



Research at a glance

Detention Past Statutory Release Dates: Rates and Patterns

Detention rates remain low over a 10 year period at about 4% and primarily target violent and sex offenders.

Why we did this study

The *Corrections and Conditional Release Act* mandates that federal inmates who are not granted early discretionary release must be released at their Statutory Release Date (SRD) after serving two-thirds of their sentence to serve the remaining one-third while under community supervision. This facilitates gradual community reintegration. However, the Correctional Service of Canada (CSC) may detain offenders past their SRD if certain criteria are met. Detention is intended for offenders serving a sentence for a violent offence causing death or serious harm, a sex offence against a child, or a serious drug offence, and who are considered likely to recommit such an offence before their sentence expires. Detaining an offender past their statutory release is intended only for the highest risk offenders. The purpose of the current study was to examine patterns of detention referrals and decisions over a 10-year period.

What we did

The study examined sentences with a SRD between April 1, 2004 and March 31, 2014 ($N = 46,369$). Sentences were examined for detention referrals or detention decisions occurring prior to the inmate's first release date.

What we found

Across the study time period, 4.5% ($n = 2,075$) of all eligible sentences resulted in a referral for detention, and 4.1% of sentences ($n = 1,903$) resulted in detention by the Parole Board of Canada. Detention rates were mostly stable across the 10-year study period, with a slight decrease in the last three years examined. Most referrals (over 90%) resulted in a detention decision, with these concordance rates increasing slightly over time. Detention rates were lowest in the Atlantic region (2.9%) and highest in the Prairie region (4.6%).

Sex offenders were most likely to be detained (15%). Approximately 6% of offenders with a current non-sexual violent offence were detained. In contrast, less

than 1% of sentences for a serious drug offence resulted in a detention decision. Among detained offenders, 97% had a current violent offence (nearly half of these had a current sexual offence). Additionally, over 90% also had a prior violent offence.

Offenders with longer sentences were more likely to be detained. Less than 1% of women offenders were detained. Nearly 8% of Aboriginal offenders were detained, which was roughly twice the detention rate of non-Aboriginal offenders. Approximately 14% of detention referrals came from the Commissioner of CSC¹.

What it means

Detaining inmates past their SRD is contrary to the principles of gradual community reintegration and should therefore be reserved for the highest risk offenders. The current study confirms that detention rates remained low over a ten year period and targeted primarily violent and sex offenders. Additional research is currently underway to identify which factors (e.g., risk and need, institutional behaviour) are most predictive of detention decisions, and to examine whether Aboriginal offenders are significantly more likely to be detained after controlling for differences in these factors.

For more information

Helmus, L. M., & Johnson, S. (2015). *Detention past statutory release dates: Rates and patterns* (Research Report R-375). Ottawa, Ontario: Correctional Service of Canada.

To obtain a PDF version of the full report, or for other inquiries, please e-mail the [Research Branch](#) or contact us by phone at (613) 995-3975.

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¹The Commissioner can refer cases for detention if the offender is deemed likely to commit an offence causing death or serious harm, a sex offence against a child, or a serious drug offence prior to sentence expiration.