSBAND
58	MURDER-SUICIDE		1 SHOT WIFE (55 YEARS OLD)		X				1989	LONDON, ONTARIO CANADA	SUSPECT-THEFT (ART THEFT RING) SHOT WIFE AND THEN COMMITTED SUICIDE		M	ART DEALER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CON VICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
57	FIST DEGREE MURDER -ATTEMPTED MURDER		2 (WIFE DIED & WOUNDING BROTHER GUN SELF INFLICTED STAB WOUNDS (ACCUSED)		X				1988	TORONTO, ONTARIO CANADA			M	HUSBAND
56	2 X MURDER		1 VALENTINES DAY MASSACRE	1973 DOUBLE MURDER BY HIM AND 8 BROTHERS OF A POOR SOUTH END BARTENDER	X	X			1989	MONTREAL, QUEBEC CANADA	25 YEAR SENTENCE WAS REDUCED TO 10 YEARS THURS., MARCH 16/89		M	MEMBER OF NOTORIOUS DEBOIS BROTHERS GANG
56	ASSASINATING PRIME MINISTER INDRA GANDHI		1 CO.		X	X			1989	NEW DELHI, INDIA	HANGING		M	SIKHS

AGE	OFFENCE	CCD OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
56	MURDER-SUICIDE		1 (WIFE (53)) -BIOLOGY TEACHER HIGH SCHOOL -BEATEN AND STRANGLED (MARRIED OVER 27 YEARS)		X				1988	FORT SASKATCHEWAN	-SUICIDE -DRINKING (PROBLEM SOLVED)		M	RETIRED SHERMITH GORDON MINES SUPERVISOR
56	ATTEMPTED MURDER (OF A POLICEMAN'S WIFE) -BREAK & ENTER FOR THE PURPOSE OF COMMITTING AN OFFENSE		1 <u>SHOOTING</u> HUSBAND HANS BREDERMANN (VICTIM) MASTERMINDED PLOT 10 YEARS IN PRISON FOR ATTEMPTED MURDER		X	X			1988	EDMONTON, ALBERTA CANADA	7 YEARS IN PRISON PSYCHIATRIC EXAMINATION		F	FRIEND OF POLICEMAN (GOLFED WITH HIM)

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
56	MANSLAUGHTER		1	NOT LINKED TO ALCOHOL POISONING DEATHS OF SEVEN OTHER WOMEN LIQUOR ILLNESSES OF 4	X	X	B.C. SUPREME COURT		1988	VANCOUVER BRITISH COLUMBIA CANADA	15 YEARS IN PRISON PREYED ON NATIVE WOMEN FOR SEX		M	BARBER
56	2 X COUNSELLING TO COMMIT MURDER 3 X ARSON 1 X OBSTRUCTION OF JUSTICE 1 X COUNSELLING TO BREAK IN AND THEFT		7	NOT SPENT 20 YEARS IN JAIL	X	X			1988	TORONTO, ONTARIO CANADA	10 YEARS IN PRISON JUDGE "REHABILITATING A 56 YEAR OLD CONVICT IS LIKE SPITTING IN THE WIND." "I PREFER AS A CITIZEN TO JUST THROW AWAY THE KEY WE CAN'T AFFORD HIM ANYMORE."		M	EX-COM
56	SECOND DEGREE MURDER -CRIMINAL POSSESSION OF A WEAPON		4 CO.	X	X		STATE SUPREME COURT IN QUEENS		1988	NEW YORK, U.S.A.	-MIS-TRIAL		M	"GENOVESE CRIME FAMILY"

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CON VICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S EX	POSITION
56	-AGGRAVATED ASSAULT REDUCED FROM ATTEMPTED MURDER BECAUSE PURPRETATOR LET THE VICTIM MAKE HIS WAY BACK TO THE SCHOOL FOR HELP		1		X	X			1989	ORANGEVILLE ONTARIO CANADA	20 MONTHS IN JAIL AND 3 YEARS PROBATION		M	CHIEF CARETAKER DINDALK SCHOOL ORANGEVILLE
55	-NUDE -CRIMINAL NEGLIGENCE		2		X				1989	BRANTFORD, ONTARIO CANADA			M	
55	SECOND DEGREE MURDER -OF A TEENAGER FOUND FLOATING IN BIG OTTER CREEK (TILLSONBERG, ONTARIO)		1		X				1989	SIMCOE, ONTARIO CANADA			M	
55	FIRST DEGREE MRUDER (EX-WIFE) FRIEND		1		X				1990	NAPANEE, ONTARIO CANADA	PLEA: NOT GUILTY		M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
55	-ATTEMPTED MURDER AFTER SHOOTING AT A CITY OF YORK BAKERY -AGGRAVATED ASSAULT -DISCHARGING A FIREARM WITH INTENT OF WOUNDING -USING A FIREARM IN THE COMMISSION OF AN OFFENCE		4		X				1990	TORONTO, ONTARIO CANADA			M	DETECTIVE SERGEANT HEAD OF THE METRO TORONTO BIKER SQUAD (34 YEAR OLD VETERAN)
55	2-AGGRAVATED FIRST DEGREE MURDER		2	NOT CAREER CRIMINAL i.e. MOUNTAIN SECURITY PRISON WHERE HE WAS SERVING A SENTENCE FOR ARMED ROBBERY	X	X	PORT ANGELES, WASHINGTON		1990	KELAWONA, BRITISH COLUMBIA CANADA	HAS WAITED ON DEATH ROW IN WASHINGTON STATE PENITENTIARY AT WALLA WALLA SINCE BEING CONVICTED ON TWO COUNTS OF AGGRAVATED FIRST DEGREE MURDER IN 1983 = 7 YEARS	PAROLEE (CANADIAN)	M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
55	SECOND DEGREE MURDER MURDER BEATING DEATH OF A 51 YEAR OLD DRIFTER		1		X		X CHARGE WITHDRAWN BY CROWN		1990	HAMILTON, ONTARIO CANADA JUDGE ANTON ZURAW (FORMERLY) (CROWN) (ATTORNEY) (HAMILTON)	CROWN'S OFFICE WAITED 9 1/2 MONTHS BEFORE WITHDRAWING A SECOND-DEGREE MURDER CHARGE -SUED PROSECUTION INFRINGEMENT OF HIS CONSTITUTIONAL RIGHTS		M	
54	SECOND DEGREE MURDER -CRIMINAL POSSESSION OF A WEAPON		4 CO.	X			STATE SUPREME COURT IN QUEENS		1988	NEW YORK, U.S.A.	MIS-TRIAL		M	"GENOVESE CRIME FAMILY"

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S X	POSITION
83	CONSPIRACY		1 CO. JUDGE ROBERT P. AGUILAR	NO CAR-EEER CRIMINAL	X				1990	NEW YORK U.S.A.			M	"CAREER CRIMINAL" 33 YEARS IN PRISON
81	-ILLEGAL GRATUITY -TAX FRAUD -COMMERCIAL BRIBARY -CONSPIRACY	FEDERAL WIRE TAP STATUTE AND 4TH AMEND-MENT	1 3		X	X			1988	NEW YORK, U.S.A.	CONVICTED SEPT./87 -IF CONVICTED FACES MAXIMUM 50 YEARS IN PRISON AND MORE THAN \$1.5 MILLION IN FINES		M	FORMER BROOKLYN DEMOCRATIC LEADER
80	-TAX EVASION		CHARGED BUT NOT TRIED MENTALLY INCOMPET-ANT (SAID JUDGE)		X Co.				1988	MANHATTEN, NEW YORK U.S.A.	-FOUND MENTALLY UNFIT TO STAND TRIAL WITH HIS WIFE		M	HOTEL OWNER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
77	-RACKETEERING		28		X	X			1986	NEW YORK, U.S.A.	-SERVING 100 YEAR PRISON TERM FOR 1986 CONVICTION		M	BOSS:
	-RACKETEERING CONSPIRACY													GENOVESE ORGANIZED CRIME FAMILY
	-EXTORTION													
	-MAIL FRAUD													
	-ILLEGAL GAMBLING													
	-RACKETEERING													
	-WIRE FRAUD		5	<u>NOT</u>	X	X	X				-ACQUITTED ON TEAMSTERS CHARGES;			
	-ENGINEERING 1983 ELECTION JACKIE PRESSER AND ROY WILLIAMS AS PRESIDENT OF TEAMSTERS										WIRE FRAUD 5 COUNTS CONVICTED OF RACKETEERING			
76	INSIDER TRADING SCANDEL				X				1989	PARIS, FRANCE			M	CLOSE FRIEND OF PRESIDENT FRANCOIS MITTERRAND (FRANCE)

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON-VICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
75	-FRAUD			NOT 400 CON-VICTIONS	X				1989	CALGARY, ALBERTA CANADA	SERVED 25 YEARS IN JAIL 1989 - RAN FOR MAYOR OF CALGARY CANADA		M	"JIMMY THE CON" RUBBER- CHEQUE ARTIST
75	-ATTEMPTING TO TAKE A GUN INTO THE U.S. ABOARD A PLANE CARRYING A SON OF U.S. PRESIDENT RONALD REAGAN		1		X				1988	RICHMOND, BRITISH COLUMBIA CANADA	ABSOLUTE DISCHARGE		M	LIBERAL SENATOR FORMER MAYOR OF WHITEHAVEN ALASKA
74	-GUINNESS TAKEOVER SCANDAL				X	X			1990	LONDON, ENGLAND	-FREED ON BAIL TO UNDERGO SURGERY FINED L3 MILLION (6.4 MILLION) ESCAPED JAIL SENTENCE DUE TO ILL HEALTH -CANCER -HEART PROBLEMS -HIGH BLOOD PRESSURE -CHRONIC BRONCHITIS		M	CHAIRMAN OF GUINNESS PLC. BRITAIN

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON-VICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
72	GRAFT CHARGES				X CO.				1989	MANILLA, PHILLI- NES	DIED SEPT. 26/89 CARDIAC ARREST TRIED IN NEW YORK CITY, U.S.A.		M	FORMER PHILIPPINE LEADER
72	-FRAUD -CHARGES ALLEGED CONNECTION TO ANTI-COMMUNIST ALLIANCE			<u>NOT</u> <u>U.S.</u> EXTRA- DITED HIM TO ARGEN- TINA 1986 -FRAUD CONSPIR- SPIRACY	X		X		1989	BUENOS ARIES, BRAZIL	-DIED IN JAIL OF HEART ATTACK		M	
71	FRAUD BRIBERY RACKETEERING		3	NOT 1987 (SEE BOOK I) CO- STANLEY SIMON JOHN MORIOTTA	X	X			1988	NEW YORK U.S.A.	-8 YEARS IN PRISON -\$242,000 FINES		M	COP TURNED CONGRESSMAN

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S EX	POSITION
70	INSIDER TRADING SCANDEL				X				1989	PARIS, FRANCE	-DIED BEFORE TRIAL PULMONARY EMBOLISM: DIED OF HEART ATTACK		M	LONGTIME FRIEND OF PRESIDENT FRANCOIS MEITTERAND
70	6 X FRAUD 3 X ATTEMPTED FRAUD 12 X FRAUD 2 X ATTEMPTED FRAUD 2 X THEFT		25		X				1989	TORONTO, ONTARIO CANADA			M	FARMER
70	\$245 MILLION BANK EMBEZZLEMENT OF CRETE FUNDS				X CO.				1989	ATHENS, GREECE			M	FORMER PREMIER GREECE

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITTED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
69	TAX EVASION FALSIFIED RECORDS -EXTORTION -CONSPIRACY		235 COUNTS OF WRONG- DOING		X	X	X SERIOUS CHARGES: EXTOR- TION CON- SPIRACY		1988	MANHATTEN NEW YORK U.S.A. STATE COURT	4 YEARS IN PRISON (A ROOM OF HER OWN OWN IN A FEDERAL PRISON) -750 HOURS CSO -3 YEARS PROBATION -\$10 MILLION IN FINES & BACK TAXES		F	HOTEL OWNER "QUEEN"
69	FRAUD UTTERING		13 (IN 1988)		X		X		1988	HAMILTON, ONTARIO CANADA JUDGE JOHN PRINGLE DISTRICT COURT	COURT DATE: NOV./89 IS NOW 71 YEARS PLEA: GUILTY TO ONE COURT OF UTTERING FORGED DOCUMENTS DISPOSITION: -SUSPENDED SENTENCE + 12 MONTHS PROBATION		F	ROMAN CATHOLIC NUM
68	CONSPIRING TO DEFRAUD THE FEDERAL GOVERNMENT		1		X	X	X		1989	KANSAS CITY, KANSAS U.S.A.	PLEA: GUILTY 2 YEARS PROBATION 300 HOURS CSO		M	RETIRED ARMY BRIGADE

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFEN- DER	ACC- USED	CON VIC- TED	ACQUITTED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
68	INSIDER-TRADING -PROFITING FROM AN INSIDE TIP BY SELLING THE SHORT STACK				X				1990	WINNIPEG, MANITOBA CANADA	PLEA: NOT GUILTY HE FOUND IT NECESSARY TO PAY \$50,000 TO SETTLE AN ALLEGATION OF ILLEGAL INSIDE-TRADING TO ONTARIO & MANITOBA SECURITIES CANADA'S LARGEST / INSIDER TRADING		M	FORMER LIBERAL DEFENCE MINISTER
68	-THEFT -FRAUD -BREACH OF TRUST -UTTERING FORGED DOCUMENTS	CHARGES LAID BY RCMP	7	1ST MEMBER IN THE UPPER CHAMBERS 122 YEAR HISTORY TO BE ACCUSED OF CRIMINAL OFFENCES RELATED TO THE USE OF SENATE MONEY	X				1989	OTTAWA, ONTARIO CANADA	-HE RETURNED \$5,000 TO THE SENATE PLEA: NOT GUILTY AUGUST 1990 ADMITTED TO HOSPITAL WITH HEART PROBLEMS COURT DATE: NOV. 5/90		M	SASKATCHEWAN SENATOR (CANADA)

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFEN- DER	ACC- USED	CON VIC- TED	ACQUITTED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
68	FRAUD		1	APPLI- CATION	X	X			1989	KITCHENER, ONTARIO CANADA	FINE: \$75,000 \$100,000 RESTITUTION +1 YEAR IN JAIL		M	PSYCHIA- TRIST
68	OPP ANTI-RACKET SQUAD LAID CHARGES OF ACCEPTING A KICKBACK OF \$47,000		1		X Co.				1990	MIDLAND, ONTARIO CANADA			M	FORMER MANAGER OF THE MIDLAND PUBLIC UTILITIES COMMISSION
68	PASSING ON INSIDE INFORMATION THAT OTHERS USED IN PURCHASING STOCK INSIDER=TRADING SCHEME (MAY/86-MARCH/87)	CIVIL SUIT IN FEDERAL COURT IN MANHATTEN NEW YORK CITY	1		X Co.				1990	REDWOOD CITY, CALIFORNIA U.S.A.	COURT NEW YORK CITY		M	FOOD MARKETING CONSULTANT

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
68	PASSING ON INSIDE INFORMATION THAT OTHERS USED IN PURCHASING STOCK INSIDER=TRADING SCHEME (MAY/86-MARCH/87)	CIVIL SUIT IN FEDERAL COURT IN MANHATTEN, NEW YORK CITY	1		X Co.				1990	MIAMI, FLORIDA U.S.A.	COURT NEW YORK CITY		M	PART OWNER OF A FOOD DISTRIBUTING CO.
67	EMBEZZLING \$267,000 ACCUSED OF EMBEZZLING FROM A CHURCH IN SUTTERN, NEW YORK OUTSIDE COURT IN TAOS, NEW MEXICO WHERE HE WAS ARRAIGNED		1		X				1990	SUTTERN, NEW YORK U.S.A.			M	FORMER TREASURER OF CHRIST CHURCH OF RAMAPO EPISCOPAL CHURCH
67	FRAUDULENT AND MISLEADING ADVERTISING BEFORE THE COLLAPSE OF HIS \$1 - 2 BILLION INVESTMENT EMPIRE IN 1987 CHARGES WERE FILED BY FEDERAL CONSUMER AND CORPORATE AFFAIRS DEPT. JULY/89		3		X				1990	EDMONTON, ALBERTA CANADA	FACES UP TO 5 YEARS IN JAIL AND UNLIMITED FINES FROM THE INSPECTOR WILLIAM CODE (INQUIRY REPORT, BY THE ALBERTA COURT OF QUEEN'S BENCH		M	PRINCIPAL GROUP FOUNDER AND PRESIDENT

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S X	POSITION
67	FORGERY (UTTERING A FORGED DOCUMENT)		1		X				1988	DUNDAS, ONTARIO CANADA			M	LAWYER DUNDAS, ONTARIO
67	-FRAUD -THEFT -CRIMINAL BREACH OF TRUST		3	SUPREME COURT OF APPEAL DENIED A LEAVE TO APPEAL A LEGAL CHAL-LENGE OF THE CHARGES	X				1988	WOODSTOCK, ONTARIO CANADA	-STAYED BECAUSE ALL THE EXHIBITS HAVE BEEN LOST -CHARGES HAVE BEEN DROPPED AFTER SITTING BEFORE THE COURTS FOR 5 1/2 YEARS		M	FORMER MEMBER OF PARLIAMENT
66	-VIOLATING GOVERNMENTAL ETHICS		69		X	CON-GRES-SIONAL			1989	WASHING-TON, U.S.A.			M	U.S. HOUSE SPEAKER -TEXAS DEMOCRAT

AGE	OFFENCE	CCD OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
66	CONSPIRACY		1	NO IS SERVING A 5 YEAR SENTENCE FOR VIOLATION OF PROBATION AFTER BEING CONVICTED OF EMBEZZLING UNION FUNDS	X CO. (83) (59)	X			1990	NEW YORK, U.S.A.			X	FORMER TEAMSTER'S UNION OFFICIAL

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
66	DRUG PRESCRIPTION FORGERY				X				1989	OTTAWA, ONTARIO CANADA	SUSPENDED SENTENCE - 3 YEARS GUILTY OF KNOWINGLY BEING INVOLVED IN HER SON'S PRESCRIPTION DRUG FRAUD		F	WIDOW MOTHER
66	MAIL FRAUD		11		X	X			1989	ROCHESTER, MINNISOTA U.S.A.	15 YEARS IN PRISON EXPECTED TO SPEND 15 YEARS IN PRISON SENTENCE IN FEDERAL MEDICAL FACILITY IN MINNISOTA ROCHESTER FEDERAL MEDICAL CENTRE		M	POLITICAL ACTIVIST
65	-FRAUD (STOCK MANIPULATION) -MAKING SECRET COMMISSION PAYMENTS		2		X	X			1990	TORONTO, ONTARIO CANADA	FOUND GUILTY 7 YEARS IN PEN. -PAY VICTIMS \$2.4 MILLION		M	MILLIONAIRE STOCK MANIPULATOR
65	2 X CONSPIRACY -BRIBERY -OBSTRUCTION TO JUSTICE		3		X				1990	HAMILTON, ONTARIO CANADA			M	RETIRED REAL ESTATE AGENT MORTGAGE BROKER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITTED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
65	-SWINDLED 2 COMPANIES OUT OF \$400,000 (FRAUD)		2		X	X			1990	TORONTO, ONTARIO CANADA	9 MONTHS IN JAIL BY JUDGE HUGH LOCKE, DISTRICT COURT		M	BUSINESSMAN
65	-COUNSELLING IMMIGRATION FRAUD	IMMIGRA- TION ACT	10						1989	MISSISSAUGA, ONTARIO CANADA	FINE: \$50,000 + <u>PROBATION</u> CONDITION: COMPELS RAFAEL TO STOP ACTING AS A CONSULTANT		M	
65	-CRIMINAL BREACH OF TRUST (DEFRAUDING CIBC \$200,000)				X	X			1990	TORONTO, ONTARIO CANADA JUDGE PATRICK LE SAGE	PLEA: GUILTY <u>HEALTH:</u> AILING BUSINESS MAN SENTENCING DATE: MAY 31/90 TORONTO DISTRICT COURT		M	OWNER OF NURSING HOME
65	PASSING ON INSIDE INFORMATION THAT OTHERS USED IN PURCHASING STOCK INSIDER=TRADING SCHEME (MAY/86-MARCH/87)	CIVIL SUIT IN FEDERAL COURT IN MANHATTEN, NEW YORK CITY	1		X Co.				1990	MIAMI, FLORIDA U.S.A.	COURT NEW YORK CITY		M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
64	FRAUD -DEFRAUDING THE CANADIAN HOME INSULATION PROGRAM -\$30,000 IN THE 1970'S		1 CO. 11 YEAR OLD CHARGES DROPPED OCT. 19/90	<u>NOT</u> CAREER CRIM- INAL MORE THAN 20 CONVIC- TIONS	X	X		X INSUL- ATION (1) 81/82 MIS- TRIAL (2) /83 ACQUIT- TED SUPREME COURT OF CANADA (3) CROWN APPEALED RE-TRIAL ORDERED IN 1984 (4) 3RD TRIAL JAN. 15/91	1990	HAMILTON, ONTARIO CANADA	INSULATION CASE COURT DATE: JAN. 15/91 DIED OF CANCER AUG. 8/90 (2) IF CASE WILL CONTINUE -INADMISSABILITY OF WIRETAP EVIDENCE 10 YEAR OLD CASE 11 YEAR OLD CHARGE DROPPED OCT. 19/90		X	BUSINESSMAN LONGSHOREMAN

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
64	-FRAUD CHARGES (1981)		1	NOT 1961 FLORIDA FRAUD CHARGES ESCAPED ON BAIL	X				1990	TORONTO, ONTARIO CANADA	-SPENT 2 YEARS IN JAIL BEFORE HIS RELEASE, FLORIDA (VIOLATING LAND REGULATIONS)		M	TORONTO BUSINESSMAN
64	FRAUD		1		X				1988	NEW YORK, U.S.A.			F	SALES SUPERVISOR
64	CONSPIRING TO KEEP A COMMON GAMING HOUSE IN 1985		1		X				1988	TORONTO, ONTARIO CANADA			M	CHINATOWN RESIDENT
63	-FEDERAL RACKETEERING -12 OTHER COUNTS (PLOTING TO SHIP MILITARY EQUIPMENT ILLEGALLY TO USSR)		1 12 TOTAL 13		X	X	X		1988	NEWYORK, U.S.A.	FOUND GUILTY		M	
63	ACCEPTING SECRET COMMISSIONS		8		X	X ON 6 CHA- RGES			1989	TORONTO ONTARIO CANADA	3 YEARS IN PRISON		M	EXECUTIVE CANADIAN TIRE

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	COM VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
63	OPP ANTI-RACKET SQUAD LAID CHARGES OF POCKETING \$93,000 OF THE UTILITY'S MONEY -ALLEGED TO HAVE HAD HANDLED \$47,000 BACK TO CO-ACCUSED		2		X 20.				1990	MIDLAND, ONTARIO CANADA			M	
63	-MAIL FRAUD (U.S.A.)		30		X				1989	SAULT STE. MARIE, ONTARIO CANADA	-EXTRADITION TO U.S.A. HE SAYS HE MUST STAY IN CANADA TO LOOK AFTER HIS WIFE, VIRGINIA WHO SUFFERS FROM A LUNG DISORDER		M	HUSBAND
63	THEFT FRAUD OVER \$1,000				X				1989	HAMILTON, ONTARIO CANADA			M	ALDERMAN 1970-1982 HAMILTON HYDRO

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
63	-DEFRAUDING THE CANADIAN HOME INSULATION PROGRAM \$30,000 IN THE 1970'S		1 CO. 11 YEAR OLD CHARGES DROPPED OCT. 19/90		X			X INSUL- ATION (1) 81/82 MISTRIAL (2) /83 ACQUIT- TED SUPREME COURT OF CANADA (3) CROWN APPEALED RE-TRIAL ORDERED IN 1984 (4) 3RD TRIAL JAN. 15/91	1990	HAMILTON, ONTARIO CANADA	INSULATION CASE COURT DATE: JAN. 15/91 CHARGES DROPPED OCT. 19/90 DUE TO INSUFFICIENT EVIDENCE DAVID CARR CROWN ATTORNEY		M	BUSINESSMAN

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
63	-FRAUD -THEFT \$500,000		2		X	X 6 WEEK TRIAL			1988	TORONTO, ONTARIO CANADA	-JAILED 5 YEARS -DEFRAUDED 86 YEAR OLD WIDOW JUDGE FOUND HIM GUILTY ON 2 CHARGES OF THEFT BUT STAYED THE CONVICTION		M	ENGINEER
63	TAX EVASION -FALSIFYING BUSINESS RECORDS -OFFERING A FALSE INSTRUMENT FOR FILING -VIOLATING THE STATE TAX LAW IN CONNECTION WITH ACCEPTING THE BRIBE		3		X	X			1988	NEW YORK U.S.A.	-3 YEARS IN PRISON		M	FORMER MAJOR GENERAL OF THE NATIONAL GUARD NEW YORK
62	INSURANCE FRAUD SCANDEL		1		X	X			1988	LONDON, ENGLAND	-STAGED HIS OWN DROWNING TO EVADE A 7 YEAR PRISON SENTENCE IN BRITAIN		M	WRITER FORMER LABOUR CABINET MINISTER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFEN- DER	ACC- USED	CON VIC- TED	ACQUITTED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
62	2 X BREACH OF TRUST 1 X FRAUD OVER \$1,000 1 X THEFT OVER \$1,000		4		X				1989	TORONTO, ONTARIO CANADA			M	DISBARRED TORONTO LAWYER
62	CONSPIRACY TO COMMIT BRIBERY		1	NOT CON- VICT- ED POLICE BRIBE (SEE BOOK 1)	X				1988	TORONTO, ONTARIO CANADA			M	CHINATOWN HOTEL OPERATOR
62	FRAUD		1		X <i>Co.</i>	X			1989	WINNIPEG, MANITOBA CANADA	PLEA: GUILTY 2 YEARS IN PENITENTIARY (MADAME JUSTICE RUTH KRINDLE) MANITOBA COURT OF QUEEN'S BENCH		M	COMMODITIES TRADER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
62	FRAUD MISSAPPROPRIATION OF FUNDS THEFT		27		X	X			1990	TORONTO, ONTARIO CANADA	MARCH 2/90 SENTENCING DATE		M	SON OF WOODSTOCK, ONTARIO FARMER
62	PASSING ON INSIDE INFORMATION THAT OTHERS USED IN PURCHASING STOCK INSIDER=TRADING SCHEME (MAY/86-MARCH/87)	CIVIL SUIT IN FEDERAL COURT IN MANHATTEN, NEW YORK CITY	1		X Co.				1990	BOCA RATON, FLORIDA U.S.A.	COURT NEW YORK CITY		M	
62	-EMBEZZLE (\$28,615) FROM HER BOSS				X	X			1990	TORONTO, ONTARIO CANADA	4 MONTHS IN JAIL		F	DENTIST RECEPTIONIST
62	2 X DEFRAUDING CLIENTS		2		X	X			1990	TORONTO, ONTARIO CANADA	PLEA: GUILTY		M	LAWYER
61	FRAUD		1		X				1989	BURLINGTON, ONTARIO CANADA	CHARGE DISMISSED ABSENCE OF FRAUDULENT INTENTION IN HER ACTIONS		F	AUNT
61	-DEFRAUDING PUBLIC REPAIR -FRAUD		2		X				1989	TORONTO, ONTARIO CANADA			M	OWNER OF AN ENGINE BROKERAGE FIRM

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
61	THEFT OVER \$1,000		1		X				1988	WINNIPEG, MANITOBA CANADA	-18 MONTHS IN JAIL -FINE \$50,000		M	GODFATHER OF WINNIPEG'S ART COMMUNITY
61	-DEFRAUDING 84 CANADIANS OF \$800,000		622	FLED TO SWITZERLAND 1986 BASIL'S SUPREME COURT GRANTED THE SWISS REQUEST FOR EXTRI-DITION 1989	X				1989	BASEL, SWITZERLAND			M	SWISS FINANCIER
61	TAX FRAUD		1		X		X		1989	LIVERPOOL, ENGLAND			M	BRITISH CONEDIAN
61	-FRAUD -RACKETEERING				X				1988	LAKEWOOD, OHIO U.S.A.	-DIED OF HEART FAILURE IN HOSPITAL		F	TEAMSTER BOSS

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITTED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
60	CORRUPTION CHARGES				X Co.	X			1988	TORONTO, ONTARIO CANADA	PLEA: GUILTY		M	CONSULTANT CONTRACTOR
60	FRAUD OVER \$1,000				X				1990	TORONTO, ONTARIO CANADA			F	HOME RENOVATION
60	PASSING ON INSIDE INFORMATION THAT OTHERS USED IN PURCHASING STOCK INSIDER=TRADING SCHEME (MAY/86-MARCH/87)	CIVIL SUIT IN FEDERAL COURT IN MANHATTEN, NEW YORK CITY	1		X Co.				1990	ALLENDALE, NEW JERSEY U.S.A.	COURT NEW YORK CITY		M	FORMERLY A GREAT ATLANTIC & PACIFIC TEA CO. SENIOR EXECUTIVE VICE-
60	-RACKETEERING WHERE CANADIAN CITIZENSHIPS WERE SOLD UP TO \$100,000		1		X				1990	TORONTO, ONTARIO CANADA	BAIL \$35,000		F	MANAGER OF REGISTRATION SERVICES FOR CITIZENSHIP COURT PRESIDENT & CHIEF OPERATING OFFICER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
60	-FEDERAL RACKETTEERING CHARGES -THEFT -FRAUD		3		X		X FEDERAL JURY OF FRAUD		1990	NEW YORK CITY, NEW YORK U.S.A. RESIDES MANILLA, PHILLIPINES	-FIRST WIFE OF A FORMER HEAD OF STATE EVER TO BE BROUGHT TO TRIAL IN U.S.A. ACQUITTED BY FEDERAL JURY OF FRAUD 2 WEEK'S LATER ORDERED BY U.S. JUSTICE DEPARTMENT TO FACE GRAND JURY QUESTIONING IN ANOTHER CRIMINAL PROCEEDING WAS ILL IN COURT COLLAPSED		F	FORMER WIFE OF HEAD OF STATE PHILLIPINES

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
60	-DEFRAUDING THE CANADIAN HOME INSULATION PROGRAM \$30,000 IN THE 1970'S		1 11 YEAR OLD CHARGES DROPPED OCT. 19/90		X CO.			X INSULATION (1) 81/82 MISTRIAL (2) /83 ACQUITTED SUPREME COURT OF CANADA (3) CROWN APPEALED RE-TRIAL ORDERED IN 1984 (4) 3RD TRIAL JAN. 15/91	1990	HAMILTON, ONTARIO CANADA	INSULATION CASE COURT DATE: JAN. 15/91 CHARGES DROPPED OCT. 19/90 DUE TO INSUFFICIENT EVIDENCE DAVID CARR CROWN ATTORNEY		M	BUSINESSMAN

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
59	THEFT				X	X			1988	VANCOUVER, BRITISH COLUMBIA CANADA	PLEA: GUILTY		M	SUPERMARKET MANAGER
59	-ACCEPTING \$2,000 -CORRUPTION -BREACH OF TRUST -THEFT ILLEGALLY POCKETTING \$7,463 -BRIBE -MISAPPROPRIATING \$5,463 FROM HIS HOUSE OF COMMONS OFFICE BUDGET 1984-1985		8		X				1989	MONTREAL, QUEBEC CANADA	FINED: \$3,000 PROBATION FOR 1 YEAR PLEA: GUILTY		M	TORY MEMBER OF PARLIAMENT
59	-MAIL FRAUD -CONSPIRACY -MONEY-LAUNDERING				X	X			1988	PEORIA, ILLINOIS U.S.A.	SENTENCING DATE APRIL/90 FACES UP TO 125 YEARS IN PRISON \$52 MILLION (U.S.) FUNDS		M	"CHURCH OF LOVE SEX-FANTASY SCHEME" CHONDA-ZA PARADISE

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE S ELIGI- BILITY	X	POSITION
59	VIOLATED FEDERAL ETHICS STANDARDS (WEDTECH FRAUD CASE) VIOLATED THE EXECUTIVE ORDER ON ETHICS		2	INVESTIGATED BY THE OFFICE GOVERNMENT	X				1989	WASHINGTON, D.C. U.S.A.	REPORT BY JUSTICE DEPARTMENT'S OFFICE OF PROFESSIONAL RESPONSIBILITY U.S.A. -RESIGNED		N	FORMER U.S. ATTORNEY GENERAL "PENTAGON SCANDAL"
58	FRAUD BRIBERY RACKETEERING				X	X			1988	NEW YORK, U.S.A.	5 YEARS IN PRISON & FINES: \$70,000		N	WEDTECH
58	2 X SECURITY FRAUD		2		X Co.	X			1989	NEW YORK U.S.A.	5 YEARS PROBATION (CAN APPLY FOR REDUCTION AFTER 3 YEARS) & FINE: \$250,000 PROBATION: TEACH GOLF TO CHILDREN AND WORK WITH UNDERPRIVLEDGED MEXICAN-AMERICAN YOUTHS PLEA: GUILTY MAXIMUM 10 YEARS IN PRISON AND \$500,000 FINES INCORPORATED IN IVAN BOESKY'S CASE		N	STOCKBROKER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
58	FRAUD BRIBERY RACKETEERING				X	X			1988	NEW YORK, U.S.A.	8 YEARS IN PRISON & FINES: \$291,000		M	WEDETECH FOUNDER
58	1 X THEFT 1 X USING A FORGED DOCUMENT 2 X CAUSING THE MINISTRY TO ACT ON A FORGED DOCUMENT				X				1988	THUNDER BAY, ONTARIO CANADA			M	PROSPECTOR
58	2 X FRAUD \$110,000		2		X	X			1989	TORONTO, ONTARIO CANADA				
58	1 X RACKETEERING 1 X RACKETEERING CONSPIRACY 5 X MAIL FRAUD 1 X CONSPIRING TO COMMIT EXTORTION MAIL FRAUD AND WIRE FRAUD		8		X Co.	X	2 MAIL FRAUD COUNTS		1989	CHICAGO, ILLINOIS U.S.A.	IF CONVICTED ON ALL COUNTS FACES UP TO 70 YEARS IN JAIL \$2 MILLION IN FINES AND FORFEITURE OF BUSINESS INTERESTS		M	SPORTS AGENTS

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
58	FRAUD		1		X	X			1989	TORONTO, ONTARIO CANADA	PLEA: GUILTY FINED: \$75,000 PROBATION: 3 YEARS -JUDGE GAVE 1 YEAR TO PAY FINE OR SERVE A YEAR IN JAIL		M	PHARMACIST
58	-BREACH OF TRUST -CONSPIRACY -CORRUPTION -FRAUD -THEFT -UTTERING FORGED DOCUMENTS AND PRACTICING OTHER RELATED OFFENCES -IMPAIRED DRIVING -REFUSING BREATHALIZER		34 2 TOTAL 36	YES	X				1990	HAMILTON, ONTARIO CANADA	TRIAL BY JUDGE ALONE		M	LIBERAL CABINET MINISTER (MEMBER OF PARLIAMENT) (SAT IN COMMONS) 22 YEARS AND IMMIGRATION LAW

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITTED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S X	POSITION
58	-FRAUD -BREACH OF TRUST -PERJURY			YES	X				1990	HAMILTON, ONTARIO CANADA			N	LAWYER/ ALDERMAN (1962-1968) WENTWORTH COUNTY
58	2 X THEFT (STEALING FOOD)		2			X	X		1989	TORONTO, ONTARIO CANADA	1 DAY IN JAIL PROBATION: 1 YEAR		M	TALENTED ARTIST
57	CORRUPTION CHARGE				X CO. (m)	X			1988	TORONTO, ONTARIO CANADA	PLEA: GUILTY		M	FEDERAL PUBLIC WORKS DEPARTMENT NARCOTICS PROSECUTOR (1963-1971)
57					X	X			1989	TORONTO, ONTARIO CANADA	PLEA: GUILTY JUDGE HUGH LOCKE DISTRICT COURT SENTENCING: NOV. 24/89		M	DISBARRED LAWYER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
57	THEFT 18 PAIR OF PLYERS (CANADIAN TIRE)				X		X		1989	HALIFAX, NOVA SCOTIA CANADA	PLEA: GUILTY DISPOSITION: ABSOLUTE DISCHARGE -MEDIA INTERFERANCE -\$97,000 SALARY -SUFFERS FROM DEPRESSION AND ANXIETY SAID DR. EDWIN ROSENBERG PSYCHIATRIST		M	CITY MANAGER
57	5 X FRAUD 5 X POSSESSION OF PROPERTY		10		X	X	X 2 X FRAUD CHARGES		1990	TORONTO, ONTARIO CANADA	TRIAL BY JUDGE ALONE GUILTY 8 OUT OF 10 COUNTS 3 YEARS IN PRISON (1963-1971)		M	METRO TORONTO LAWYER
56	VIOLATING THE INSIDER TRADING SECTION OF THE B.C. SECURITIES ACT (68 (1) (A))		1		X C.O.		X		1989	VANCOUVER, BRITISH COLUMBIA CANADA	PLEA: GUILTY		M	FORMER BRITISH COLUMBIA PREMIER (CANADA)

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
56	-429 COUNTS OF VIOLATING FOOD, DRUG & COSMETIC ACT (1976-1986) 18 X MAIL FRAUD 1 X CONSPIRACY	FOOD DRUG & COSMETIC ACT	429 COUNTS 18 1 TOTAL 448		X Co.				1988	NEW YORK U.S.A.	NOTE: HIS LAWYER ASKED THAT HE BE SENTENCED TO COMMUNITY SERVICE (CSO) AND HOUSE DETENTION FREE ON BAIL PENDING APPEALS DISPOSITION: A YEAR AND A DAY IN PRISON FOR DISTRIBUTING BOGUS APPLE JUICE INTENDED FOR BABIES FINE: \$100,000 (3 MONTH TRIAL)	ELIGI- BLE FOR PAROLE AFTER SERVING 1/3 OF THE SENTENCE	M	VICE- PRESIDENT OF BEECH-NUT CORPORATION
56	VIOLATING THE INSIDER TRADING SECTION OF THE B.C. SECURITIES ACT -INFORMANT		1 1 TOTAL 2		X Co.		X		1989	VANCOUVER, BRITISH COLUMBIA CANADA			M	CHAIRMAN HERB DOMAN & BENNETT EQUITIES LTD.
55	FRAUD				X	X			1989	TORONTO, ONTARIO CANADA	3 YEARS PROBATION 100 HOURS C.S.O.		M	INVENTOR

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
55	INCOME TAX EVASION		1		X Co.	X			1989	BURLINGTON, ONTARIO CANADA JUDGE WILLIAM SHARP	4 MONTH JAIL SENTENCE FOR \$209,000 MORE IN INCOME THAN COUPLE'S TAX RETURN SHOWED (PROVINCIAL COURT)		M	BAKERY-BUSINESS LONDON, ONTARIO AND LOCKPORT, NEW YORK
55	3 X FRAUD -FORGERY -UTTERING FORGED DOCUMENTS		3		X Co.				1989	OTTAWA, ONTARIO CANADA	CHARGES LAID BY R.C.M.P. DEFRAUDING GOVERNMENT MORE THAN \$50,000 IN A COMPUTER DOUBLE-BILLING SCHEME (JUNE/86-JULY/87)		M	EYRE TECHNICS LTD. OTTAWA BASED NAVAL ENGINEERING SERVICES CO.
55	3 X FRAUD -FORGERY -UTTERING FORGED DOCUMENTS		3		X Co.				1989	OTTAWA, ONTARIO CANADA	CHARGES LAID BY R.C.M.P. DEFRAUDING GOVERNMENT MORE THAN \$50,000 IN A COMPUTER DOUBLE-BILLING SCHEME (JUNE/86-JULY/87)		M	EYRE TECHNICS LTD. OTTAWA BASED NAVAL ENGINEERING SERVICES CO.

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	COM VICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
55	FORGERY -UTTERING FORGED DOCUMENT 3 X FALSIFYING DOCUMENTS -UTTERING ELECTION DOCUMENTS -FURNISHING FALSE INFORMATION	CCO & MUNICIPAL ELECTIONS ACT	3 X FORGERY 3 X UTTERING FORGED DOCUMENTS TOTAL 6		X				1990	TORONTO, ONTARIO CANADA	PLEA: GUILTY FINED: \$3,000 FOR ADDING 75 VOTERS TO LIST DISTRICT COURT JUDGE DISMISSED ALL CHARGES - LACK OF EVIDENCE		M	
55	-PASSING COUNTERFEIT MONEY -POSSESSING COUNTERFEIT MONEY -POSSESSION OF PROPERTY OBTAINED BY CRIME		3		X				1990	TORONTO, ONTARIO CANADA			K	FATHER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CON VIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S X	POSITION
55	-GRAND LARCENY -CRIMINAL POSSESSION OF STOLEN PROPERTY REMOVAL OF BABY GRAND PIANO FROM A SCHOOL TO HER HOME (1983)		2		X Co.		X		1990	NEW YORK U.S.A.	5 WEEK TRIAL IN THE STATE SUPREME COURT IN THE BRONX, NEW YORK NOT GUILTY OF CRIMINAL POSSESSION OF PROPERTY ----- HUSBAND (48) -ACQUITTED OF GRAND LARCONY NOTE: JURY UNABLE TO REACH VERDICT OF MISDEMEANOR, CHARGES OF THEFT OF SERVICES TO USE JANITORS TO MOVE THE PIANO. HE AND ANOTHER CO-ACCUSED WILL BE RETRIED.		F	WIFE OF PASTOR CHARISMATIC PRAYOR ----- DEMOCRAT REPRESENTING THE 76TH ASSEMBLY DISTRICT" ----- FORMER MEMBERS OF COMMUNITY SCHOOL BOARD #9

M I S C E L L A N E O U S

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S EX	POSITION
98	-SUMMONED TO YOUTH COURT		1		X		X COMPUTER ERROR SHOULD BE GRANDSON		1990	OTTAWA, ONTARIO CANADA	"COMPUTER GLITCH"		M	"INTERESTING CASE" 16-12-92 (BIRTH DATE BUT WRONG CENTURY)
93	-SERIES OF SEXUAL ASSAULTS WITH STEPDAUGHTER (NOW 65) DATING BACK TO 1927 (ABUSED AT 3 YERAS OLD)		1		X				1989	VANCOUVER, BRITISH COLUMBIA CANADA	VICTIM LEFT HOME 12 YEAR OLD -1981 (56 YEARS) NURSED MOTHER & 85 YEAR OLD STEPFATHER EXPOSED HIMSELF & FONDLED HER		M	STEPFATHER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	SEX	POSITION
83	-NAZI WAR CRIMINAL BUILT V-2 ROCKETS USED TO BOMB ENGLAND	IMMIGRATION	X		X		-CLEARED OF WAR CRIMES GERMANY (1984)		1990	TORONTO, ONTARIO CANADA	-FREE TO LEAVE BUT HE'D BE ARRESTED IF HE RETURNS TO CANADA		M	FORMER NAZI SCIENTIST
82	-CHARGED OR DUPLICATED AND CONTRACT BRIDGE		1 CO.		X				1988	TORONTO, ONTARIO CANADA			F	VETERAN BRIDGE PLAYER
81	-FORCING THE CHILD (10 YEARS OLD) TO POSE NUDE WHILE HE TOOK PICTURES OF HER, AND THEN TRIED TO HAVE SEX WITH HER.		1	NO 2ND CONVICTION	X	X			1988	WINNIPEG, MANITOBA CANADA	2 1/2 YEARS IN PRISON FOUND GUILTY BY JUSTICE RUTH KRINDLE SHE REALIZED THE PRISON TERM COULD AMOUNT TO A <u>LIFE SENTENCE</u> (LIFE SENTENCE FOR ACCUSED), BUT SAID SHE HAD NO CHOICE)		M	
81	-TREASON				X				1990	EAST BERLIN, EAST GERMANY			M	EAST GERMAN STATE SECURITY MINISTER (32 YEARS)

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFEN- DER	ACC- USED	CON VIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
80	-SEXUAL ASSAULT (17 YOUNG GIRLS)			17	X	X			1988	NELSON, BRITISH COLUMBIA CANADA	PLEA: GUILTY 4 YEARS IN PRISON JUDGE TOO <u>AGE</u> INTO ACCOUNT WHEN SENTENCING HIM TO PRISON		M	ELDERLY ROMAN CATHOLIC PRIEST RECTOR & ELEMENTARY SCHOOL TEACHER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-USED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
79	-COCAINE CONSPIRACY (CONSPIRING TO TRAFFICKING COCAINE)		1		X	X			1988	TORONTO, ONTARIO CANADA	PLEA: GUILTY FINED: \$35,000 SPARED A JAIL SENTENCE THAT DOCTORS WARNED -COULD KILL HIM		M	"CATALYST"
79	EXTORTION		1		X	X			1980	U.S.A.			M	STATE ASSEMBLY
78	FORGING A WILL ATTEMPTING TO OBSTRUCT JUSTICE OBSTRUCTING A POLICE OFFICER		3		X				1988	PEMBROKE, ONTARIO CANADA	FINED: \$32,500 10 YEARS IN PRISON		M	FORMER JUSTICE OF THE PEACE
78	3 X INDECENT ASSAULT (ABUSING YOUNG GRANDDAUGHTERS OVER A 1 YEAR PERIOD)		3		X	X			1990	OSHAWA, ONTARIO CANADA	4 YEARS IN PRISON FOUND GUILTY JUDGE RICHARD BYERS IGNORED OFFENCE REQUESTS FOR PROBATION. HE SAID THE MAN IS THE <u>OLDEST</u> PERSON HE HAS EVER SENT TO PRISON.		M	NOVA SCOTIA MAN RETIRED TRAIN ENGINEER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
77	-SMUGGLING COCAINE INTO SWITZERLAND				X	X			1988	GENEVA, SWITZER- LAND	-FOUND GUILTY -8 YEARS IN JAIL		M	BRAZILIAN PRIEST
77	-SELLING CRACK COCAINE			<u>NOT</u>	X				1989	ATLANTIC BEACH, FLORIDA U.S.A.			M	BLIND MAN
77	TREASON		1		X	X			1990	EAST BERLIN GERMANY	-RELEASED FROM HOSPITAL AFTER CANCER SURGERY AND TAKEN TO A PRISON USED TO HOLD PEOPLE BEFORE TRIAL		M	FORMER EAST GERMAN LEADER
76	RACKETEERING GABINO CRIME FAMIL		1	<u>NOT</u>	X				1988	NEW YORK, U.S.A.	FINE \$300.00 10 YEARS IN PRISON		M	CONSIGLIERI COUNSELOR GABINO FAMILY
75	-DEPORTATION U.S. TO STRIP HIM OF CITIZENSHIP				X	1			1989	MONTREAL, QUEBEC CANADA			M	NAZI PROPOGAN- DIST YALE PROFESSOR
75	-TRADING SEXUAL FAVOURS FOR JOBS				X				1988	CHICAGO, ILLINOIS U.S.A.			M	PRESIDENT OF COOK COUNTY

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVICTED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	SEX	POSITION
74	- INDECENT ASSAULT - GROSS INDECENCY 7 X CHILD MOLESTATION (BRITISH COLUMBIA) 2 X CHILD MOLESTATION (SASKATCHEWAN)				X			ORDERED EXTRADITED TO B.C.	1989	VANCOUVER, BRITISH COLUMBIA CANADA	DIED IN PRISON HEART ATTACK		M	RETIRED ROMAN CATHOLIC PRIEST
74	- PILLAGE - VIOLENCE AGAINST CIVILIANS - ARSON	WAR CRIMES			X	X			1988	VERON, HOLY	- CONVICTED IN ABSTINENCY - SENTENCED TO LIFE IMPRISONMENT BY A MILITARY COURT		M	FORMER NAZI CAPTAIN WORLD WAR II
73	- ROBBED 6 PARIS BANKS FROM 1981-1985			NOT HAD SPENT MORE THAN 1 YEAR IN JAIL	X	X			1988	PARIS, FRANCE	- 5 YEARS IN JAIL 4 YEARS WERE SUSPENDED BY THE COURT		M	INVENTOR

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CON VIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
73	ASSAULTING WIFE (77)		1		X	X			1989	NIAGARA FALLS, CANADA	"A JAIL SENTENCE WOULD SERVE NO PURPOSE BECAUSE OF MR. PATTISON'S AGE JUDGE WALLACE SAID." FINE \$500 PROBATION: 2 YEARS CONDITION: ORDERED NOT TO HAVE ANYCONTACT WITH HIS WIFE		M	HUSBAND (48 YEARS)
73	-SEXUAL ASSAULT (GRANDDAUGHTER)		X		X				1989	ALKALI LAKE, BRITISH COLUMBIA CANADA	-SUSPENDED SENTENCE & PROBATION: 3 YEARS CONDITIONS: ALCOHOL ABSTENANCE -STAY AWAY FROM YOUNG GIRLS PLEA: GUILTY		M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITTED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
72	-VIOLENT BEHAVIOR BAN ON HER OWNING OR USING A GUN ALLEGED ASSAULT				X		CHARGES WITHDRAWN		1988	TORONTO, ONTARIO CANADA	COURT ORDER: <u>PEACE BOND</u> COURT ORDER: BAN ON OWNING OR USING A GUN		F	
72	MISCHIEF (THREATENED TO BLOW UP OSGOODE HALL)			NOT 1966: ASS- AULT- ING A POL- ICE OFFI- CER OBST- RUC- TION OF JUST- ICE	X	X			1988	TORONTO, ONTARIO CANADA	-HISTORY OF HEART TROUBLE & OTHER AILMENTS -INCARCERATION COULD JEOPARDIZE HIS HEALTH (PSYCHIATRIST) -HELD IN CUSTODY		M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CON VICTED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
72	-DESTRUCTION OF JUSTICE		1		X				1988	TORONTO, ONTARIO CANADA				LIBERAL POLITICIAN
72	-VIOLENCE AGAINST FORMER RESIDENTS -ASSAULT CAUSING BODILY HARM		25 1		X Co.				1989	BARRIE, ONTARIO CANADA	PLEA: GUILTY TO ASSAULT CAUSING BODILY HARM		M	FORMER EMPLOYEE OF EMOTIONALLY HANDICAPPED ADULTS
72	-SLAPPING A POLICE OFFICER -SLANDER -EMOTIONAL DISTRESS -ASSAULT & BATTERY -DRIVING WITHOUT A VALID LICENCE -OPEN CONTAINER OF ALCOHOL IN HER CAR		3 3 6		X			UNDER-GOING INTER-VIEW BY A PSY-CHIA-TRIST	1989	BEVERLY HILLS, CALIF-ORNIA U.S.A.	3 DAYS IN JAIL CSO-120 HOURS FINES & RESTITUTION \$13,000 U.S.		F	ENTERTAINER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S EX	POSITION
71	CONFERRING BENEFITS		2		X	X			1987	CANADA	FINE: \$100,000		M	OWNER LEVY AUTO PARTS
71	-LAW BANNING ALL COMMUNIST ACTIVITIES		1		X				1989	SEOUL,			M	PRESBIT-
71	-SEXUAL INTERCOURSE WITH FEMALE UNDER THE AGE OF 14 YEARS (VICTIM: MENTALLY RETARDED AT AGE 7) -SERIOUSLY ILL -SOMEWHAT DEMENTED -ALZHEIMER'S			NOT 08/86 SUSPENDED SENTENCE FOR Molesting AN 8 YEAR OLD GIRL	X	X			1988	TORONTO, ONTARIO CANADA	PLEA: GUILTY -SUSPENDED SENTENCE -PROBATION 3 YEARS -STAY AWAY FROM CHILDREN AND NOT COME WITHIN 3 BLOCKS OF A SCHOOL PUBLIC PLACE WHERE CHILDREN GATHER BEING ACCOMPANIED BY AN ADULT		M	GRANDFATHER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
71	-INCEST -INDECENT ASSAULT -GROSS INDECENCY (2 GRANDAUGHTERS)		3		X	X	INCEST CHARGE DIS-MISSED CROWN IS APPEAL-ING		1989	BARRIE, ONTARIO CANADA	-SUSPENDED SENTENCE -18 MONTHS PROBATION		M	GRANDFATHER
71	-CONFLICT OF INTEREST	MUNIC-IPLE CON-FLICT OF INT-EREST	1		X				1988	NORWOOD, ONTARIO CANADA			M	RETIRED DAIRY FARMER ASPHODEL TOWNSHIP COUNCIL (22 YEARS) DEPUTY REEVE NORWOOD ONTARIO 1982 BOARD
71	3 X INDECENT ASSAULT 2 X GROSS INDECENCY		X		X				1989	TORONTO, ONTARIO CANADA			M	MOUNT CASHEL ORPHANAGE

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
70	GRAFT CHARGES		1		X				1988	MANILLA, PHILLIPINES			M	FORMER PHILLIPINES LEADER
70	RACKETEERING CONSPIRACY		2	NOT GABINO CRIME CRIM- INAL RECORD SINCE 15 YEARS OLD	X	X			1988	NEW YORK, U.S.A.	FINE: \$820,000			'UNDER BOSS' GABINO CRIME FAMILY
70	-SEXUALLY ASSAULTING 2 CHILDREN (8 YEAR OLD BOY) (8 YEAR OLD GIRL)		2		X	X			1990	KITCHENER, ONTARIO CANADA	PLEA: GUILTY DEFENSE LAWYER ARGUED THAT HE IS <u>TOO OLD</u> TO GO TO JAIL -6 MONTHS IN JAIL -3 YEAR PROBATION JUDGE GARY HUNTER SAID THAT IF NOT FOR HIS AGE AND A FLOOD OF LETTERS FROM RESIDENTS PRAISING HIS WORK IN THE COMMUNITY HARSHER SENTENCE WOULD HAVE BEEN		M	PRIEST

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S X	POSITION
70	SILENTLY PROTESTING ON PARLIAMENT HILL ON ABORTION (PUBLIC WORKS REGULATION BANNING DEMONSTRATIONS 164 FEET OF ENTERENCES)		1		X				1990	OTTAWA, ONTARIO CANADA	HAS BEEN MARKED AND THREATENED WITH VIOLENCE BY YOUNG INMATES AT A LOCAL DETENTION CENTRE		M	JESUIT PRIEST
70	-SEXUALLY ASSAULTING 3 BOYS WHO WERE MEMBERS OF HIS BOY SCOUT TROUP		3		X				1988	BARRIE, ONTARIO CANADA	PLEA: GUILTY 3 YEAR SUSPENDED SENTENCE CSO-110 HOURS PSYCHIATRIC		M	LONGTIME FORMER BOY SCOUT LEADER
70	CRIMINAL CHARGES FOR SUPPORTING THE DEMOCRACY MOVEMENT "COUNTER-REVOLUTIONARY REBELLION"		1		X				1990	BEIJING, CHINA			M	FORMER COMMUNIST

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S X	POSITION
69	ASSAULT OF HIS WIFE	1	X		X				1989	TRURO, NOVA SCOTIA CANADA	TRIAL DATE APRIL 15/89		M	FIRE FAMILY COURT JUDGE 1987 TREATING WOMEN UNFAIRLY
69	LIQUOR VIOLATIONS & MINOR THEFTS		200	NOT	X				1984	HAMILTON, ONTARIO CANADA	DIED IN JAIL CELL OF HEART ATTACK		M	SKID ROW USED TO SHOPLIFT TO BUY ALCOHOL
69	-INCEST -INDECENT ASSAULT -GROSS INDECENCY		5		X				1988	BARRIE, ONTARIO CANADA			M	
69	-ARSON				X	X	X		1984		3 YEAR SENTENCE SERVED UP UNTIL NOV./83 THE CANADIAN INST. OF LAW MEDICINE: <u>HEALTH LAW IN CANADA:</u> VOL. 4, NO. 4: PG. 85 (BUTTSWORTH)		F	DOUKHABOR LADY

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
68	-ENGAGING IN BOOKMAKING -ENGAGING IN THE BUSINESS OF OCCUPATION OR BETTING AND RECORDING OR REGISTERING BETS		2		X				1988	TORONTO, ONTARIO CANADA				M
68	1 X DANGEROUS DRIVING CAUSING DEATH 1 X FAILING TO REMAIN AT THE SCENE OF THE ACCIDENT 2 X DANGEROUS DRIVING CAUSING BODILY HARM		4		X				1989	TORONTO, ONTARIO CANADA	FREE ON BAIL COMMITTED SUICIDE			
67	19 COUNTS OF UNLAWFUL SEX WITH A MINOR		19		X				1988	SAN FRANCISCO, CALIFOR-NIA U.S.A.			M	CAR DEALER PROMINENT POLITI-CIAN (30 YEARS)

AGE	OFFENCE	CCD OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
67	3 X GROSS IMMORALITY (41 VIOLATIONS)	CHARGES FROM STATE MEDICAL BOARD	3		X				1989	DAYTON, OHIO U.S.A.			M	GYNO-COLOGIST
67	-INDECENT ASSAULT		15		X				1989	CALGARY, ALBERTA CANADA			M	ROMAN CATHOLIC PRIEST
67	-CONSPIRACY TO TRAFFIC IN A RESTRICTED DRUG AREA (\$1.5 MILLION LSD)		1		X Co.				1990	HAMILTON, ONTARIO CANADA			M	HUSBAND
66	CONFERING BENEFITS		2		X				1988	HAMILTON, ONTARIO CANADA			F	ROMAN CATHOLIC NUN
66	1 X SEXUAL INTERFERENCE 1 X SEXUAL ASSAULT 1 X GROSS INDECENCY 3 X INDECENT ASSAULT		6		X				1988	ORANGE-VILLE, ONTARIO CANADA	PLEA: GUILTY		M	FORMER REEVE

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S EX	POSITION
66	1 X SEXUAL INTERFERENCE 1 X SEXUAL ASSAULT 1 X GROSS INDECENCY 3 X INDECENT ASSAULT (AGAINST 2 BOYS 11 & 15)		6		X				1988	TORONTO, ONTARIO CANADA	PLEA: GUILTY 2 YEAR SUSPENDED SENTENCE		M	FORMER REEVE
66	1 X KEEPING A COMMON GAMING HOUSE 1 X KEEPING A COMMON BETTING HOUSE		2		X <i>co.</i>				1989	TORONTO, ONTARIO CANADA			M	
66	-PAID WOMEN FOR SEX		1		X				1989	TOKYO, JAPAN				JAPANESE PRIME

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITTED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
66	10 X PRACTICING MEDICINE ILLEGALLY		10 (DRO- PED BY QUEBEC CORP. OF PHYS. & SURG.) TOTAL 64	NOTE 54 DEC. /89) IN ACQUI- TTAL	X	X	DEC./89 2XFRAUD 2XCRIMINA NEG. CAUSING DEATH 2XASSAULT BODILY HARM TOTAL 6		1990	SHER- BROOKE, QUEBEC CANADA	FINE: \$500 ON EACH OF THE 10 COUNTS		M	DEVELOPER OF AN UNPROVEN CANCER AND AIDS SERUM CALLED 714Y
65	4 X INDECENT ASSAULT 2 X MOLESTING CHILDREN (VANCOUVER)		4 2		X X				1989	CALGARY, ALBERTA CANADA VANCOUVER BRITISH COLUMBIA CANADA			M	ROMAN CATHOLIC PRIEST OF TORONTO

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
65	-INDECENT ASSAULT -GROSS INDECENCY (INVOLVING 1 YOUNG MAN) 1965-1968		2		X <i>Co.</i>	X			1989	CORNER BROOK, NEWFOUND- LAND CANADA	PRELIMINARY HEARING RESULTS TO STAND TRIAL		M	ROMAN CATHOLIC PRIEST
65	-TAX EVASION -OBSTRUCTION OF JUSTICE		<u>NOT</u> MINOR STINT IN JAIL SWIT- ZER- LAND (1974)		X	X			1990	CLEVELAND, OHIO U.S.A.	10 YEARS IN JAIL FINE: \$2.5MILLION		M	HARD-CORE PORNOGRAPHY DEALER (WORLD'S LARGEST DEALER)
65	-SEXUALLY ASSAULTING MENTALLY HANDICAPPED STUDENTS 4 X SEXUAL ASSAULT (1987-1988) SCHOOL YEAR		4		X	X			1990	MONTREAL, QUEBEC CANADA	PLEA: GUILTY		M	FORMER SCHOOL BUS DRIVER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
65	HELPING PORTUGUESE VISITERS TO CANADA AND OBTAIN LANDED IMMIGRANT STATUS BY POSING AS JEHOVAH WITNESS	IMMIGRA- TION ACT CHARGES	11	NOT OFFEN- CES COMMIT TED WHILE HE WAS ON PROBA- TION FOR A 1984 SEXUAL ASSAUL	X				1988	TORONTO, ONTARIO CANADA			M	IMMIGRATION CONSULTANT
65	1 X PROHIBITED WEAPON				X	X			1989	DUNDAS, ONTARIO CANADA			M	TOW COMPANY OPERATOR
65	-UNAUTHORIZED DESTRUCTION OF RENTAL HOUSING UNDER PROVINCIAL LAWS	RENTAL HOUSING PROTEC- TION ACT LANDLORD & TENANT ACT	1		X	X					FINED: \$20,000 (RENTAL HOUSING PROTECTION ACT) AND \$1,500 EACH ON 10 CONVICTIONS LANDLORD AND TENANT ACT		M	LANDLORD
65	-ASSAULT		1		X				1990	OTTAWA, ONTARIO CANADA	CHARGE WAS DROPPED		M	PHYSICIAN

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
65	-UNLAWFUL SEXUAL INTERCOURSE WITH A MINOR		2		X		X		1987		6 MONTHS IN JAIL DUE TO HIS <u>AGE</u> THE BRITISH OF PSYCHIATRY MAY 1987: VOL. K150: P. 619		M	
65+	-CHARGED FOR PLAYING DUPLICATE BRIDGE		1		X Cp.		X		1988	TORONTO, ONTARIO CANADA			M	OLD AGE PENSIONER CONTACT
65+	-SHOOTING OF A 19 YEAR OLD MOTORIST IN DISPUTE LAST JUNE		1		X		X		1988	WHITE PLAINS, NEW YORK U.S.A.	18 MONTHS IN PRISON		M	RETIRED INVESTMENT BANKER GRANDSON- ONE OF THE FOUNDERS OF SOLOM BROTHER
64	-SEXUAL ASSAULT (2 DAUGHTERS FOR MORE THAN A DECADE)		2		X	X		X	1989	CALGARY, ALBERTA CANADA	ALBERTA COURT OF APPEAL REDUCED DIS- POSITION FROM 14 YEARS TO 12 YEARS IN PRISON		M	FATHER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S X	POSITION
64	-INCEST (2 DAUGHTERS) SINCE 10 YEARS OLD 1 PREGNANT TWICE 1 TWO NERVOUS BREAKDOWNS BY 11 YEARS OLD		2		X	X			1989	CALGARY, ALBERTA CANADA	MAXIMUM SENTENCE: 14 YEARS IN JAIL (FIRST TIME IN CANADA TO DRAW MAXIMUM PENALTY)		M	FATHER
64	-DIVORCE FIXING SCANDEL CHARGED WITH TRYING TO BRIBE JUDGE -OBSTRUCTION OF JUSTICE -PROMOTING BRIBERY -CONSPIRACY -MAIL FRAUD		4		X				1988	NEW YORK, U.S.A.	ACQUITTED		F	FORMER BEAUTY QUEEN
64	7 X INDECENT ASSAULT 2 X GROSS INDECENCY		9		X				1989	VANCOUVER, BRITISH COLUMBIA CANADA			M	FORMER MUSIC TEACHER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S X	POSITION
64	-CONSPIRACY TO SELL HIGH TECHNOLOGICAL EQUIPMENT TO THE SOVIET UNION		1		X	X		B.C. COURT OF APPEAL EXTRA-DITION ORDER-DED	1989	VANCOUVER, BRITISH CANADA			M	U.S. FUGITIVE
64	1 X ASSAULT		1		X				1988	TRURO, NOVA SCOTIA CANADA	WAIVED BIBLE AT THEM AND TOLD THEM THEY (WOMEN) SHOULD OBEY THEIR HUSBANDS FUNDAMENTALLY CHRISTIAN		M	FIRE D FAMILY COURT JUDGE
64	-INDECENT ASSAULTS (DATING BACK TO 1971) -SEXUAL ASSAULTS (ANOTHER JAIL GUARD AND INMATE)		10		X	X			1989	SAULT STE. MARIE, ONTARIO CANADA	PLEA: GUILTY 10 MONTHS IN JAIL		M	FORMER JAIL GUARD

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S EX	POSITION
64	9 X SEXUAL ASSAULT		9 CONVICTED ON 8		X	X			1989	VANCOUVER, BRITISH COLUMBIA CANADA	CONVICTED 2 1/2 YEARS IN PRISON		M	REV. FULL GOSPEL FUNDAMENTAL PREACHER
63	CONSPIRING TO KEEP A COMMON GAMGLING HOUSE BRIBERY OF A POLICE OFFICER	SECRET COM-MISSION OFFENCE	2	NOT INDEPENDENT STUDY BRIBERY OF POLICE RE: PROSTITUTION IN HOTEL (1988) 6 DAYS IN JAIL	X				1988	TORONTO, ONTARIO CANADA			M	U.N. HOTEL OPERATOR

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S X	POSITION
63	9 X GIVING FALSE INFORMATION IN SUPPORT OF REQUESTS FOR LANDED IMMIGRATION STATUS	IMMIGRA- TION ACT	9		X				1988	TORONTO, ONTARIO CANADA	PLEA: GUILTY FINE: \$10,000		M	LAWYER
63	-PROFESSIONAL MISCONDUCT	COLLEGE OF PHYSIC- IANS & SURGEONS	1		X				1989	SASKATOON, SASKAT- CHEWAN CANADA			M	MEDICAL DOCTOR & P.C. MEMBER OF PARLIAMENT
63	-POSSESSION OF STOLEN PROPERTY \$134,000		1		X				1989	SCAR- BOROUGH, ONTARIO CANADA			M	
63	FBI INVESTIGATION REPORTER -IMMODERATE DRINKING -SEXUAL ESCAPADES -QUESTIONABLE CONNECTIONS WITH DEFENCE CONTRACTS		3		X				1989	WASHINGTON, D.C. U.S.A.			M	FORMER COLLEGE PROFESSOR & NOMINATED U.S. SECRETARY OF DEFENCE

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S X	POSITION
63	-CHILD ABUSE	CHARGED 6 YEARS AGO 3 YEAR TRIAL - LONGEST CRIMINAL TRIAL IN HISTORY OF U.S.A.	52		X		X		1990	LOS ANGELAS, CALIFOR- NIA U.S.A.	PLEA: GUILTY <u>ACQUITED</u>		F	TEACHER NURSERY SCHOOL
63	-WITNESS TAMPERING -OBSTRUCTING JUSTICE		2		X	X			1990	AGANA, GUAM	4 YEARS IN PRISON OF SHOT HIMSELF (SUICIDE)		M	FORMER GOVERNOR GUAM
63	-SEXUAL ASSAULTS (6 BOY'S 1960'S TO 1970'S) 6 X INDECENT ASSAULT 4 X GROSS INDECENCY 1 X SEX RELATED CHARGE		11		X				1989	NORTH BAY, ONTARIO CANADA	FREE ON \$5,000 BAIL		M	ROMAN CATHOLIC PRIEST

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CON VIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S X	POSITION
63	FISH SHOOTING WITH RIFLES		1		X				1988	NEW YORK U.S.A.			M	
63	-MARIJUANA POSSESSION -CHILD ABUSE (MAKING NUDE FILMS OF CHILDREN)		2		X				1990	ST. CHARLES, MO. U.S.A.	FINE: \$23,200 CANADIAN BAIL PROPERTY BOND		M	ROCK 'N' ROLLER MUSICIAN
62	-MISDEMEANOR ASSAULT		1		X				1988	ST. LOUIS, U.S.A.	PLEA: GUILTY FINE:\$250		M	ROCK & ROLL LEGEND
62	-OVERCHARGING OHIP MISCONDUCT	DISCIP-LINARY HEAR-ING BOARD OF DIR. OF PHYSIO-THERAPY			X				1989	TORONTO, ONTARIO CANADA	NOTE: EVIDENCE NOT PROVIDED IN BRAIL		M	BLIND PHYSIO-THERAPIST

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
62	-CONSPIRACY (TO EXPORT MORE THAN \$600 MILLION OF MILITARY EQUIPMENT TO IRAN)	ARMS EXPERT CONTROL ACT	1		X				1989	CORPUS CHRISTI, TEXAS U.S.A.	HOLD WITHOUT BAIL		M	SWEDE
62	-MISCHIEF -THREATENING A POLICE OFFICER INSANITY ARGUMENT		2		X				1988	BRANTFORD, ONTARIO CANADA	RELEASED ON BAIL RE-CHARGED FAILING TO COMPLY WITH TERMS OF BAIL WARRANT DIED IN JAIL (EXCESSIVE HEAT) WHILE WAITING TRANSFER TO A PSYCHIATRIC HOSPITAL		M	PARANOID SCHIZO- PHRENIA
62	2 X SEXUAL INTERFERENCE -INVITATION TO SEXUAL TOUCHING WITH 2 BOYS (12 YEAR OLD AND 14 YEAR OLD)			2	X				1989	SCARBOROUGH ONTARIO CANADA	IF CONVICTED: FACES 10 YEARS IMPRISONMENT		M	ROMAN CATHOLIC PRIEST
62	-TRESPASSING (GAZEBO IN QUEEN'S PARK)		1		X				1988	TORONTO, ONTARIO CANADA			M	YUGOS- LAVIAN IMMIGRANT

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFEN- DER	ACC- USED	CON VIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
62	-CONSPIRACY TO COMMIT AGGRAVATED ASSAULT -COUNSELLING ANOTHER PERSON TO COMMIT AN INDICTABLE OFFENCE -UTTERING THREATS		3	NOT THEFT \$400,000 FROM THEATRE	X				1989	WINNIPEG, MANITOBA CANADA (1988)	PLEA: GUILTY 18 MONTHS IN JAIL PAROLLED DEC./88	DEC./88	M	MANAGING DIRECTOR OF RAINBOW STAGE THEATRE
62	-NEGLECTING CATTLE		1		X	X			1989	SUDBURY, ONTARIO CANADA	3 YEARS PROBATION		M	FARMER
62	-VIOLATING A LAW BANNING CONTRACT'S WITH PALESTINE LIBERATION MOVEMENT		1		X				1989	JERU- SALEM, ISRAEL			M	
62	12 X POSESSION OF OBSENE MATERIAL	12	NOT → PORNO- GRAPHY CHARGES 1979, 1981, 1987		X	X		JUDGE HUGH LOCKE	1990	ORANGE- VILLE, ONTARIO CANADA	6 MONTHS IN JAIL FINE: \$4,500 (WILL SERVE 30 EXTRA DAYS IF HE FAILS TO PAY HIS 5,000 FINE)		M	"SEASONAL PORNO- GRAPHER" (FIRST CANADIAN FOR SELLING SMUT)

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S X	POSITION
62	-CONSPIRACY TO TRAFFIC IN A RESTRICTED DRUG AREA (1.5 MILLION LSD)		1		X DO.				1990	HAMILTON, ONTARIO CANADA			F	WIFE
61	-CRUELTY TO ANIMALS		1		X		X		1988	HOUSTON, TEXAS U.S.A.			F	WIFE DAUGHTER
61	DEATH THREATS AGAINST PREMIER BRIAN PICKFORD		1		X		X		1988	EDMONTON, ALBERTA CANADA	PLEA: NOT GUILTY -SUSPENDED SENTENCE		M	

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AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
61	-DRIVING WITHOUT A LICENCE -REFUSED TO PAY FINE		2	←	NOT BARRIE JAIL 6 WEEKS SUMMER 1988 ETOBICOKE JAIL 1 MONTH FALL/88		X		1989	ETOBICOKE, ONTARIO CANADA			M	BIRDMAN
61	-WILFUL NEGLET TO PROVIDE FOOD, WATER AND CARE FOR ANIMALS	ONTARIO HUMANE SOCIETY			X				1989	SUDBURY, ONTARIO CANADA			M	FARMER
61	-CORRUPTION		1		X				1989	SYRACUSE, NEW YORK U.S.A.			M	EX. SYRACUSE MAYOR
61	-USED KNIFE TO SLASH 10 PAINTINGS 17TH CENTURY DUTCH PAINTINGS INCLUDING SOME FROM REMBRANT'S STUDENTS		10		X				1989	DORD- REICHT, NETHERLANDS			M	UNEMPLOYED

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
61	DANGEROUS DRIVING RESISTING ARREST		2		X				1989	NEBRASKA, U.S.A.			M	SON
61	OBSENE MAGAZINES & VIDEO TAPES \$250,000		VARIOUS CHARGES		X				1990	ORANGE-VILLE, ONTARIO CANADA			M	STORE EMPLOYEE
61	2 X COUNSELLING TO COMMIT AN INDICTABLE OFFENCE		12		X		X		1990	HAMILTON, ONTARIO CANADA			M	BINGO CZAR
61	X HIRING A MALE PROSTITUTE		1		X				1990	ROCKLAND, MAINE U.S.A.			M	ARTIST

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVICTED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S EX POSITION
61	- INCEST -SEXUAL ASSAULT CAUSING BODILY HARM -SEXUAL ASSAULT WITH A WEAPON -ANAL INTERCOURSE WITH A MINOR -SEXUAL INTERFERENCE WITH A PERSON UNDER THE AGE OF 14 YEARS OF AGE PHYSICALLY & SEXUALLY ABUSING 4 CHILDREN		5		X				1990	PRESCOTT, ONTARIO CANADA	ORDERED TO UNDERGO A PSYCHIATRIC EXAMINATION		M
60	1 X MAKING HARASSING PHONE CALLS TO RCMP 1 X FAILURE TO APPEAR (FTA) IN COURT (APRIL/86)	2			X	X			1988	ST. JOHN'S, NEW FOUNDLAND CANADA	PLEA: GUILTY 60 DAYS IN JAIL		M

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
60	-CONSPIRING TO VIOLATE FEDERAL MIGRATORY BIRD ACT	FEDERAL MIGRA-TORY BIRD TREATY ACT	1		X Co.				1988	NEW YORK U.S.A.			M	PRESIDENT NORTH FORK BANK & TRUST CO.
60	4 X SEXUAL ASSAULT 2 X INDECENT ASSAULT (5 BOYS) 1 X ATTEMPTED ASSAULT		6		X	X			1988	KITCHENER, ONTARIO CANADA	4 MONTHS IN JAIL		M	FORMER SCOUTMASTER (15 YEARS)
60	-ATTEMPTING TO PROCURE WOMEN FOR SEX WITH MALE ASSOCIATES		1		X	X			1989	PETER-BOROUGH, ONTARIO CANADA	PLEA: 6 MONTHS IN JAIL	GUILTY	M	MODEL AGENCY OWNER
60	-TRANSPORTING STOLEN DOCUMENTS (STOLEN PAPERS) (NATIONAL ARCHIVES LIBRARY OF CONGRESS)				X		X	X	1988	BOSTON, MASS. U.S.A.	3 YEARS IN PRISON REPAY \$20,000 TO A BOOKSHOP		M	ART SCHOLAR

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFEN- DER	ACC- USED	CON VIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
60	2 X INDECENT ASSAULT (GIRLS UNDER THE AGE OF 14 YEARS OLD)		2		X				1989	TORONTO, ONTARIO CANADA			M	FORMER HEAD OF SOCIAL SERVICES (\$90,000) ANNUAL INCOME
60	10 X INDECENT ASSAULT 5 X GROSS INDECENCY 1 X BUGGARY		14		X				1990	BARRIE, ONTARIO CANADA			M	FATHER (2 CHILDREN) GRANDFATHER
60	CONDUCTING AN ILLEGAL LOTTERY		1		X				1989	OAKVILLE, ONTARIO CANADA			F	
60	CONTEMPT OF COURT		1		X				1988	TORONTO, ONTARIO CANADA			F	FORMER WIFE

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFEN- DER	ACC- USED	CON VIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
60	1 X SEX CHARGE (10 YEAR OLD GIRL)				X				1989	VANCOUVER, BRITISH COLUMBIA CANADA	UNABLE TO MAKE COURT APPEARANCE DUE TO BEING TESTED FOR SUSPECTED HEART ATTACK		M	INDIAN ACTIVIST
60'S	9 X POSSESSION OF STOLEN PROPERTY		9		X				1989	TORONTO, ONTARIO CANADA				STOCK- EERPER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVICTED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	SEX	POSITION
60	-PUBLIC MISCHIEF -FAILING TO COMPLY WITH JUDGES' ORDER -BREACH OF PROBATION FOR CONSTANTLY HOLDING UP BANK		3	NOT 3 PRIOR CON-VIC-TION FOR SIM-ILAR INCI-DENTS AT THE SAME BRANCH AND WAS ON PRO-BA-TION AT THE TIME	X	X			1989	CALGARY, ALBERTA CANADA	PLEA: GUILTY 6 MONTHS IN JAIL (ALCOHOL)			ECCENTRIC GEOLOGIST M

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X POSITION
59	BEING DRUNK IN A PUBLIC PLACE		1		X				1988	TORONTO, ONTARIO CANADA	WRONGFULLY ARRESTED HELD 10 DAYS FOR \$190 FINE		M
59	THEFT		1		X				1988	HAMILTON, ONTARIO CANADA	CLEARED OF CHARGES LEGAL FEES \$20,000 PAID TO HIM IN VICE SQUAD SCANDEL		M POLICE STAFF SERGEANT (RETIRED)
59	AGGRAVATED ASSAULT		1		X	X			1990	BARRIE, ONTARIO CANADA	PLEA: GUILTY 15 MONTHS IN JAIL AND PROBATION 2 YEARS <u>CONDITIONS:</u> NOT TO DRINK OR ENTER LICENCED ESTABLISHMENTS IN THAT TIME		M WAR VETTRAN

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
59	6 X RAPE 4 X SEXUAL ASSAULT 1 X INDICTABLE ASSAULT 2 X ARMED ROBBERY 4 X ABDUCTION 8 X KIDNAPPING		25 VIOLENT SEXUAL ASSAULTS AGAINST WOMEN		X					SYDNEY, AUSTRALIA	PLEA: NOT GUILTY BAIL: \$360,000 CANADIAN FUNDS		M	FORMER POLICE CHIEF (30 YEARS SERVICES) NAZI WAR CRIMES INVESTIGATOR FOR THE GOVERNMENT
59	2 X ABDUCTION		2		X	X			1988	OTTAWA, ONTARIO CANADA	1 YEAR IN JAIL 3 YEARS PROBATION		M	
59	-VIOLENCE AGAINST FORMER HANDICAPPED RESIDENTS NOTE: COUNT CHARGES ONLY ONCE		25 CO. 72 YEAR OLD		X				1989	BARRIE, ONTARIO CANADA			F	FORMER EMPLOYEE EMOTIONALLY HANDICAPPED ADULTS
59	TRYING TO BRIBE A DRIVING EXAMINER PROVINCIAL TRANSPORT MINISTRY		1		X				1990	NIAGARA FALLS, ONTARIO CANADA	PLEA: NOT GUILTY FOUND GUILTY		F	EMMIGRATED FROM POLAND

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
59	BEING FOUND IN A BAWDYHOUSE PLUS DISCIPLINARY HEARINGS BY THE QUEBEC JUDICIAL COUNCIL		1		X				1990	LONGUIL, QUEBEC CANADA	PLEA: NOT GUILTY CONDITIONAL DISCHARGE		M	QUEBEC COURT JUDGE (\$2,000) ANNUAL SALARY
59	X SWEARING TO A FALSE AFFIDAVIT		4		X				1990	TORONTO, ONTARIO CANADA			M	
58	CHILD ENDANGERMENT (11 YEAR OLD COLLEGE GRADUATE) POLICE SEIZED SEVERAL WEAPONS & SUITCASES FILLED WITH WEAPONS		1		X				1988	SANTA CRUZ, CALIFORNIA U.S.A.			M	
58	18 X SEXUAL ASSAULT (YOUNG INDIAN BOYS)		18		X		CROWN WITHDREW CHARGE		1989	WILLIAM LAKE, BRITISH COLUMBIA CANADA			M	ROMAN CATHOLIC PRIEST

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
58	-SEX ASSAULTS ON YOUNG BOYS (ONE WAS 7 YEARS OF AGE)				X	X			1988	LONDON, ENGLAND	-SENTENCES RANGED FROM 6 MONTHS TO 2 1/2 YEARS		M	VICAR
58	SEXUAL ASSAULT 3 X SEXUAL ASSAULTS (PETERBOROUGH)		3	NOT FACES PROS-TIT-UTION CHARGES IN THE PETER-BOROUGH AREA <u>LENGTHY</u> CRIMINAL RECORD <u>1987</u> PLEA: GUILTY SEXUAL ASSAULT FTA DISPOS- TION 3 YEARS FOR FTA AT HIS SENTEN- CING	X	X			1989	TORONTO, ONTARIO CANADA	15 MONTHS IN JAIL AND PROBATION: 3 YEARS <u>CONDITION</u> NOT TO BE INVOLVED IN THE MODELLING OR PHOTOGRAPHY BUSINESS DURING THAT TIME HAD A HEART ATTACK IN PAST YEAR AND SUFFERS FROM A SEVERE BLOOD PROBLEM		M	AGING CON MAN

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
58	SEXUAL ASSAULT		8		X				1989	EDMONTON, ALBERTA CANADA			M	ROMAN CATHOLIC
58	POSSESSION OF 330 GRAMS (11 OZ.) OF HASH FOR THE PURPOSES OF TRAFFICKING		1	NOT SEVERAL PREVIOUS CONVIC-TIONS FOR DRUG TRAFFIC-KING GOING BACK TO 1977	X	X			1990	HAMILTON, ONTARIO CANADA	PLEA: GUILTY HEALTH: -OBESITY -DIABETIES -HEART DISEASE -USES WHEEL CHAIR ACCUSED: WANTED TO BE SENTENCED TO FEDERAL PENITENTIARY RATHER THAN A PROVINCIAL INSTITUTION BECAUSE FEDERAL INSTITUTIONS ARE BETTER EQUIPPED THAN PROVINCIAL JAILS FOR HANDICAPPED INMATES DISPOSITION: (4 YEARS IN PRISON)		M	FORMER BIKER (SATAN'S CHOICE GANG)

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
58	-SEXUAL INTERCOURSE (TOOK NUDE PICTURES OF A YOUNG GIRL HE WAS BABYSITTING)		1		X	X			1989	VICTORIA, BRITISH COLUMBIA CANADA	6 MONTHS IN JAIL		M	FORMER VICE-PRINCIPAL PEDOPHILE (38 YEARS)
58	LEAVING SCENE OF ACCIDENT		1		X	X			1989	HAMILTON, ONTARIO CANADA	PLEA: GUILTY NO DRIVING FOR 3 YEARS	30 DAYS IN JAIL	F	
58	-ASSAULT (2 WOMEN 88 AND 91) ALZEIMER		2 COUNTS		X				1988	HAMILTON, ONTARIO CANADA	4 MONTHS IMPRISONMENT		F	HEALTH CARE WORKER
58	-GIVING AND ACCEPTING SECRET COMMISSIONS		1		X <i>Co.</i>				1989	TORONTO, ONTARIO CANADA			M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S X	POSITION
58	-DRUG POSESSION CHARGES 1 X CARRYING 1 X CARRYING COCAINE 1 X POSESSION (SEPARATE CASE)		2 1 TOTAL 3		X	X			1990	LOS ANGELES, CALIFORNIA U.S.A.	PLEA: GUILTY 4 YEARS IN PRISON -COULD BE RELEASED ON PROBATION AFTER 20 MONTHS JUDGE REFUSED REHABILITATION (DRUG) CENTRE JUDGE SAID "HE HAS ENTERED OTHER DRUG REHABILITATION PROGRAMS TO NO AVAIL"		X	FORMER SOUL MUSICIAN
58	-IMPAIRED DRIVING -REFUSING A BREATHALIZER TEST		2		X				1989	HAMILTON, ONTARIO CANADA			X	FORMER LIBERAL CABINET MINISTER
58	10 X COUNCELLING TO COMMIT AN INDICTABLE OFFENCE		10		X				1990	HAMILTON, ONTARIO CANADA			X	FORMER OWNER OF A BINGO HALL

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
58	-COMMITTING AN INDECENT ACT		1	<u>NOT</u> CRIMINAL RECORD FOR A SIMILAR OFFENCE IN 1985	X	X			1990	OAKVILLE, ONTARIO CANADA	PLEA: GUILTY SUSPENDED SENTENCE 12 MONTHS PROBATION		M	FAITH BAPTIST CHURCH MINISTER
57	-SEXUAL OFFENCES		15		X		8 CHARGES DROPPED		1989	ST. JOHN'S, NEWFOUND-LAND CANADA	7 CHARGES TO RUN CONCURRENT ----- (TOGETHER) 5 YEARS EACH . . HE WILL ONLY SERVE MAXIMUM OF 5 YEARS IN JAIL <u>NOT</u> 35 YEARS 8 OTHER CHARGES DROPPED		M	ROMAN CATHOLIC PRIEST
57	-SEX ASSAULTS ON YOUNG BOYS (ONE WAS 7 YEARS OF AGE)				X	X	X		1988	LONDON, ENGLAND	-SENTENCES RANGED FROM 6 MONTHS TO 2½ YEARS IN PRISON		M	VICAR

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
57	1 X AGGRAVATED ASSAULT 1 X ASSAULT WITH A WEAPON ATTACKED WIFE & DAUGHTER (A) AXE (B) HOT IRON		2		X			JUDGE DAVE HUMPHREY ORDERED HIM TO BE CONFINED INDEFINITELY MAXIMUM SECURITY PSYCHIA-TRIC HOSPITAL PENDING PERIODIC REVIEW OF CASE	1989	SCARBOR- BOROUGH, ONTARIO CANADA	PLEA: GUILTY CHOPPED OFF WIFE'S LEFT EAR WITH AXE SEPT. 22/89 NOT GUILTY BY REASON OF INSANITY		M	HUSBAND FATHER
57	1 X MISCHIEF ENDANGERING LIFE 2 X MISCHIEF		3		X				1989	BRANTFORD ONTARIO CANADA			M	CRYSTAL BEACH MAN

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
57	2 X EXTORTION 1 X PUBLIC MISCHIEF 1 X OTHER EXTORTION 1 X PUBLIC MISCHIEF		5		X						ACQUITTED: (A) EXTORION (B) PUBLIC MISCHIEF GUILTY OF <u>ONE</u> EXTORTION		M	EGYPTION IMMIGRANT
57	-BANK ROBBERY (MASTERMIND OF A 1976 BANKROBBERY)		1		X				1989	FRANCE	HE HAD EVADED & TAUNTED LAW ENFORCEMENT OFFICIALS FOR 12 YEARS AFTER ESCAPING THROUGH A WINDOW IN A MAGISTRATE'S OFFICE LUNG CANCER (DIED) JAILED BUT ESCAPED MARCH 10/77		M	PHOTOGRAPHER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
57	SEX WITH A 16 YEAR OLD GIRL		1	NOT EAR-LIER AL-LEGED INCI-DENT INVOL-VING A 16 YR. OLD GIRL GRAND JURY DID NOT RETURN AN INDICT-MENT BEC-AUSE OF CON-FLICT-ING TEST-IMONY	X	X			1989	COLUMBUS, OHIO U.S.A.			M	OHIO REPUBLICAN U.S.

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
57	-IMPAIRED DRIVING CAUSING BODILY HARM		1	<u>NOT</u> 4 IMPAIRED DRIVING	X	X			1989	HAMILTON, ONTARIO CANADA	PLEA: GUILTY 2 YEARS LESS 1 DAY AND PROBATION 3 YEARS <u>CONDITION</u> PROHIBITED FROM DRIVING FOR 10 YEARS -ORGANIC BRAIN SYNDROME RESULT OF CHRONIC ALCOHOLISM AND JUDGE STAYSHYM SAID "PRISONERS IN ONTARIO JAILS GOT THE BEST MEDICAL ATTENTION IN THE WORLD"		M	CHRONIC ALCOHOLIC
57	2 X SEXUAL ASSAULT 1 X ATTEMPTED SEXUAL ASSAULT 4 X GROSS INDECENCY		7		X	X			1989	ST. JOHN'S, NEW-FOUNDLAND CANADA	PLEA: GUILTY SENTENCING: DEC. 21/88		M	ROMAN CATHOLIC PRIEST

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	COM VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S EX	POSITION
57	42 X MAKING OF SUBSTANCIAL CLAIMS AND MAKING FALSE AND MISLEADING ADVERTISING	11 COM-PET-ITION ACT CHARGES LAID BY DEPT. OF CONSUMER & CORP. AFFAIRS AND HEALTH AND WELFARE CANADA	42 PROSECUTER FRED FORSYTH WITHDREW THE REMAINING 73 TOTAL 115		X				1990	MILTON, ONTARIO CANADA	PLEA: GUILTY FINED: \$12,500 PROHIBITED FROM SELLING THE PRODUCT IN CANADA		M	WEIGHT LOSS DRINK PROMOTOR (COLORED DIET DRINK)
57	3 CHARGES (RE: PAYMENTS)	CHILD FAMILY SERVICES ACT			X				1990	WINNIPEG, MANITOBA CANADA			M	ADOPTION COUNSELLOR
57	SEXUAL ASSAULT INDECENT ASSAULT (DEC./81 TO JAN./85)		2		X				1990	BEAVER-LODGE, ALBERTA CANADA			M	ROMAN CATHOLIC PRIEST

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
57	-SELLING DRUGS TO INMATES AT HWDC 8 X TRAFFICKING IN WASHISH 1 X CONSPIRING TO TRAFFICKING HASHISH		9		X				1990	HAMILTON, ONTARIO CANADA			M	FORMER JAIL GUARD
57	-YELLING TO PEOPLE IN AN APARTMENT BUILDING THAT HE HAD A GUN		1		X				1990	TORONTO, ONTARIO CANADA	TAKEN TO QUEEN STREET MENTAL HEALTH CENTRE		M	
57	OPERATING THE LARGEST TOXIC WASTE DUMP IN ONTARIO		1		X				1990	PICTON, ONTARIO CANADA	6 MONTHS IN JAIL		M	RURAL CONTRACTOR
57	-TRUANCY CHARGE				X	X			1990	BRANCHLAND WEST, VIRGINIA U.S.A.	TO ATTEND SON'S GRADE 7 CLASS FOR 60 DAYS FINE: \$50.00		F	MOTHER
56	-PRACTICING AS AN UNLICENCED PRIVATE INVESTIGATOR		18		X				1988	TORONTO, ONTARIO CANADA	ACQUITTAL FINE \$27.		M	"SKIP TRACER"

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
56	-DRUG TRAFFICKING (20 KILOGRAMS OF COCAINE)		1		X					CARACUS, VENEZUELA	PLEA: INNOCENT		M	ROMAN CATHOLIC PRIEST
56	1 X AGGRAVATED ASSAULT 1 X ASSAULT WITH A WEAPON ATTACKED WIFE DURING AN ARGUMENT WITH (A) AXE (B) KNIFE (C) PRESSING IRON		2		X				1988	TORONTO, ONTARIO CANADA			M	HUSBAND
56	1 X KEEPING A COMMON GAMING HOUSE 1 X KEEPING A COMMON BETTING HOUSE		2		X Co.				1989	TORONTO, ONTARIO CANADA			M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
56	-SMUGGLING (TORONTO BASED SMUGGLING RING) -ASIANS BEING SPIRITED INTO U.S. IN THE TRUNKS OF CARS THROUGH NIAGARA FALLS)		1 CO.		X				1989	NIAGARA FALLS, ONTARIO			M	
56	-AGGRAVATED ASSAULT -FAILING TO STOP FOR POLICE 2 X FELONY 10 X MISDEAMER		12		X	X			1989	COLUMBIA, SOUTH CAROLINA U.S.A.	HAD \$40,600 IN CHEQUES IN HIS PRISON CELL (PAROLE CHANCES) 2 MOVED FROM STATE PARK CORRECTIONAL FACILITY ELDERLY PROGRAM MINIMUM SECURITY TO STEVENSON CORRECTIONAL INST. MEDIUM SECURITY FOR VIOLATING A RULE LIMITING PRISONERS TO POSSESSING \$50. (SERVING 6 YEAR) SENTENCE FOR AGGRAVATED ASSAULT AND FAILING TO STOP FOR POLICE		M	SOUL SINGER

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
56	-DRUG AND OBSTRUCTION CHARGES	NCR ACT	3		X				1989	GUELPH, ONTARIO CANADA	<u>STAYED</u>		M	FOUNDER: CHURCH OF THE
56	2 X POSESSION OF STOLEN PROPERTY		CO. (FATHER AND SON)		X				1989	STONEY CREEK, ONTARIO CANADA	PLEA: GUILTY		M	
56	-ASSAULT -POSSESSION OF A NARCOTIC		2		X	X			1988	OWEN SOUND, CANADA	FOUND GUILTY FINED \$700 (FOR ASSAULT)		M	COMMON LAW HUSBAND

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
56	6 X SEXUAL ASSAULT	6			X				1988	OTTAWA, ONTARIO CANADA			M	FORMER ROMAN CATHOLIC PRIEST
56	-FABRICATING EVIDENCE IN "BOOTLEGGING" ATTENDING COURT: DAVID SMYE (DEFENSE COUNCIL)		11 1990 REQUEST FOR INVESTI-GATION OF POLICE SUPERIORS CHARGES OF -EXTORTION -PURJURY GRANTED BY N.D.P. PROVINCIAL GOVERNMENT		X	X			1988	HAMILTON, ONTARIO CANADA	4 MONTHS IMPRISONMENT		M	POLICEMAN

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CON VICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	S E X	POSITION
56	-TAKING NUDE PHOTOS OF 140 CHILDREN AT HIS DAY CARE CENTRE (14 BEGAN MEDICAL PSYCHOLOGICAL TESTING) 5 X POSSESSING CHILD PHOTOGRAPHS FOR MAGAZINE		5		X				1990	FORT LAUDERDALE, FLORIDA U.S.A.	SLASHED HIS WRISTS		M	DAY CARE CENTRE OPERATOR
56	12 X COUNCELLING TO COMMIT AN INDICTABLE OFFENCE CHARGES COUNT ONLY ON AXE		12		X Co.				1990	HAMILTON, ONTARIO CANADA			M	BINGO CZAR

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVICTED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGIBILITY	SEX	POSITION
56	-SEVERAL SEXUAL ASSAULTS & INCEST RELATED (2 DAUGHTERS) AS EARLY AS 9 YEARS OF AGE		SEVERAL		X	X			1989	WINNIPEG, MANITOBA CANADA	PLEA: GUILTY 10 YEARS IN JAIL		M	FATHER
56	-THEFT (SOCIAL SECURITY FRAUD - 100 YEAR OLD MISSING)		1		X				1990	TACOMA, WASHINGTON U.S.A.	\$250,000 BAIL		F	
56	-PERJURY -OBSTRUCTION OF JUSTICE (1984 SLAYING OF CHRISTINE JESSOP)		2		X			1990	LONDON, ONTARIO CANADA					POLICE OFFICER
55	-ASSAULT CAUSING BODILY HARM	POLICE ACT	1		X						FINED: \$1,500 FOR THE JUNE 20/86 ATTACK ON NEIGHBOUR (ALCOHOL RELATED)		M	POLICE STAFF SERGEANT

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S E X	POSITION
55	-GROSS INDECENCY -SEXUAL ASSAULT -HAVING SEXUAL INTERCOURSE WITH A FEMALE UNDER THE AGE OF 14 YEARS -HAVING SEX WITH A FEMALE 14 - 16 YEARS OF AGE		18		X				1988	TORONTO, ONTARIO CANADA			M	
55	IMPAIRED DRIVING		1		X			1988	TORONTO, ONTARIO CANADA	PLEA: GUILTY FINE: \$700 <u>ALCOHOL</u> BLOOD ALCOHOL LEVEL 240 GRAMS 13 X LEGAL LIMIT		M	DEPUTY POLICE CHIEF (33 YEARS)	
55	-SMUGGLING (TORONTO BASED SMUGGLING RING) -ASIANS BEING SPIRITED INTO U.S. IN THE TRUNKS OF CARS THROUGH NIAGARA FALLS)		1		X <i>Co.</i>				1989	NIAGARA FALLS, ONTARIO CANADA			M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC- TED	ACQUITED	RE- TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI- BILITY	S X	POSITION
55	SEX RELATED OFFENCES AGAINST TEENAGE ALTER BOYS		20	X	X				1989	ST. JOHN'S, NEWFOUND- LAND CANADA	PLEA: GUILTY DISPOSITION: 5 YEARS IMPRISONMENT		M	ROMAN CATHOLIC PRIEST
55	SEXUAL ASSAULT (6 BOYS, 1 GIRL)		6		X				1989	EDMONTON, ALBERTA CANADA	PLEA: GUILTY		M	ROMAN CATHOLIC PRIEST
55	1 X GROSS INDECENCY ATTEMPTED GROSS INDECENCY GROSS INDECENCY 32 BOYS IN 17 YEARS)		45 SEX RELATED CHARGES (BOYS 11-14 YEARS) (43 COUNTS) -CROWN WITHDREW 9 CHARGES		X	X			1989	CLAREVILLE, NEW- FOUNDLAND CANADA	PLEA: NOT GUILTY (1989) (NOW) 56 YEARS PRELIMINARY HEARING DEC. 18/89 (4 YEARS IN PRISON)		M	ROMAN CATHOLIC PRIEST

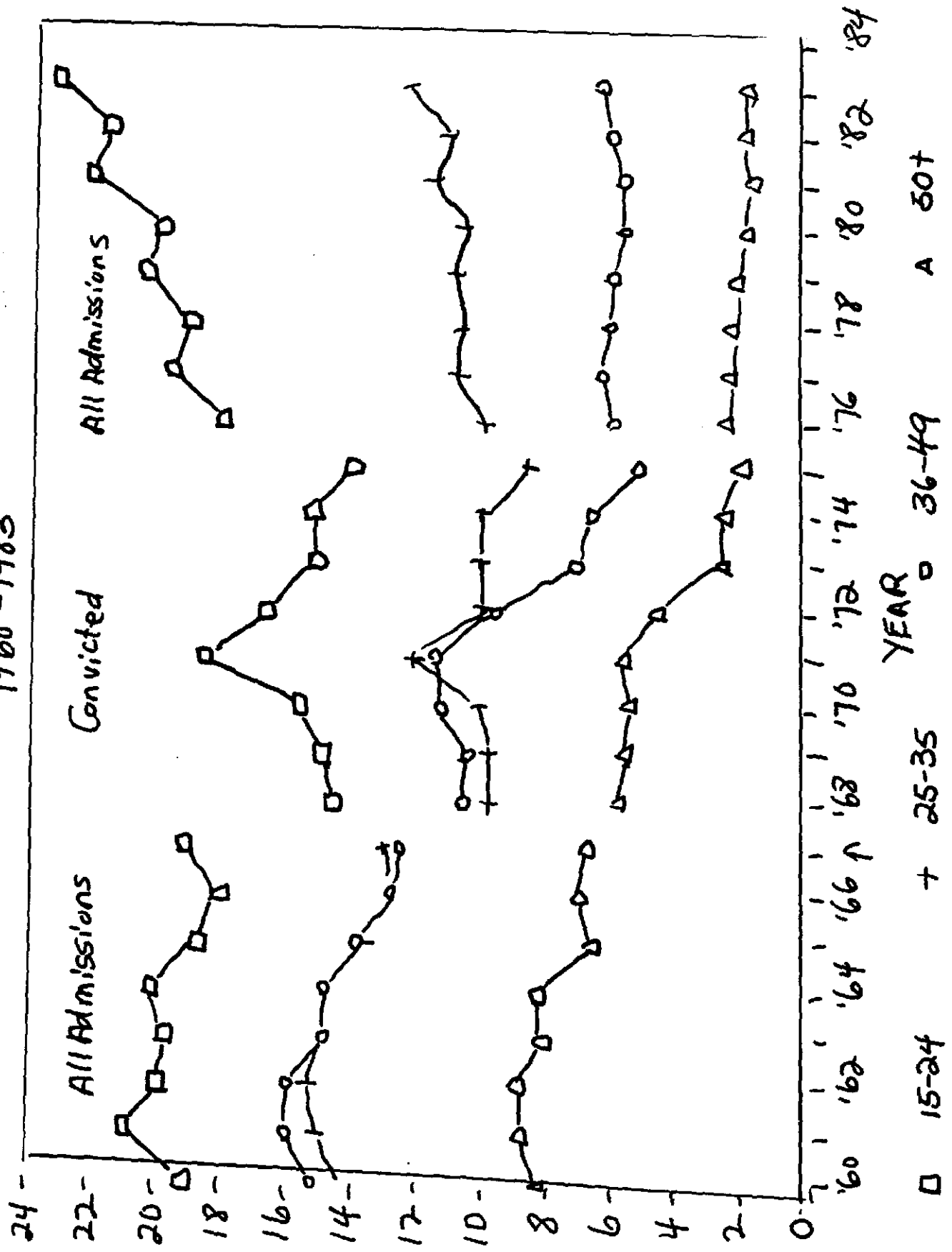
AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACC-USED	CON VIC-TED	ACQUITTED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
55	SEXUALLY ASSAULTING PHYSICALLY HANDICAPPED CHILDREN	SEVERAL CHARGES			X	X			1990	ST. JOHN'S, NEW-FOUNDLAND CANADA	PLEA: GUILTY 3 YEARS IN PRISON		M	LEADER (ANGLICAN CHURCH)
55	ROBBERY		1	NOT ROBBED SOME BANK IN 1986 AND 70'S EACH TIME JAILED 2 DAYS LESS A DAY	X	X			1989	TORONTO, ONTARIO CANADA	PLEA: GUILTY 2 YEARS IN JAIL HE TOLD THE COURT HE WANTED TO GO TO PENITENTIARY TO LEARN A TRADE AS BARBER		M	BANK ROBBER
55	TO HAVE CARRIED OUT SURVEILLANCE FOR THE SOUTH AFRICA FORCER ON THE HOMES AND VEHICLES OF PAN AFRICANIST CONGRESS MEMBERS	OFFICIAL SECRETS ACT	1		X				1988	HARARE, ZIMBABWE AFRICA	EMERGENCY MEASURES HELD WITHOUT TRIAL		M	

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S X	POSITION
55	-CONSPIRACY TO TRAFFIC IN A CONTROLLED DRUG AREA (7 LBS. OF SPEED) FROM LABORATORY OPERATED BY MOTOR CYCLE GANGS		1		X				1989	WINDSOR, ONTARIO CANADA			M	
55	-CRIMINAL BREACH OF TRUST BY A PUBLIC OFFICER -ATTEMPTING TO OBSTRUCT JUSTICE		2	FIRST OFFENDER	X	X			1989	TORONTO, ONTARIO CANADA	PLEA: GUILTY 9 MONTHS IN JAIL		M	10 YEAR PROVINCIAL INSPECTOR LCBO
55	-CONSPIRING TO IMPORT AND TRAFFIC MARIJUANA AND HASHISH -EVADING \$2.5 MILLION IN INCOME TAX		2 CO. 2 DAUGHTERS 1 COUSIN ALL PLEAD NOT GUILTY		X				1989	SHELBOURNE, ONTARIO CANADA	PLEA: GUILTY 9 YEARS IN PRISON		M	FATHER REAL ESTATE SALESMAN
55	3 X GROSS INDECENCY 2 X INDECENT ASSAULTS 1 X BUGGARY		6		X Co.				1989	CORNER BROOK, NEW-FOUNDLAND CANADA	PLEA: GUILTY 30 DAYS IN JAIL SENTENCED: OCT. 19/90 & CHARGED		M	FORMER VOLUNTEER ROMAN CATHOLIC CHURCH

AGE	OFFENCE	CCO OR OTHER	CHARGES (COUNTS)	1ST OFFENDER	ACCUSED	CONVIC-TED	ACQUITED	RE-TRIAL	YEAR	URBAN RURAL	DISPOSITION	PAROLE ELIGI-BILITY	S E X	POSITION
55	10 X INDECENT ASSAULT 3 X GROSS INDECENCY		13		X				1990	BARRIE, ONTARIO CANADA			M	
54	IMPAIRED DRIVING		1		X				1989	ST. CATHARINES, ONTARIO CANADA	PLEA: NOT GUILTY FINE: \$600 OR 30 DAYS IN JAIL		M	POLICE INSPECTOR
54	1 X ASSAULT WITH A WEAPON (1 M 5 5 T H Y E A R)		3		X				1990	TORONTO, ONTARIO CANADA			M	

APPENDIX II

AGE SPECIFIC RATES OF ADMISSION: 1960 - 1983



15-24 + 25-35 + 36-49 + 50+

APPENDIX III



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14-08-91

Mme Jacklin Robinson
McMaster University
11 Blackwood Crescent
Hamilton, Ontario
L8S 3H6

Madame,

Voici tel que demandé la liste du nombre de personnes sous mandat du Lieutenant-Gouverneur, âgées de 55 ans et plus, par province, pour les cas sous mandat le 1er mars 1990 et les nouveaux cas où un mandat a été émis entre le 1er mars 1990 et le 28 février 1991.

<u>Provinces</u>	<u>Cas présent le 1er mars</u>	<u>Nouveaux cas</u>
Prince Edward Island	0	0
Nova Scotia	1	0
New Brunswick	2	0
Newfoundland	2	0
Québec	51	13
Ontario	40	3
Manitoba	5	0
Saskatchewan	3	0
Alberta	7	1
British Columbia	17	2
Canada	128	19

Jean Paquet, MSc

JP:gb



Centre hospitalier
affilié à l'Université de Montréal

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