

Younger offenders in the federal correctional system¹

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In Canada, provincial governments are responsible for young offenders (less than 18 years of age), but share responsibility for adult offenders with the federal government. Sentences given in adult court for less serious crimes and for offenders with few previous adult convictions — such as fines, probation, and periods of custody of less than two years — are the responsibility of the provincial government. As a result, most offenders who are convicted of crimes committed shortly after they attain adult age (18 years of age) become the responsibility of provincial correctional systems.

However, anyone sentenced as an adult to a term of two years or more in custody becomes the responsibility of the federal government, and serves the custody portion of their sentence in a federal penitentiary. Federal penitentiaries house the country's most serious adult offenders, most of whom have been convicted of committing serious violent offences. For a younger offender, the change from the juvenile corrections system, with short sentences and small residential facilities, to a federal penitentiary is dramatic.

This article profiles offenders 25 years of age or younger serving sentences in federal penitentiaries. This group of offenders is divided into two groups: 18- to 21-year-olds and 22- to 25-year-olds. After reviewing the number of admissions and the size of the younger offenders group in custody, the article details the criminogenic needs of younger offenders, identified when they are admitted to prison. We then compare the criminal history risk of younger offenders to that of other offenders in federal penitentiaries to determine the risk that each group poses to the community.

Admissions

Approximately one quarter of offenders admitted² to federal penitentiaries between 1994 and 1998 were 25 years or younger. Offenders between the ages of 18 and 21 accounted for approximately 12% of admissions — a number that varied by less than one percentage point during the five-year period. Slightly older offenders, those between 22 and 25 years of age, accounted for an additional 15% of federal admissions. This amounts to a yearly average of 539 admissions for the 18-to-21 age group and 700 admissions for the 22-to-25 age group.

Our analysis indicates that, although younger offender admissions for the 22-to-25 age group are generally constant across regions, the 18-to-21 group shows some variation. The Atlantic region admits the largest percentage of younger offenders, with 18- to 21-year-olds making up 18% of admissions — a rate six percentage points or 50% higher than the national average. In the Prairie region, 15% of admissions are for offenders between 18 and 21. Only about 8% of offenders admitted in the Quebec and Pacific regions are between 18 and 21, while in the Ontario region this group accounts for 10% of admissions.

In custody

Although admission rates are relatively high for younger offenders, in-custody rates are lower because younger offenders normally have short sentences and are quickly moved to community supervision (parole) if they do not pose an undue risk to the community. Offenders between 18 and 21 account for 12% of new admissions, but only 5% of offenders in custody.³ Offenders between the ages of 22 and 25 account for 11% of offenders in custody.

Younger offenders are as likely as other offenders to have been incarcerated for committing a violent offence: about 71% of younger offenders were admitted for this reason. However, younger offenders were more likely than other offenders to have used a prohibited weapon in the commission of their offence. Specifically, 15% of younger offenders from both groups used a weapon during their offence, compared with a reported 9% of offenders over 25.

The high level of violence of younger offenders in this study is partly a result of sentencing practices and does not indicate that all younger offenders commit violent offences. Younger offenders who commit non-violent offences are more likely to receive a sentence of less than two years, and therefore to serve their sentences in provincial institutions. Only a relatively serious offence would result in a younger offender receiving a sentence of two years or more, resulting in placement in a federal institution.

Need domains

An analysis of the need ratings from the Offender Intake Assessment⁴ system indicates that younger offenders do not differ from other offenders in their overall level of needs. About 6% were rated as low-need, 36% as moderate-need and 59% as high-need offenders. Some interesting differences come to light, however, when the individual need domains are examined.

Table 1 compares younger offenders to those more than 25 years of age across the seven need domains used in the Offender Intake Assessment system. Each of these domains has been associated with criminal behaviour.⁵ Younger offenders are more likely to be identified as having problems with the associates and employment/education domains. Approximately 81% of inmates between 18 and 21 and 79% of those between 22 and 25 are identified as having problems with associates, compared with 65% of inmates Table 1 more than 25 years of age. Likewise, 77% of those 18 to 21 and 80% of those between 22 and 25 have employment/education identified as a need, compared with only 67% of offenders over 25.

Table 1

Percentage within each age category with the need domain identified
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Need domain	Current age		
	18 to 21 years	22 to 25 years	Over 25 years
Associates	80.7	78.5	65.2
Employment/education	76.8	79.8	66.9
Attitudes	52.6	58.7	64.0
Community functioning	47.9	57.8	57.9
Family	44.2	50.6	59.8
Personal/emotional	92.6	91.0	91.3
Substance abuse	70.5	71.8	73.4

Detailed data used to identify need areas indicate that younger offenders are more likely to have only criminal friends and acquaintances and are less likely to have non-criminal friends and activities that could reduce the likelihood of criminal behaviour. For employment, younger offenders are more likely to have learning and skills deficits and an unstable job history. In fact, 35% have no work history.

Community functioning is less likely to be a need area for the youngest inmates (18 to 21 years): 48% have this need identified as a problem, as opposed to approximately 58% of offenders over 21. On their release, younger offenders may have problems stemming from their lack of experience with stable accommodation and financial matters. Interestingly, younger offenders are less likely than older offenders to have needs in the attitudes and family domains.

There is little difference in the percentage of younger and older offenders identified for the need domains of personal/emotional problems and substance abuse. However, 90% of all offenders have personal/emotional problems identified as a need and 73% have substance abuse identified as a need. Younger offenders are more likely to have substance abuse problems with drugs, alone or in combination with alcohol.

Criminal history risk assessment

An analysis of the criminal history risk ratings from the Offender Intake Assessment system indicates that younger offenders are more likely to be classified as high risk. Criminal history risk was rated high for 40% of the 18- to 21-year-olds, for 35% of the 22- to 25-years-olds and for only 28% of other offenders.

The Correctional Service of Canada recently introduced a measure of reintegration potential. This measure combines the criminal history risk assessment of the Statistical Information on Recidivism (SIR) scale,⁶ the Custody Rating Scale⁷ and the risk assessment portion of the Offender Intake Assessment system to rate an offender's likelihood of successfully reintegrating into the community. Offenders are classified as having either high, moderate or low reintegration potential. Within the incarcerated population, offenders are usually distributed evenly across the three levels of reintegration potential.

Although 34% of offenders older than 25 are rated as having a high reintegration potential, only 26% of the group between 18 and 21 and 27% of the 22-to-25 age group are rated as having high reintegration potential. Younger inmates are also more likely to be rated as having a low reintegration potential than older inmates. These results suggest that younger offenders may have difficulty remaining crime free after release from a federal institution.

Other characteristics

An important difference between younger and older offenders is their exposure to the criminal justice system as young offenders. Although 34% of older offenders in custody were involved with the courts as young offenders, this number increases to 77% for offenders between 22 and 25 years of age and to 87% for offenders 18 to 21 years of age. In addition, 48% of offenders between 22 and 25 and 61% of offenders between 18 and 21 have been in secure custody: for offenders over 25, the number drops to only 19%. The 18-to-25 offenders are also more likely to have failed while on community supervision as young offenders and to have been moved to a higher level of custody.

Summary

Younger offenders in federal custody present a complex problem. Their age and lack of experience make them vulnerable to the wide variety of very negative influences present in federal penitentiaries — institutions that house the most serious offenders in Canada. However, the younger offenders sent to federal penitentiaries are themselves highly criminalized. They are as likely as other federal offenders to have committed a violent offence, and their criminal history, even at a young age, indicates a higher risk of reoffending on release and a lower reintegration potential than other offenders.

Younger offenders are more likely than others to have associates and employment/education indicated as need domains. These are likely to be critical concerns when the opportunity for release to the community arises. Without the support of non-criminal community members, these offenders will have greater difficulty returning to the community and remaining outside of prison. In addition, their limited employment experience and education make getting a job difficult and increase the problems associated with community reintegration. Younger offenders appear to have either the same or fewer problems with other need domains as other offenders. However, problems with drug abuse may further complicate younger offenders' chances of success after release.

These results suggest that younger offenders in federal penitentiaries may require interventions that target the associates and employment/ education need domains. Other high-need domains, such as substance abuse and personal/ emotional problems, may require greater intervention to reduce the risk of reoffending.

1. 340 Laurier Avenue West, Ottawa, Ontario K1A 0P9
2. Admissions include only new admissions. Admissions resulting from revocation of conditional release or transfers are not included.
3. Based on in-custody data from June 1998.
4. Not all offenders have complete Offender Intake Assessment data available. In particular, offenders admitted before 1995 only have overall risk and need ratings. Therefore, analyses of specific need areas may under-represent the percentage of offenders in the older age groups who are serving long sentences.
5. See Forum on Corrections Research, 10, 3 (1998).
6. The SIR is based on criminal history variables and provides an estimate of the likelihood an offender will reoffend when released.
7. The Custody Rating Scale is a standardized scale used to determine the level of security (minimum, medium or maximum) required for an offender after admission to a penitentiary. See F. P Luciani, L. L. Motiuk and M. Nafekh, An Operational Review of the Custody Rating Scale: Reliability, Validity and Practical Utility, Report R-47 (Ottawa, ON: Correctional Service of Canada, 1996).