

**Day Parole:**  
**Effects of Corrections and**  
**Conditional Release Act (1992)**

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**the National Parole Board**

This report is part of a series of 24 research/evaluation reports (listed below) that were prepared as background to the Consolidated Report of the Working Group studying the provisions and operations of the Corrections and Conditional Release Act and related Consultation Paper.

The Working Group is composed of representatives from the following agencies:

Correctional Service Canada  
National Parole Board  
Correctional Investigator  
Justice  
Department of the Solicitor General

Research/Evaluation Reports:

Information about Offenders  
Security Classification of Inmates  
Judicial Determination  
The Temporary Absence Program: A Descriptive Analysis  
Personal Development Temporary Absences  
Work Release Program: How it is used and for what purposes  
Day Parole: effects of the CCRA (1992)  
Case Management: Preparation for Release and Day Parole Outcome  
Accelerated Parole Review  
Statutory Release and Detention Provisions  
Community Supervision Provisions  
Provisions Relating to Victims  
Observers at National Parole Board Hearings  
The National Parole Board Registry of Decisions  
CSC Human Resources  
Administrative Segregation  
Search, Seizure and Inmate Discipline  
Offender Grievance System  
Urinalysis Testing Program  
Inmate's Input in Decision-making  
Information to Offenders  
Aboriginal Offenders  
Health Services  
Women Offenders

## **Executive Summary**

A study was initiated to provide a description of how day parole use has changed since the introduction of the Corrections and Conditional Release Act (CCRA) in November 1992. The CCRA introduced a number of changes to day parole including eliminating automatic review for day parole, changing the eligibility date from one-sixth of the sentence to six months prior to parole eligibility, and stipulating that the day parole must be used as preparation for full parole or statutory release. The study includes information on all day parole releases from April 1, 1990 to March 31, 1996.

The number of day parole release decisions by the National Parole Board declined from approximately 7,900 to 5,400 following the introduction of the CCRA. The decline in decisions reflects a drop in the number of applications for day parole. This decline was probably due, in part, to the elimination of automatic review for day parole by the CCRA. There was also a decline in the grant rate for day parole from 66% to 59% of applications.

While day parole use increased by one-fifth (20%) from 1990-91 to 1992-93, it declined by about one-third (32%) after the introduction of the CCRA. In 1992-93 4,122 offenders were released on day parole, but by 1995-96 the number had decreased to 2,585. The observed declines were consistent across all regions including Quebec, which releases the most offenders on day parole. The observed declines in day parole use were occurring while the offender population was increasing.

Aboriginal offenders are slightly less likely to be released on day parole than other offenders and day parole use declined for Aboriginal offenders at a rate slightly higher than for non-Aboriginal offenders after the introduction of the CCRA.

Day parole use by female offenders actually increased following the CCRA. While the absolute magnitude of the increase was not great (from 74 women in 1990-91 to 100 women in 1995-96), the percentage increase exceeded one-third.

To isolate which offenders were being affected by the decline in day parole use, factors such as time in sentence of day parole release, the effect of accelerated parole review and criminal history were studied. The largest decline in day parole use was for offenders released early in their sentence, that is, before their parole eligibility date. Day parole use for these offenders declined by 57%. Part of this decline can be explained by a reduction in the percentage of day parole releases for offenders who met the accelerated parole review criteria. Criminal history factors indicated that the largest decline in day parole use was for non-violent offenders, consistent with the finding of a drop in day parole use by offenders eligible for accelerated parole review.

An analysis was conducted to determine if the observed decline in day parole use could be accounted for by new programs introduced by the CCRA such as accelerated parole review, personal development TAs and work release. However, while these programs may have contributed to the decline in day parole use as offenders were released on alternative programs, the analysis revealed that these programs could not account for the entire decline in day parole use.

Overall, day parole use declined since the introduction of the CCRA. Previous research has suggested that changing the eligibility date for day parole was unlikely to have a direct effect on day parole use, although it may have had an indirect effect with case preparation occurring later in the process rather than prior to one-sixth of the sentence. The decline in the number of National Parole Board decisions after automatic review was discontinued by the CCRA suggest that this may have been partly responsible for the decline in day parole use. Other programs introduced by the CCRA could account for some of the decline, but not all of it. Therefore, it would appear that some of the decline in day parole use must be the result of changes implemented either by the CCRA or at the time of the CCRA. Other issues associated with day parole following the introduction of the CCRA are addressed in a report describing the outcome of a file review sample of 500 day parole cases (Grant and Gal, 1998).



## **Acknowledgements**

The analyses presented in this report were only possible because of the work of a number of people who provided support for the study. R.L. Belcourt, Director of the Research Information Centre, developed the day parole data base as well as other data sets used in the study. William Millson, of Balex Research and Statistical Consulting, provided the skills needed to integrate the various data bases and he conducted the analyses presented in the report. Laura Vandette assisted with report layout and Sara Johnson provided technical support for preparing the final version of the report. Hopefully their efforts are reflected in the quality of the report.

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## **Chapter 1: Introduction**

Release from prison to a halfway house can serve two purposes. First, for low risk offenders it can provide a form of early release which not only benefits the offender because less time is spent in the prison environment, but also benefits the correctional system by lowering costs since time served in a halfway house costs less than time served in a prison. The second purpose for release to a halfway house is to ease the transition from prison life to community life. This is particularly important for offenders who have been incarcerated for a number of years and for those with higher risk to reoffend. A period of time in a closely supervised halfway house may provide sufficient control to reduce the likelihood of recidivism.

Federally sentenced offenders granted day parole in Canada are most often released to a halfway house. In most cases, offenders reside at a halfway house where they may participate in treatment programs, attend school, work, and look for work and accommodation that will be needed for future full releases (full parole or statutory release). The halfway house could be a Community Correctional Centre operated by the Correctional Service of Canada or a Community Residential Centre operated privately on a fee for service basis for the Correctional Service. Some offenders may continue to reside at a correctional institution, but are released daily for work or other activities. In exceptional cases, other residential locations may be used where no halfway house exists.

Day parole has been a release option for federally sentenced offenders in Canada since 1969. During the period from 1969 to 1992 the use of day parole increased as its definition and function were broadened. In particular, the introduction of automatic review for day parole in 1986 resulted in a steady increase in day parole use (Grant et al., 1996). However, the Corrections and Conditional Release Act (1992) made a number of changes to law affecting day parole including providing a more precise definition of its purpose.

The purpose of this report is to evaluate the effect of the changes made by the Corrections and Conditional Release Act (1992) (CCRA) on day parole. This report is one of a number of studies prepared for the review of the CCRA which was required five years after its implementation.

A secondary purpose of the study is to determine how day parole contributes to the reintegration of offenders in the community. The focus of this report is multi-year trends in day parole use. Another report provides analyses of the case management process leading to day parole, the purposes for which day parole is used, and the details of the outcome of the day parole release for a sample of cases (Grant & Gal, 1998).

The Corrections and Conditional Release Act (CCRA) replaced the Penitentiary Act (1985) and the Parole Act (1985). It made a number of significant changes to the operation of Canadian prisons and the National Parole Board (NPB). Included in the Act were three major changes to day parole:

1. The CCRA changed the purpose for which day parole could be used. While previous legislation had permitted a variety of purposes for day parole, including community work, the CCRA requires that day parole be used to prepare offenders for full parole or statutory release.
2. The CCRA changed the eligibility date for day parole from one-sixth of the sentence to six months prior to full parole eligibility. Since full parole eligibility is at one-third of the sentence, offenders with sentences longer than three years are eligible for day parole at a later date than previous legislation allowed.
3. The CCRA discontinued the automatic review by the National Parole Board for day parole. Therefore, offenders must apply in writing to have a day parole hearing.

One of the goals of these changes to the Act was to reduce the public perception that some offenders were being released too early in their sentence. Early releases on day parole were believed to be reducing public confidence in the criminal justice system because at times they seemed at odds with the sentences imposed by judges. However, subsequent research, discussed below, (Grant et al., 1996) has shown that these concerns were probably unfounded.

In addition to these direct changes to day parole, the CCRA made a number of other changes that could affect day parole. The CCRA includes provisions for a full parole review process known as Accelerated Parole Review. Basically, this process allows offenders who are serving their first federal sentence and who have been convicted of a non-violent crime to be released on parole at the earliest date possible, provided it is unlikely they will commit a violent offence after their release. Normally, for parole, the National Parole Board must consider the possibility of the offender committing any type of offence, but for Accelerated Parole Review cases they must only consider the likelihood of a violent offence. If offenders are deemed unlikely to commit a violent offence after release, they are directed to be released at their parole eligibility date. The decision to direct parole is based on a review of the offender's file and there is no need for a parole hearing if the decision to direct parole is made at the time of the file review.

Accelerated Parole Review (APR) could have had a number of different impacts on day parole. For example, by releasing low risk offenders at the earliest possible date APR could reduce the pool of offenders who are on day parole early in their sentence. However, APR would not affect offenders released on day parole later in their sentence. APR could also reduce the number of applications for day parole, and therefore the number of day parole releases. This would occur if offenders decide not to apply for day parole because they reject the residency requirement of day parole in favour of a parole release. Residency while on day parole means that the offender is under very close supervision and violations of conditions are more readily observable. For these offenders, the consequence of failing while on day parole is a loss of APR eligibility and the need to be reviewed for parole using the normal parole criteria.

The CCRA also changed a number of the rules governing work release and temporary absences, and this might have affected day parole. Specifically, work releases and 60 day personal development temporary absences were introduced. Work releases are a form of absence from custody that can be granted by institutional heads, rather than the National Parole Board. Work releases provide opportunities for offenders to work on community service projects or to obtain other work outside of the prison. This type of release was designed to replace similar opportunities that had formerly been handled through the day parole program

and the National Parole Board. A study of the use of work releases was conducted as part of the CCRA review (Grant & Beal, 1998).

A change to the temporary absence program that could affect day parole was the introduction of 60 day personal development temporary absences. The purpose of these temporary absences is to provide opportunities for offenders to participate in treatment and other programs outside the institution. However, their use is similar, in some ways, to day parole and therefore extensive use of 60 day personal development temporary absences could affect the number of day paroles. Additional details on 60 day personal development temporary absences can be found in Grant and Johnson (1998).

The study presents information on how the number, distribution and duration of day paroles have changed following the implementation of the CCRA. The distribution of day paroles is considered across regions, gender and race (Aboriginal vs. Non-Aboriginal).

Another study (Grant and Gal, 1998) addresses how day parole is used in the reintegration planning process and the association between day parole outcome and sentence completion.

### **Previous Correctional Service of Canada Research**

Two recent investigations (Grant et al., 1996; Grant & Gillis, 1998) provide some background to the questions being studied in this report. These studies analyzed offenders released on day parole in 1990-91 from Correctional Service of Canada institutions and followed them until March 31, 1994 to determine factors associated with the day parole releases, the outcome of the day parole, and the outcome of the release period after the day parole.

The Grant et al. (1996) study reports that prior to the CCRA only 8% of offenders granted day parole were released earlier than six months before their parole eligibility date. This represents about 250 offenders who were released earlier than would be permitted under the CCRA. Risk analyses indicated that most of these offenders were low risk, suggesting that concerns about releasing offenders too early in their sentence may have been unjustified. However, the

study did suggest that some higher risk offenders were being released early. Proper application of risk and need assessment would reduce the likelihood of early releases for high risk offenders without the restriction of day parole being granted only six months before parole eligibility.

Another important finding from these studies is that day parole success is associated with full release outcome. That is, offenders released on day parole, and who successfully completed their day parole, are more likely to succeed after their release on full parole or statutory release than offenders who were unsuccessful on day parole. An additional finding in Grant and Gillis (1998) is that offenders released after their parole eligibility date do not vary a great deal in terms of successful completion of their sentence. That is, those offenders released early, in preparation for full parole, are about as successful in their release as offenders released later, in preparation for statutory release.

### **Day Parole in Other Jurisdictions**

Other jurisdictions operate day parole programs, however, the purpose behind the release varies. Many jurisdictions in the United States have programs similar to day parole which require offenders to reside at a halfway house. Historically, the halfway house movement in the United States expanded in the 1950s with the expansion of parole (Latessa & Allen, 1982). At that time, its primary function was to help offenders find jobs. In the early 70's, the function of the halfway house expanded to include education, work release, furloughs, after-care residential and support services, including specialized programs. Wilson (1985), describes the halfway house as a facility that provides specific and substantial support and assistance to the offender during the period of readjustment to the community. During residency at the halfway house, offenders are still serving their sentences and residing at the house serves as a test of their readiness for parole and release in the community (Latessa & Allen, 1982).

Offenders released to halfway houses in the United States have similar characteristics to Canadian offenders released on day parole. These offenders are less likely to be serving time for violent crimes, and very few are high risk (Latessa & Allen, 1982).

In terms of effectiveness of the halfway houses, Seiter et al. (1977) concluded that halfway house programs may reintegrate prisoners returning to the community more effectively than direct release to parole. In addition, based on a review of 14 studies, Latessa and Allen (1982) concluded that the halfway houses cost less than most institutions, but more than parole and probation. Therefore for some offenders, release to a halfway house may be very cost effective by reducing the length of time in custody. However, for the lowest risk offenders, use of a halfway house may actually cost more than full parole release.

### **Report Outline**

A brief description of the methodology used to obtain the data is provided in Chapter 2. This is followed by a chapter which describes how day parole use has declined since 1992-93 and provides analyses of some of the factors that might be associated with the decline. Chapter 4 presents a summary and discussion of the findings in the report.

## **Chapter 2: Methodology**

### **Data Sources**

The data used in the study were obtained from four data sets maintained by the Research Branch: admissions, releases, offences and offender characteristics. These data bases are maintained by extracting information from the Offender Management System (OMS) operated by the Correctional Service of Canada and the National Parole Board. The OMS is an administrative record system that is used to track the movement, sentences, programs, and related information for all offenders under federal jurisdiction.

The admissions and releases data sets contain all admissions and releases from federal institutions. With these data bases it is possible to determine when and why offenders were released and then to determine if they were readmitted at a later date. If they are readmitted, it is possible to determine when the readmission occurred and the reason for it.

The third data base contains information on all offences for which offenders served time in federal institutions. In most cases, these are offences for which a sentence of two years or more was imposed. Shorter sentences, totaling two years or more and sentences received while an offender is under the supervision of the Correctional Service of Canada also result in sentences being served in a federal institution. These offences are also listed in the offence data base. With this data base, it is possible to determine the offence history of offenders, offences for which they were admitted to federal custody and offences which occurred after the conditional release. While criminal history does not include offences for which provincial sentences were received, almost all offences committed while the offender is under supervision are included in the data base making it very useful for following offenders on conditional release.



The fourth data base contains biographical information such as date of birth, marital status, gender and race. Information from this data base is used to develop analyses comparing subgroups of offenders to determine if there is differential treatment of some offenders.

A composite of these data bases was used to create an analysis data base which was used throughout the study. The analysis data base contains records for all day parole releases from April 1, 1990 to March 31, 1996. During this time, there were approximately 25,000 day paroles.

Throughout the report, reference is frequently made to the number of day paroles and the number of offenders granted day parole. An offender may receive more than one term of day parole during a sentence, and it is common for some offenders to be granted multiple consecutive day paroles.

### **Analyses**

All analyses were conducted using the Statistical Analysis System (SAS) version 6.12 (SAS, 1997).

## Chapter 3: Results

### Day Parole Decisions by the National Parole Board

The CCRA eliminated automatic day parole review. As a result, the number of cases for which day parole decisions are required should have declined. In addition, the CCRA introduced Accelerated Parole Review, which was likely to reduce the number of day parole applications as low risk offenders were more likely to be released at their parole eligibility date.

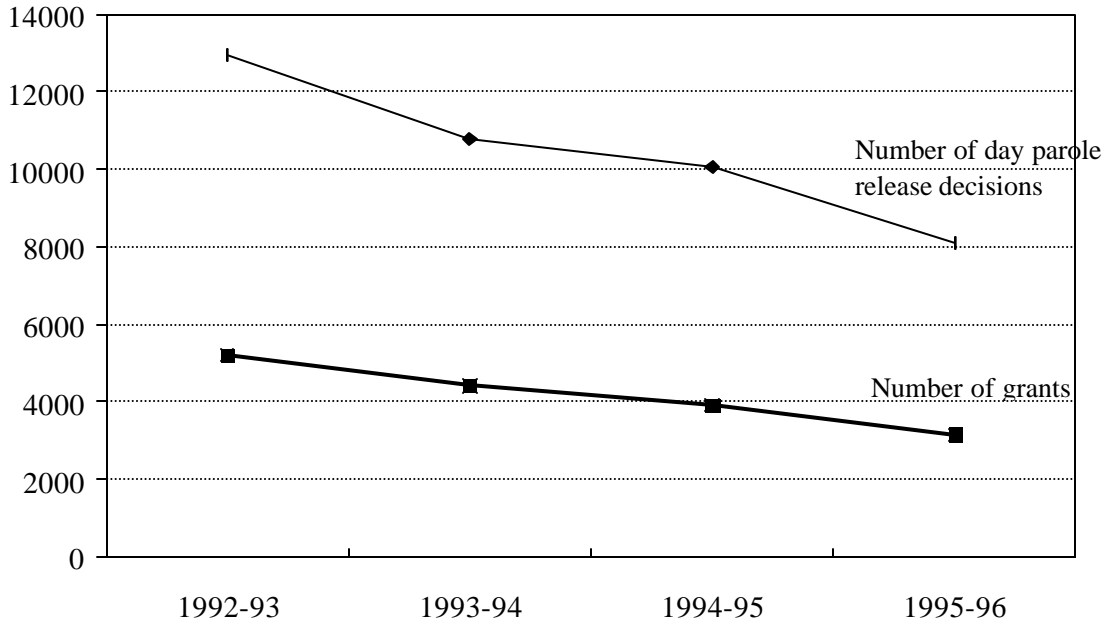
Table 3 -1 presents the number of decisions made by the National Parole Board and the number of day parole decisions. The results indicate that from 1992-93 to 1995-96 the percentage of decisions made by the Board for day parole decreased from 40% to 28%.

**Table 3 -1: National Parole Board federal day parole decisions, grants and releases: 1992-93 to 1995-96**

	Year	1992-93	1993-94	1994-95	1995-96
Number of Decisions		32,433	31,166	31,623	28,510
Number of day parole decisions		12,952	10,801	10,068	8,102
Day parole decisions as a percentage of all decisions		39.9	34.7	31.8	28.4
Number of day parole release decisions		7,891	6,779	6,538	5,385
Number of grants		5,201	4,413	3,913	3,164
Grant rate		65.9	65.1	59.9	58.8
Average on-register population		12,877	13,863	14,539	14,459

Source: Data adapted from National Parole Board

Also in Table 3 -1 are the number of day parole release decisions, which reflect the number of day parole applications (no formal application was required before November 1992). These have dropped by 32% from 7,900 to 5,400. However, the grant rate for day parole has only declined by 11%, from 66% to 59%. During these declines the on-register offender population was increasing. These results are also presented graphically in Figure 3-1.

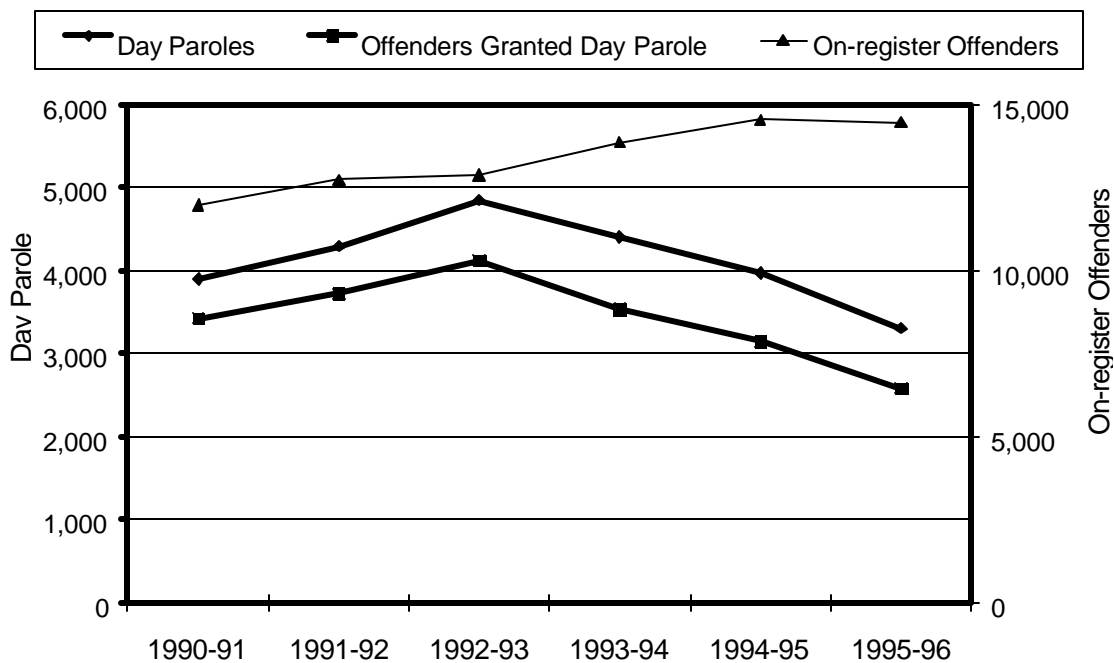


Data Source: National Parole Board

**Figure 3-1: Changes in the number of day parole release decisions and the number of day parole grants.**

### Number of Day Parole Releases

Starting in 1988-89 day parole use increased until a peak in 1992-93 was reached after which use declined. Changes in the number of day parole releases, offenders granted day parole and the on-register offender population from 1990-91 to 1995-96 are presented graphically in Figure 3-2 with detailed numbers presented in Table 3-2. Day parole use peaked in 1992-93 with 4,848 releases for 3,717 offenders. In November 1992, the CCRA was enacted and there has been a steady decline in day parole releases since. While there was a 12% increase in the offender population during the period from 1992-93 to 1995-96, day parole releases declined by 32% and the number of different offenders granted day parole decreased by 37%. There were approximately 1,500 fewer day parole releases three years after the implementation of the CCRA.



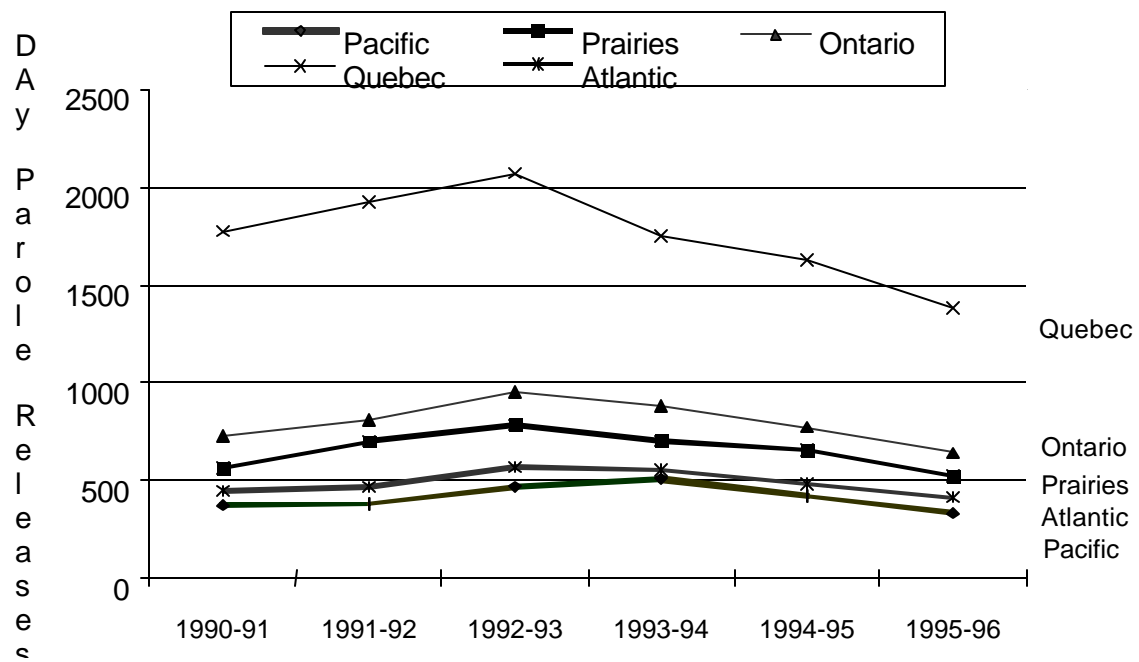
**Figure 3-2: Changes in the number of day parole releases, offenders released on day parole and the on-register offender population from 1990-91 to 1995-96.**

**Table 3-2: Number of Day Paroles, Offenders Granted Day Parole and On-register Offenders by Fiscal Year**

Fiscal Year	Day Parole Releases		Offenders Granted Day Parole		On-register Offenders	
	Number	% change	Number	% change	Number	% change
1990-91	3,887	-	3,423	-	11,961	-
1991-92	4,285	+ 10.2	3,717	+ 8.6	12,719	+ 6.3
1992-93	4,848	+ 13.1	4,122	+ 10.9	12,877	+ 1.2
1993-94	4,406	- 9.1	3,532	- 14.3	13,863	+ 7.7
1994-95	3,970	- 9.9	3,141	- 11.1	14,539	+ 4.9
1995-96	3,303	- 16.8	2,585	- 17.7	14,459	- 0.6
<b>Average</b>	<b>4,117</b>		<b>3,420</b>		<b>13,403</b>	
<b>% change since:</b>						
<b>1990/91</b>	<b>-15</b>		<b>-24</b>		<b>21</b>	
<b>1992-93</b>	<b>-32</b>		<b>-37</b>		<b>12</b>	

## Regional Comparisons

The decline in day parole releases since 1992-93 is consistent across all regions as shown in Figure 3-3. The decline in all regions is almost 30% or higher for day parole releases, and closer to 40% for offenders granted day parole. The Atlantic region has the lowest decrease with only 27% for both releases and offenders as shown in Table 3-3.

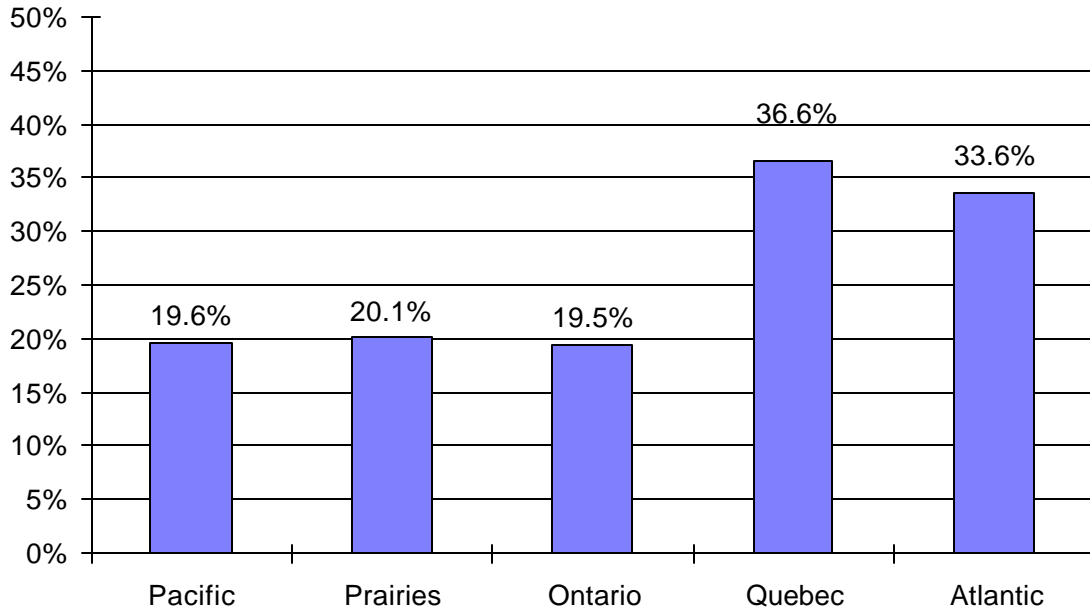


**Figure 3-3: Changes in the number of day parole releases by region.**

**Table 3-3: Number of day parole releases, offenders granted day paroles, and on-register population by year and region.**

Fiscal Year	Pacific			Prairies			Ontario			Quebec			Atlantic		
	Number	Off	On-reg Off.	Number	Off	On-reg Off	Number	Off	On-reg Off	Number	Off	On-reg Off	Number	Off	On-reg Off
1990-91	373	344	1,633	564	546	2,641	728	701	3,455	1,774	1,442	3,229	448	390	1,003
1991-92	383	358	1,678	702	676	2,672	809	781	3,700	1,922	1,502	3,549	469	400	1,120
1992-93	469	427	1,650	785	744	2,775	955	897	3,724	2,070	1,569	3,554	569	492	1,174
1993-94	510	405	1,823	704	621	3,087	887	752	3,865	1,754	1,288	3,747	551	478	1,341
1994-95	423	317	1,984	657	559	3,325	774	666	3,875	1,632	1,182	3,891	484	419	1,464
1995-96	335	255	1,993	527	442	3,360	641	539	3,852	1,387	996	3,804	413	357	1,450
<b>Average</b>	<b>416</b>	<b>351</b>	<b>1,794</b>	<b>657</b>	<b>598</b>	<b>2,978</b>	<b>799</b>	<b>723</b>	<b>3,745</b>	<b>1,757</b>	<b>1,330</b>	<b>3,629</b>	<b>489</b>	<b>423</b>	<b>1,259</b>
<b>Percent of National</b>	<b>10</b>	<b>10</b>	<b>14</b>	<b>16</b>	<b>17</b>	<b>22</b>	<b>19</b>	<b>21</b>	<b>28</b>	<b>43</b>	<b>39</b>	<b>27</b>	<b>12</b>	<b>12</b>	<b>9</b>
<b>% change since:</b>															
<b>1990-91</b>	<b>-10</b>	<b>-26</b>	<b>22</b>	<b>-7</b>	<b>-19</b>	<b>27</b>	<b>-12</b>	<b>-23</b>	<b>11</b>	<b>-22</b>	<b>-31</b>	<b>18</b>	<b>-8</b>	<b>-8</b>	<b>45</b>
<b>1992-93</b>	<b>-29</b>	<b>-40</b>	<b>21</b>	<b>-33</b>	<b>-41</b>	<b>21</b>	<b>-33</b>	<b>-40</b>	<b>3</b>	<b>-33</b>	<b>-37</b>	<b>7</b>	<b>-27</b>	<b>-27</b>	<b>24</b>

The Quebec region made the greatest use of day parole, accounting for 43% of all day parole releases over the six years of the study. In addition, the Quebec region released the highest percentage of their offenders (37%) on day parole as shown in Figure 3-4. The Atlantic region also released a large percentage (34%) of their population on day parole. The other regions release about 20% of the on-register population on day parole as shown in Figure 3-4.

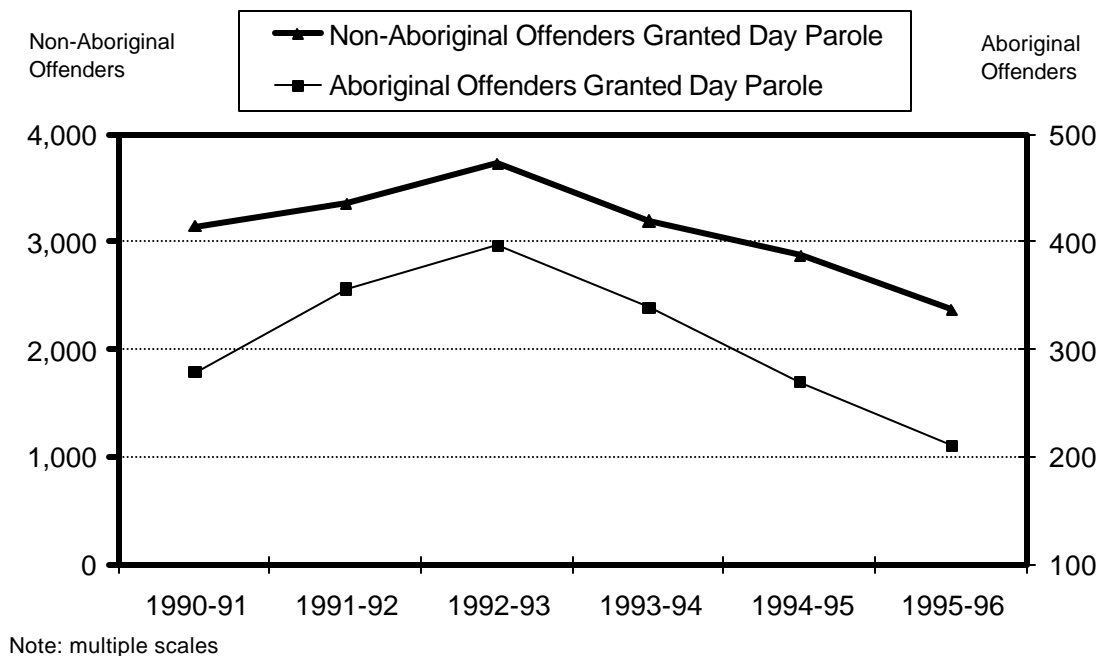


**Figure 3-4: Percentage of the offender population granted day parole in each region.**



## Aboriginal Offenders

Aboriginal offenders accounted for 9% of those granted day parole over the six years of the study and they accounted for 12.5% of the on-register offender population as presented in Table 3-4. Therefore, Aboriginal offenders receive a lower proportion of the day parole releases than would be expected. However, as shown in Figure 3-5, the decline in the number of day paroles for Aboriginal offenders was similar to that for non-Aboriginal offenders although the decline is slightly greater for Aboriginal offenders. The distance between the two lines in Figure 3-5 illustrates this finding. The two lines on the graph have different scales as shown by the axes labels.



**Figure 3-5: Changes in the number of offenders released on day parole for Aboriginal and Non-Aboriginal offenders.**

**Table 3-4: Number of day parole releases for Aboriginal and Non-Aboriginal offenders, offenders released on day parole and on-register offenders.**

Fiscal Year	Day Parole Releases		Offenders Granted Day Parole		On-register Offenders	
	Non-Aboriginal	Aboriginal	Non-Aboriginal	Aboriginal	Non-Aboriginal	Aboriginal
1990-91	3,591	296	3,144	279	10,564	1,397
1991-92	3,906	379	3,360	357	11,285	1,434
1992-93	4,417	431	3,725	397	11,278	1,599
1993-94	4,015	391	3,194	338	12,020	1,843
1994-95	3,638	332	2,872	269	12,714	1,825
1995-96	3,048	255	2,374	211	12,539	1,920
<b>Average</b>	<b>3,769</b>	<b>347</b>	<b>3,112</b>	<b>309</b>	<b>11,733</b>	<b>1,670</b>
<b>Percentage</b>	<b>91.6</b>	<b>8.4</b>	<b>91.0</b>	<b>9.0</b>	<b>87.5</b>	<b>12.5</b>
<b>% change since:</b>						
<b>1990-91</b>	<b>-15</b>	<b>-14</b>	<b>-24</b>	<b>-24</b>	<b>19</b>	<b>37</b>
<b>1992-93</b>	<b>-31</b>	<b>-41</b>	<b>-36</b>	<b>-47</b>	<b>11</b>	<b>20</b>

## Female offenders

Female offenders were granted about 2.5% of the day parole releases over the six year time period. However, unlike the general trend in day paroles, there has been an increase in the use of day parole with female offenders. Day parole releases for female offenders have increased from 80 in 1990-91 to 119 in 1995-96. This represents an increase of almost 50%. Female offenders now account for 3.6% of day parole releases. Year to year changes are presented in Table 3-5.

**Table 3-5: Number of day parole releases and offenders granted day paroles by gender and year.**

Fiscal Year	Day Parole Releases		Offenders Granted Day Parole		On-register Offenders	
	Male	Female	Male	Female	Male	Female
1990-91	3,807	80	3,349	74	11,688	273
1991-92	4,204	81	3,639	78	12,452	267
1992-93	4,755	93	4,035	87	12,605	272
1993-94	4,294	112	3,443	89	13,592	271
1994-95	3,834	136	3,031	110	14,244	295
1995-96	3,184	119	2,485	100	14,161	298
<b>Average</b>	<b>4,013</b>	<b>104</b>	<b>3,330</b>	<b>90</b>	<b>13,124</b>	<b>279</b>
<b>Percentage</b>	<b>97.5</b>	<b>2.5</b>	<b>97.4</b>	<b>2.6</b>	<b>97.9</b>	<b>2.0</b>

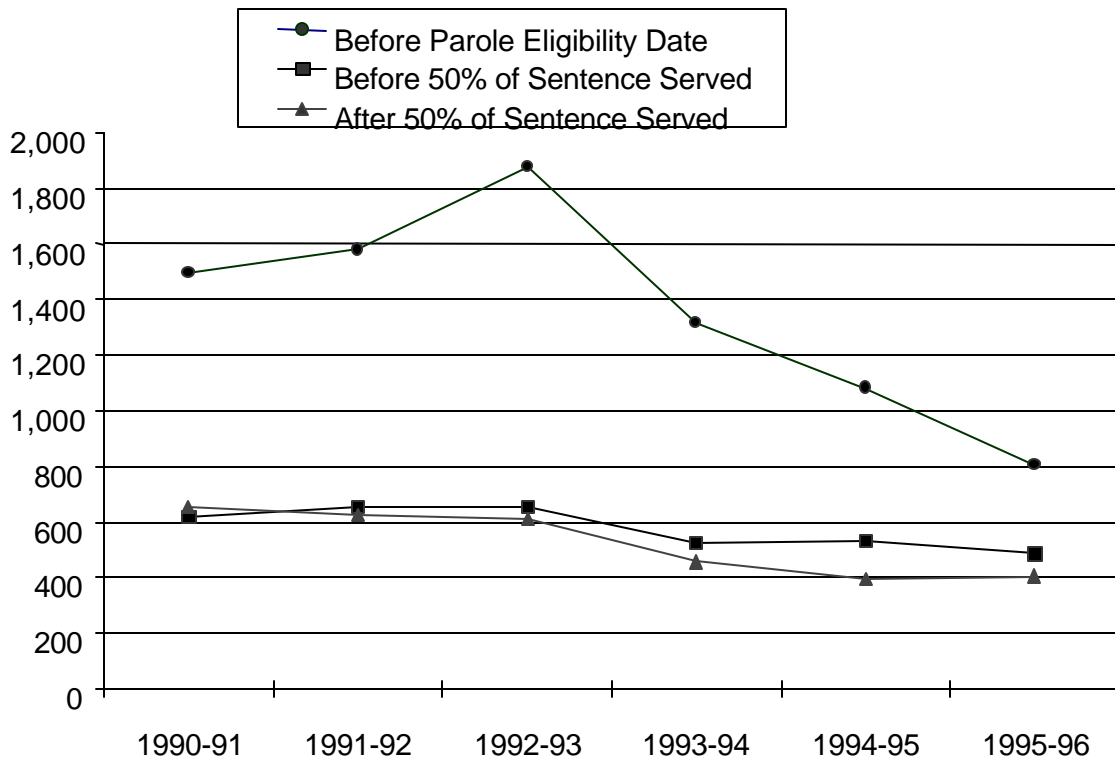
## **Time of Release**

The purpose of day parole is to prepare offenders for both full parole and statutory release. However, full parole is a form of early release used most often with lower risk offenders while those held in custody until their statutory release date, at two-thirds of their sentence, are usually higher risk offenders. Clearly, full parole and statutory release are used with very different groups of offenders. Therefore, when considering day parole, it is important to consider the time in the sentence when the release occurs. For this study, day parole releases have been divided into three groups: those which occur before the parole eligibility date; those which occur on or after the parole eligibility date, but before the mid-point of the sentence; and those which occur after the midpoint of the sentence. For the later group it is assumed that day parole is used to prepare offenders for statutory release while for offenders released before their parole eligibility date, the purpose is clearly preparation for full parole. Releases which occur in the middle portion are more difficult to label, but in most cases they would represent preparation for full parole.

Two changes to the CCRA were designed to affect when day parole releases occurred. Prior to the CCRA in late 1992, all offenders were reviewed for day parole release, without the requirement that they apply. However, after CCRA the offenders were required to make an application to be considered for day parole. The CCRA also changed the eligibility date for day parole from one-sixth of the sentence (in most cases) to six months prior to full parole. An earlier study (Grant et al., 1996) showed that only 8% of day parole releases occurred prior to six months before parole eligibility and this change in the eligibility date should not have had a major effect on day parole releases.

Results presented in Figure 3-6 show that the number of offenders released on their first day parole before their parole eligibility date declined dramatically from a high of 1,875 in 1992-93 to 807 in 1995-96, a decrease of 57%. There was also a decline in the absolute number of releases in mid-sentences (parole eligibility to 50% of sentence) and late in the sentence (after 50% of sentence). Results presented in Table 3-6 also show that releases early in the sentence

have declined from 60% (1992-93) of all day parole releases to 48%. On the other hand, the percentage of mid-sentence releases increased from 21% to 29%, while late sentence release remained relatively stable at about 20%. While day parole releases early in the sentence were increasing until the introduction of the CCRA, the decline is fast and dramatic after its implementation.



**Figure 3-6: Number of offenders released on day parole by time of release.**

**Table 3-6: Number and percentage of first day parole releases by time of release.**

Fiscal Year	Before Parole Eligibility Date		Before 50% of Sentence Served		After 50% of Sentence Served	
	Number	Percent	Number	Percent	Number	Percent
1990-91	1,498	54.1	618	22.3	651	23.5
1991-92	1,580	55.3	654	22.9	622	21.8
1992-93	1,875	59.7	655	20.9	612	19.5
1993-94	1,317	57.3	525	22.9	456	19.8
1994-95	1,082	53.9	531	26.4	396	19.7
1995-96	807	47.5	468	28.6	406	23.9
<b>Average</b>	<b>1360</b>	<b>55.2</b>	<b>578</b>	<b>23.5</b>	<b>524</b>	<b>21.3</b>
<b>% change since:</b>						
<b>1990-91</b>	<b>-46</b>		<b>-21</b>		<b>-38</b>	
<b>1992-93</b>	<b>-57</b>		<b>-26</b>		<b>-34</b>	

Table 3-7 presents the time of release information by region. The regional results are consistent with national results, showing a decline in the use of day parole releases early in the sentence since the CCRA. In addition, the table shows that the Pacific region is much more likely to use day parole for late sentence releases than early sentence releases as compared to the other regions.

The decline in early sentence releases accounts for almost the entire decline in day paroles. However, the data do not provide an explanation for the change. As noted in a previous study (Grant et al., 1996), the observed decline is not directly a result of the change to the eligibility

date for day parole, since only 8% of pre-CCRA day paroles

**Table 3-7: Time in Sentence of 1st Day Parole Release by Region and Fiscal Year**

Fiscal Year	Before Parole Eligibility Date					Before 50% of Sentence Served					After 50% of Sentence Served				
	Pacific	Prairies	Ontario	Quebec	Atlantic	Pacific	Prairies	Ontario	Quebec	Atlantic	Pacific	Prairies	Ontario	Quebec	Atlantic
1990-91	40.4%	47.3%	53.9%	57.6%	65.8%	25.5%	22.8%	22.7%	22.6%	16.9%	34.0%	29.9%	23.3%	19.8%	17.3%
1991-92	39.3%	51.9%	55.9%	55.8%	72.3%	28.9%	24.9%	24.8%	21.7%	13.8%	31.9%	23.2%	19.3%	22.5%	13.8%
1992-93	36.0%	56.6%	63.5%	61.5%	70.5%	27.9%	22.1%	21.4%	20.0%	14.4%	36.0%	21.3%	15.1%	18.5%	15.1%
1993-94	26.4%	55.1%	62.2%	57.3%	70.9%	30.0%	24.5%	20.1%	24.3%	18.2%	43.6%	20.5%	17.8%	18.4%	10.9%
1994-95	36.4%	56.8%	58.1%	49.4%	61.8%	31.5%	26.1%	22.7%	29.1%	24.3%	32.2%	17.1%	19.2%	21.5%	13.8%
1995-96	14.4%	44.5%	49.4%	49.1%	60.8%	32.0%	30.2%	29.9%	27.9%	24.6%	53.6%	25.3%	20.7%	23.1%	14.6%
Six Year Avg.	34.1%	52.4%	57.8%	55.9%	67.5%	28.7%	24.6%	23.2%	23.6%	18.3%	37.2%	22.9%	18.9%	20.5%	14.2%



occurred prior to six months before the parole eligibility date. The decrease was likely due to either the elimination of automatic day parole review, or a shift in the focus of day parole from preparation for full parole to preparation for statutory release.

An alternative explanation is that other programs introduced by the CCRA affected day parole usage. One such program, accelerated parole review (APR) was introduced by the CCRA to encourage the release of first time federal offenders who had been convicted of non-violent offences. The introduction of this program could have reduced the pool of low risk offenders for day parole. Grant (1998) provides a detailed analysis of accelerated parole review and Table 3-8 provides information on the effects of APR on day parole use.

Results presented in Table 3-8 provide for a comparison of APR offenders with other groups who were not eligible for APR. Offenders not eligible for APR provide a control group against which to compare the decline in day parole for APR offenders. For the APR eligible group released prior to the CCRA, 67% had a day parole whereas only 42% of the APR eligible group received a day parole after the CCRA, a 38% decline. However, the data in Table 3-8 indicate that the decline in day parole use was greater for two of the three comparison groups than for the APR group. Overall, the weighted (by number of cases) percentage decline for non-APR cases was 44%. Therefore, APR may account for some of the drop in day parole releases, but there is also a substantial drop in day parole use for offenders in the comparison groups.

**Table 3-8: Comparison of the number of day parole releases for accelerated parole review APR eligible and non-APR eligible groups**

		APR Eligible <sup>1</sup>	Ineligible		
			Offence <sup>2</sup>	Admission <sup>3</sup>	Both <sup>4</sup>
Pre CCRA	Percent granted day parole	67.2	54.5	55.8	42.7
	Cases with a dp release	(1,292)	(1,343)	(336)	(290)
Post CCRA	Percent granted day parole	42.0	29.0	42.1	21.3
	Cases with a dp release	(1,631)	(2,964)	(664)	(559)
Percentage change		37.5	46.8	24.6	50.1

<sup>1</sup> Offenders released prior to the CCRA could not receive APR, but they met the criteria as specified in the CCRA.

<sup>2</sup> Ineligible offences are those listed on Schedule I (violent offences) and Schedule II offences (drug offences) for which the judge order eligibility for parole at 50% of the sentence rather than at 33%.

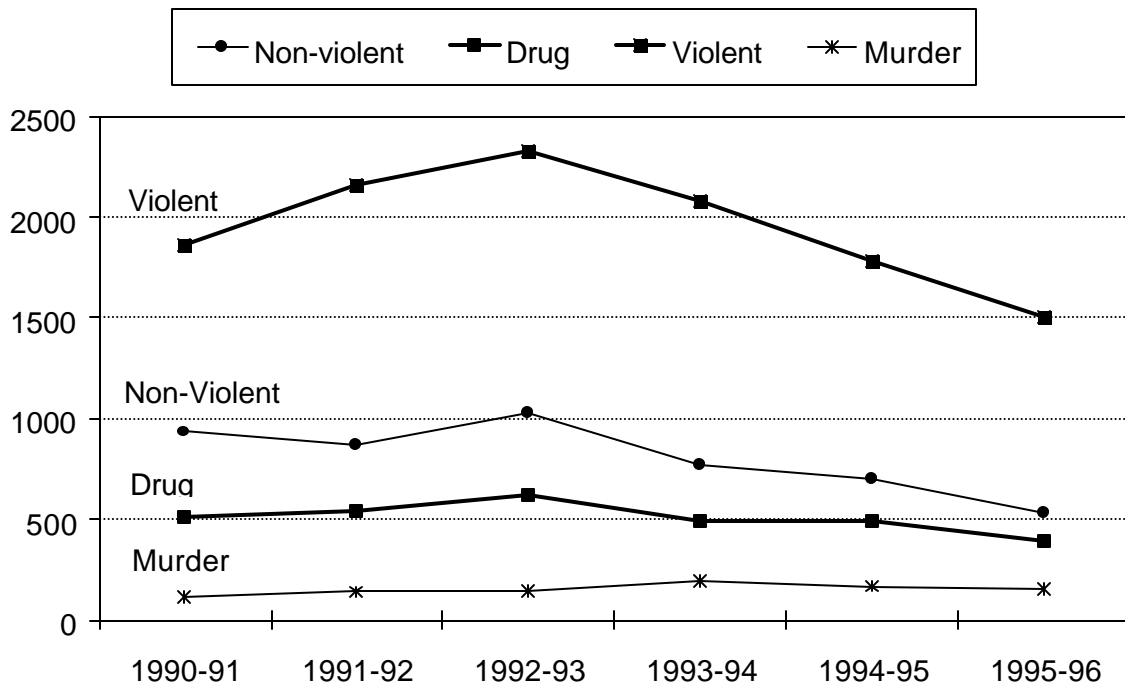
<sup>3</sup> Ineligible admissions are not serving their first federal sentence.

<sup>4</sup> Ineligible because of their offence and their admission.

Two methods of presenting offence information are used in the study. The first classifies offences into four broad categories, murder, violent, drug and non-violent. In addition, each offender is assigned to only one group based on the most serious offence. That is, if offenders have murder convictions and other violent offences they are placed into the murder group. The order, from most serious to least serious is as follows; murder, violent, drug and non-violent.

The second method of presenting offence information provides more detail on the types of offences and includes all of an offender's offences, not just the most serious. In this case, an offender convicted of murder and robbery would be counted in both the robbery group and the murder group.

The number of offenders released on day parole for three of the four offence groups declined between 1990-91 and 1995-96 as shown in Figure 3-7.



**Figure 3-7: Number of offenders released on day parole by type of most serious offence at admission.**

The use of day parole for offenders convicted of murder increased over this period, although the numbers are relatively small accounting for only 6% of all day parole releases in 1995-96.

For the other offence categories day parole use declined by between 35% and 48%, with the largest decline for offenders who were admitted with only non-violent offences. As a percentage of all day parole releases, offenders convicted of non-violent crimes released on day parole decreased from 27% to 21% over six years as shown Table 3-9.

**Table 3-9: Number and percentage of offence types for day parole releases (most serious offence)**

Fiscal Year	Most Serious Offence Type on Current Sentence							
	Non-violent Offence(s)		Drug Offence(s)		Violent Offence(s)		Murder	
	Number of cases	Percent	Number of cases	Percent	Number of cases	Percent	Number of cases	Percent
1990-91	935	27.3	514	15.0	1,863	54.4	111	3.2
1991-92	873	23.5	544	14.6	2,158	58.1	142	3.8
1992-93	1,028	24.9	618	15.0	2,328	56.5	148	3.6
1993-94	773	21.9	491	13.9	2,074	58.7	194	5.5
1994-95	698	22.2	491	15.6	1,782	56.7	170	5.4
1995-96	533	20.6	393	15.2	1,503	58.1	156	6.0
<b>Average</b>	<b>807</b>		<b>509</b>		<b>1957</b>		<b>154</b>	
<b>% change since:</b>								
<b>1990-91</b>	<b>-43%</b>		<b>-24%</b>		<b>-19%</b>		<b>41%</b>	
<b>1992-93</b>	<b>-48%</b>		<b>-36%</b>		<b>-35%</b>		<b>5%</b>	

Comparisons between offenders granted day parole and the inmate population are presented in Table 3-10. Relative to the offender population in 1993-94 day parole releases are more likely to have been convicted of non-violent and drug offences and slightly less likely to have been convicted of violent offences. While about 6% of offenders released on day parole have been

convicted of murder, a total of 16% of offenders incarcerated have a murder conviction. Those convicted of murder and released on day parole would be preparing for full parole release near the end of the mandatory custody period of their sentence, which varies from 10 to 25 years.

**Table 3-10: Most serious offence types for offenders released on day parole and the on-register offender population.**

Offence Type	Day Parole Releases 1993-94		On-register: March 31, 1994 <sup>1</sup>	
	Offenders	Percent	Offenders	Percent
Murder	194	5.5	1,913	13.8
Violent	2,074	58.7	8,554	61.7
Drug	491	13.9	1,031	7.4
Non-violent	773	21.9	2,375	17.1
Total	3,532	100	13,873	100

<sup>1</sup>From Basic Facts, 1994. Ottawa: Correctional Service of Canada.

The second method of presenting information on offence type is presented in Table 3-11. This table provides a breakdown of offences into nine offence categories and includes all offences for which an offender was convicted. Therefore, the sum of the percentages in the table is greater than 100%. The results indicate that the percentage of offenders granted day parole and convicted of manslaughter, sexual offences, robbery or violent (non-sexual) offences has declined while the percentage has increased for drug offenders from about 30% to 39% of all day paroles. The percentage of day parole offenders convicted of break and enter or theft, other non-violent offences and murder has remained steady over time.

**Table 3-11: Current Offence Types for Offenders Granted Day Parole by Fiscal Year**

Fiscal Year	Offence Types																	
	Murder		Manslaughter		Sexual		Robbery		Other Violent		Drug		Fraud		B&E/Theft		Other Non-violent	
	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n
1990-91	4.8	98	5.2	108	11	221	23.9	494	31.4	648	30.1	620	7.2	148	32	654	60.1	1,240
1991-92	5.1	114	5.3	118	11	243	22.7	504	30.3	674	29.1	647	6.1	136	29	639	59.2	1,318
1992-93	3.8	96	5.0	127	9.8	249	22.3	566	28.7	728	32.1	815	7	177	31	784	57.5	1,460
1993-94	3.5	91	3.6	93	9.3	238	18.3	469	26.6	683	31.5	809	7.3	188	37	942	63.7	1,634
1994-95	4.1	91	3.3	73	7.7	172	16.1	359	22.3	496	35.6	793	8.6	192	31	688	61.2	1,364
1995-96	4.4	89	3.1	62	7.8	157	15.3	307	21.9	438	38.6	773	6.3	127	27	548	59	1,183
Six Year Avg.	4.2	97	4.2	97	9.3	213	19.7	450	26.7	611	32.5	743	7.1	161	31	709	59.8	1,367

## Federal Sentences

As shown in Table 3-12, offenders released on day parole are more likely to be serving their first federal sentence than offenders in the inmate population. Specifically, while 73% of day parole releases were serving their first federal sentence, only between 50% and 60% of the offenders in the incarcerated population were serving their first federal term of incarceration.

**Table 3-12: Percentage of day parole releases and on-register population with no previous federal sentences.**

Fiscal Year	First Federal Offence		
	Number	Percent	On-register: March, 31
1990-91	2,491	72.8	60.4
1991-92	2,666	71.7	59.3
1992-93	2,988	72.5	60.0
1993-94	2,590	73.3	51.3
1994-95	2,345	74.7	n/a
1995-96	1,925	74.5	n/a
<b>Average</b>	<b>2,501</b>	<b>73.1</b>	<b>57.8</b>

## Chapter 4: Summary and Discussion

The results of the study show a dramatic decline in the use of day parole since the introduction of the CCRA. Specifically, while the offender population increased by 12%, day parole releases declined by 32% and the number of offenders released on day parole declined by 37%. Detailed analyses of the 'time of day parole release' suggest that the observed declines are the result of a decrease in the number of offenders released early in their sentence on day parole, that is, released before their parole eligibility date (one third of the sentence).

The impact of other types of release introduced by the CCRA was studied to determine if they could account for the observed decline in day parole use. Almost half of the offenders granted work release were subsequently granted a day parole (Grant & Beal, 1998) and approximately 70% of the offenders granted unescorted personal development temporary absences were also granted a day parole (Grant & Johnson, 1998). Given that these releases impact only about two to three hundred offenders per year it is unlikely they had a major impact on the number of day parole releases.

Accelerated parole review did result in a decline in the use of day parole from pre- to post-CCRA (Grant, 1998). However, the decline was greater for comparison groups with an overall decline in day parole use of 44% for non-APR eligible offenders and a 38% decline for APR eligible offenders. Given that 28% of all day parole cases are APR eligible, it would appear that about 10% (28% of 38%) of the decline in day parole can be accounted for by APR.

Overall, it appears that the new forms of release introduced by the CCRA do account for some of the observed decline in day parole use, probably in the range of 15% to 30%. The balance of the decline can only be explained by changes in the manner in which day parole was administered following the introduction of the CCRA.

Given that the largest decline in day parole use was for offenders released before their parole



eligibility date (generally lower risk offenders) the decline cannot be the result of higher risk offenders entering the system. Therefore, other factors, such as the changes to the CCRA and operational decision making probably contributed to the observed decline in day parole use. Recall also, that as day parole releases decreased the offender population continued to increase.

The elimination of automatic review for day parole was one of the major changes affecting day parole introduced by the CCRA. The effect of this can be seen in the reduction of day parole decisions made by the National Parole Board. The Parole Board makes decisions related to day parole both before and after the release. Initially the Board must decide whether or not to grant day parole. After the release the Board makes decisions related to revoking the day parole or changing the conditions of the day parole. As a percentage of all National Parole Board decisions, day parole decisions (pre and post release) declined from about 40% to 28%. Day parole release decisions (pre-release decisions only) declined from 7,891 to 5,385, a decrease of 32%. In addition, the grant rate for day paroles also declined from 66% in 1992-93 to 59% in 1995-96. These decreases were occurring while the offender population was increasing. The results suggest that dropping automatic review for day parole may have had a negative impact on the number of day parole releases granted.

The CCRA changed the eligibility date for day parole from one-sixth of the sentence to six months before parole eligibility. While previous research indicated that this change should only affect about 8% of the day parole cases (Grant et al., 1996) it appears to have had a greater effect than anticipated given the decline in the percentage of offenders granted day parole early in their sentence. It is possible that a combination of the elimination of automatic review and the change in the day parole eligibility date resulted in cases being prepared for day parole review at a later point in the sentence and therefore fewer early releases. Additional analyses will be needed to confirm this hypothesis.

The introduction of Accelerated Parole Review (APR) may have also contributed to the decline in early releases on day parole. Comparisons between pre- and post-CCRA periods indicate

that day parole releases declined for APR eligible offenders, most likely because they chose not to apply for day parole, preferring to wait for parole release without a residency requirement at one-third of their sentence (Grant, 1998).

The observed declines in day parole use were consistent across all regions, even in Quebec region, which accounts for 43% of all day parole releases. The Quebec and Atlantic regions release the largest percentage of their population on day parole, 37% and 34% respectively, while the other regions release about 20% of their offenders on day parole. The Atlantic region is the most likely to release offenders early in their sentence (before parole eligibility date) on day parole while the Pacific region is the most likely to release offenders late in their sentence (after one half of sentence).

Approximately 9% of day parole releases are granted to Aboriginal offenders, which is slightly less than their representation in the offender population (11% to 12%). Aboriginal offenders have experienced the same rate of decline in day parole releases as other offenders, with a drop from 397 in 1992-93 to 211 in 1995-96.

Female offenders have not experienced the same decline in day parole releases as have other offenders. While the numbers are quite small, day parole releases for female offenders have increased by between 15% and 30%. Females offenders account for 2.5% of all day parole releases and they account for 2.1% of the offender population.

There has been a steady decline in the percentage of first day parole releases which occur prior to the parole eligibility from 60% in 1992-93 to 49% in 1995-96. Slightly less than one quarter of day parole releases occur between the parole eligibility date and 50% of the sentence and around one-fifth of the day parole releases occur in the last half of the sentence, shortly before statutory release.

About 20% of the offenders granted day parole were serving sentences for non-violent offences while 15% were serving sentences for drug offences. About 65% of the offenders released on day parole were serving sentences for a violent offence including about 5% who were serving sentences for murder. This can be compared to the rate of offenders serving sentences for violent offences in the offender population (76%). In terms of specific offences, the percentage of offenders on day parole who have committed a sexual offence, a robbery offence or a non-sexual violent offence has been decreasing.

Day parole is more efficient than incarceration when the risk to the community can be effectively managed. It provides an opportunity for an offender to adapt slowly to the changes which have occurred in society, and provides an opportunity to prepare for release by continuing treatment, looking for and starting work, and finding accommodation. Successful completion of day parole is a good predictor of future release success (Grant & Gillis, 1998; Grant & Gal, 1998), and yet day parole use has declined since the implementation of the CCRA. Efforts may be needed to encourage the use of this option to ensure the correctional system is functioning effectively.

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