



**SAFETY, RESPECT  
AND DIGNITY  
FOR ALL**

**LA SÉCURITÉ,  
LA DIGNITÉ  
ET LE RESPECT  
POUR TOUS**

**Evaluation Report  
Correctional Service Co-ordination Agreement**

**Exchange of Services Agreement between CSC  
and New Brunswick Department of Public Safety**

**Evaluation Branch  
Performance Assurance Sector**

**June, 2008**



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## **Evaluation Team Members**

Kendra Delveaux

Duyen Luong

Hongping Li

Angela Fabisiak

Cara Scarfone

Amanda Nolan

**Evaluation Report:  
Correctional Service Co-ordination Agreement**

**SIGNATURES**

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**Lynn Garrow  
Assistant Commissioner  
Performance Assurance**

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**Date**

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**Pamela Yates  
Director General  
Evaluation Branch**

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**Date**

## **Executive Summary**

### **Introduction**

Exchange of Service Agreements (ESAs) are agreements between Correctional Service Canada (CSC) and provincial/territorial correctional departments to provide institutional and/or community correctional services to offenders to ensure that the administration of justice is carried out in such a manner as to be cost-effective, the least disruptive to the offenders' lives, respectful of the offenders' legal rights, conducive to their reintegration as law-abiding citizens, and supportive of their case management (Correctional Service Canada [CSC], 2001a). ESAs are agreements that are consistent with the mandates of CSC and provincial correctional departments and can provide benefits and efficiencies in correctional services for the departments involved. In addition, ESAs are also consistent with the goals of the federal and provincial governments to work together to strengthen and sustain Canada's social programs, as outlined in the Social Union Framework Agreement (SUFA). SUFA represents a commitment from the federal, provincial, and territorial governments to collaborate in developing policies and programs to efficiently address the needs of Canadians and is applicable to all government departments that are involved in social policies and programs.

The Correctional Service Co-ordination Agreement (2004-2009) is an exchange of services agreement between CSC and the New Brunswick Department of Public Safety (DPS) with the overarching goal to develop an integrated, seamless correctional process that contributes to public safety in the Province of New Brunswick. Under the agreement, provincial sex offenders who are serving sentences of six months or more or other provincial offenders serving sentences one year or longer are eligible for transfer to federal penitentiaries where they have access to CSC programs (e.g., correctional programs, social programs, education, employment programs, etc.). Federal offenders under CSC jurisdiction may also be transferred to provincial correctional institutions for various reasons, such as the need to accommodate access to the home community. According to the Agreement, cost savings achieved by DPS due to the closure of a provincial facility were reinvested to provide more comprehensive programs and supports for provincial and federal offenders upon release to the community. DPS, in collaboration with other departments and agencies, is committed to contribute an annual investment of one million dollars in community programs and services for offenders and their families.

### **Evaluation Strategy**

An evaluation strategy was developed by the Evaluation Branch in consultation with an evaluation consultative group, comprised of stakeholders from CSC Atlantic Region Headquarters and DPS in New Brunswick. The purpose of the evaluation was twofold. The first goal was to provide decision-makers with information regarding the continued relevance, success and cost-effectiveness, implementation issues, and unintended effects of the CSCA. An additional goal was to identify lessons learned and best practices that could be applicable to future agreements of this nature.

Qualitative and quantitative methodologies were utilized to conduct the evaluation. Information was collected through:

- interviews with key stakeholders in February, 2008, including staff from CSC-NHQ, CSC Atlantic RHQ, Dorchester Penitentiary and Westmorland Institution, and DPS in New Brunswick;
- automated data collection, including queries of CSC's Offender Management System (OMS), Canadian Police Information Center (CPIC) records maintained by the RCMP, and Statistics Canada's Beyond 20/20 web data server;
- review of relevant documentation, including the previous and current Memoranda of Agreements, previous evaluation reports, operational documents, relevant CSC and DPS policies and procedures, and financial documentation; and
- review of CSC and DPS records regarding institutional capacity and bed day use under the CSCA.

### **Financial Expenditures**

Financial data were obtained from a number of sources including: (1) the Cost of Maintaining Offenders database maintained by CSC; (2) the Corporate Reporting System which provides summary financial information originally derived from the Integrated Financial and Material Management System (IFMMS; CSC); and (3) CSCA-specific financial records from CSC and DPS.

The CSCA permitted DPS to close a 48-bed Correctional Centre at an annual cost savings of \$1.7 million. The savings were appropriated to cover the institutional cost of housing CSCA provincial offenders in CSC institutions and to invest in community programs and services in order to build community infrastructure to support the reintegration of provincial and federal offenders.

Overall costs related to the CSCA are presented in Table I below. Total costs paid by DPS to CSC included total costs related to the maintenance of CSCA provincial offenders in CSC institutions minus several costs related to the administration of the initiative and services provided by DPS (costs for administrative issues, community chaplaincy service federal offender usage paid by CSC), resulting in a total of just over \$1 million dollars per fiscal year. Annual costs for CSC, averaging at a little more than half a million dollars, include the cost of maintaining federal offenders in provincial facilities for various reasons (e.g., awaiting transportation from provincial to federal institutions following sentencing, instances in which federal offenders receive a suspension while supervised in the community, etc.). In addition, DPS, in cooperation with other provincial departments or agencies, provides funding for investment in community services and programs for offenders resulting in an investment of a little more than \$1 million dollars per fiscal year.

**Table I: Overall Expenditures Related to the CSCA**

	FY 2004-2005	FY 2005-2006	FY 2006-2007
DPS Total Payments to CSC for Incarceration of Provincial Offenders in CSC Institutions <sup>a</sup>	\$1,297,927.82	\$1,038,640.17	\$1,030,366.00
DPS Total Expenditures for Provision of Community Programs Available to Provincial and Federal Offenders	\$1,213,043.00	\$1,211,841.00	\$1,023,109.00
CSC Total Payments to DPS for Incarceration of Federal Offenders in DPS Provincial Institutions	\$671,221.00	\$629,243.00	\$699,107.25

<sup>a</sup>Note that DPS Total Payments to CSC for Incarceration of Provincial Offenders in CSC Institutions include costs based on the CSC incremental per diem defined in the CSCA, minus costs for DPS administrative personnel related to the Agreement and costs for community chaplaincy services provided by DPS to CSC offenders.

## **Key Findings and Recommendations**

**SUMMARY FINDING:** Overall, costs associated with the CSCA have resulted in several benefits, particularly greater interagency awareness and cooperation, and the provision of programs to provincial offenders. A degree of success has been achieved in resolving implementation issues identified in previous evaluation reports, particularly with respect to institutional services. However, new challenges have arisen recently related to the provision of institutional services as a result of the increasing offender population. With respect to the community programming aspect of the Agreement, implementation challenges identified as early as the third annual evaluation in 2002, have never been entirely resolved. As such, the community programming aspect of the CSCA has never been fully implemented as intended.

### *Objective 1: Relevance*

**FINDING 1:** Goals and objectives of the CSCA remain consistent with those of CSC and DPS, as well as with broader governmental goals related to intergovernmental cooperation in achieving broad national objectives as outlined in the Social Union Framework Agreement

### *Objective 2: Success*

**FINDING 2:** Overall cooperation between CSC and DPS was perceived to be relatively good. DPS personnel reported greater cooperation with respect to the design than with respect to the implementation of the Agreement. Interviewees perceived a moderate increase in community involvement in determining community needs and delivery of offender community programs and services as a result of the CSCA.

**FINDING 3:** Offenders in the community, including provincial offenders, participated in DPS-funded community programs (e.g., anger management, cognitive/life/social skills, and partner abuse treatment). Federal offender participation in these programs was not tracked. However, stakeholders suggested that factors related to CSC program accreditation requirements, and associated copyright and liability considerations, contributed to limited federal offender referrals and usage of these programs.

**FINDING 4:** The CSCA provided the opportunity for provincial offenders to participate in a wide variety of CSC programs, including correctional programs (e.g., substance abuse, sex offender programs), education, and employment programs.

**FINDING 5:** The impact of the CSCA on long-term outcomes (e.g., recidivism) was difficult to ascertain given the absence of a comparison group of similar offenders who did not participate in the CSCA. After controlling for pre-existing differences between the groups, results indicated that the discretionary release process was associated with reduced rates of violent re-offending (but not overall re-offending rates) as compared to ERD released among CSCA provincial offenders released from CSC institutions.

*Objective 3: Cost Effectiveness:*

FINDING 6: Overall cost-effectiveness was difficult to quantify given the lack of adequate comparison groups to assess overall long-term results. In general, the increased costs associated with the CSCA resulted in several benefits, particularly in the areas of offender access to programming and interagency awareness and cooperation.

FINDING 7: There was a need for greater clarity with respect to the CSCA financial provisions and costing methodologies.

FINDING 8: Cost-savings and efficiencies were observed when CSCA provincial offenders were released from CSC institutions through the discretionary release process versus at the ERD.

*Objective 4: Implementation:*

FINDING 9: CSC Atlantic Region institutions and DPS facilities have been operating at near- or over-capacity levels. This has resulted in an overall decrease in admissions and an increase in wait times for transfer of CSCA provincial offenders to CSC institutions, particularly at the medium security level.

## **Recommendations**

SUMMARY RECOMMENDATION: Future ESAs will need to incorporate a design to address: 1) challenges associated with the implementation of any institutional components of this or similar agreements related to recent increases in the offender population; and 2) implementation and design issues related to federal offender participation in provincially-funded community programming.

RECOMMENDATION 1: Prior to the renewal the CSCA, CSC and DPS should develop a mutually agreed upon strategy to facilitate: (a) federal offender participation in DPS-funded community programs and services; and (b) the collection and annual reporting of community program expenditures and usage by provincial and federal clients (including type of data to be collected and specifying responsible departments/sectors). If a strategy to facilitate federal offender use of DPS-funded programs cannot be developed in accordance with CSC and DPS policies and practices, the community programming aspect of the Agreement should be eliminated or replaced with more operationally feasible options

RECOMMENDATION 2: A review of the parole application process for CSCA provincial offenders and the reasons for ERD releases should be conducted. An action plan should be established to address any identified obstacles to discretionary releases for CSCA provincial offenders transferred to CSC institutions under CSCA jurisdiction.

RECOMMENDATION 3: CSCA financial provisions and costing methodologies should be reviewed and revised to develop unambiguous, mutually-agreed upon costing methodologies.

RECOMMENDATION 4: Future ESAs between CSC and DPS in New Brunswick will need to incorporate design and selection criteria that will enable effective operation of the Agreement within the confines of the current accommodation pressures experienced by both CSC and DPS.

## **Best Practices and Lessons Learned**

Four major themes with respect to lessons learned and best practices emerged from the interview responses:

1. **THE IMPORTANCE OF CONSULTATION:** The importance of consultation with partners and frontline staff members regarding the design of the Agreement to ensure that the design has been adequately considered in the context of departmental operational realities;
2. **THE NEED FOR COLLABORATION AND COMMUNICATION AT ALL LEVELS:** Collaboration and communication at all levels of the organization were perceived to be important to effectively address or mitigate implementation challenges;
3. **BEING ANTICIPATORY, IDENTIFYING TRENDS, AND ESTABLISHING CONTINGENCY PLANS:** The importance of being anticipatory and engaging in planning for the future was perceived to be important to deal more effectively and efficiently with issues that might arise over the course of the Agreement; and
4. **ESTABLISHING CLEARLY DEFINED PRINCIPLES/OBJECTIVES AND ROLES/RESPONSIBILITIES:** Establishing principles and objectives as well as roles and responsibilities was reported to be an effective measure to resolve or mitigate implementation challenges.

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## Acronyms

CCRA	Corrections and Conditional Release Act
CD	Commissioner's Directive
CIP	Community Investment Plan
CIS	Client Information System
CNBI	Canada New Brunswick Initiative
COMO	Cost of Maintaining Offenders Database
CPIC	Canadian Police Information Centre
CRS	Custody Rating Scale
CSC	Correctional Service Canada
CSCA	Correctional Service Co-ordination Agreement
DPS	Department of Public Safety (New Brunswick)
ERD	Earliest Release Date
ESA	Exchange of Services Agreement
IFMMS	Integrated Financial and Material Management System
JMC	Joint Management Committee
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
NCAP	National Capital Accommodation and Operations Plan
NPB	National Parole Board
OMS	Offender Management System
RCAP	Regional Capital Accommodation and Operations Plan
RCMP	Royal Canadian Mounted Police
SUFA	Social Union Framework Agreement

## **1.0 Introduction**

### **1.1 Exchange of Services Agreements**

Exchange of Service Agreements (ESAs) are agreements between the Correctional Service Canada (CSC) and provincial/territorial correctional departments to provide institutional and/or community correctional services to offenders to ensure that the administration of justice is carried out in such a manner as to be cost-effective, the least disruptive to the offenders' lives, respectful of the offenders' legal rights, conducive to their reintegration as law-abiding citizens, and supportive of their case management. The agreements are in accordance with Sections 15, 16, and 29 of the *Corrections and Conditional Release Act* (CCRA, 1992), sections 11 to 16 of the *Corrections and Conditional Release Regulations* (1992), and subsections 4(2) and (3) of the *Prisons and Reformatory Act* (1985).

Commissioner's Directive (CD) 541 describes three types of ESAs: (1) Transfer Agreements; (2) Temporary Detention Agreements; and (3) Community Correctional Services Agreements (Correctional Service Canada [CSC], 2001a). The Canada/New Brunswick Correctional Services Co-ordination Agreement (CSCA) qualifies as all three types of ESAs: (1) a Transfer Agreement in that the CSCA allows provincial offenders to be transferred to federal institutions where they have access to institutional programming; (2) a Community Correctional Services Agreement in that federal offenders are entitled to community-based interventions funded, at least in part, by provincial/territorial corrections; and (3) a Temporary Detention Agreement in that federal offenders may be housed in provincial facilities pending transfer to a federal facility or after suspension of their community supervision. CSC currently has 13 ESAs with provincial or territorial governments (i.e., Agreements with the 10 Canadian provinces, as well as the Yukon, Nunavut, and the Northwest Territories).

ESAs are agreements that are consistent with the missions/mandates of CSC and provincial correctional departments. These Agreements can provide benefits and efficiencies in correctional services for the departments involved. In addition, ESAs are also consistent with the goals of the federal and provincial governments to work together to strengthen and sustain Canada's social programs, as outlined in the Social Union Framework Agreement (SUFA). The term social union refers to "the network of social policies and programs that have been developed" by governments in Canada (McLean & Dinsdale, 2000, p. 2). The SUFA (Canadian

Intergovernmental Conference Secretariat [CICS], 1999) was signed on April 2, 1999 by nine provinces and two territories<sup>1</sup> and it consolidates the governments' commitment "to involve Canadians in the social policy and program development process, to avoid and resolve disputes, to work cooperatively to sustain and strengthen Canada's social policies and programs and to improve the accountability of governments to Canadians" (McLean & Dinsdale, 2000, p. 9). In brief, SUFA represents a commitment from the federal, provincial, and territorial governments to collaborate in developing policies and programs to efficiently address the needs of Canadians. Whereas ESAs are specific to the coordination of correctional services, SUFA applies to all government departments that are involved in social policies and programs.

SUFA outlines four principles to which governments have committed: (1) promoting equality of all Canadians; (2) meeting the needs of Canadians (e.g., ensuring access to essential programs and services regardless of where Canadians reside or move in Canada); (3) sustaining social programs and services; and (4) respecting Aboriginal peoples of Canada (including Aboriginal treaties or other Aboriginal rights). The SUFA also describes a number of provisions and objectives (categorized into five major themes) to which social programs should strive to achieve. The theme of particular relevance to the CSCA is *Working in Partnership for Canadians* which includes provisions that address joint planning and collaboration, reciprocal notice and consultation, equitable treatment, and Aboriginal peoples. With respect to joint planning and collaboration, governments agree to:

- "undertake joint priorities to share information on social trends, problems and priorities and to work together to identify priorities for collaborative action"; and,
- "collaborate on implementation of joint priorities when this would result in more effective and efficient service to Canadians, including as appropriate joint development of objectives and principles, clarification of roles and responsibilities, and flexible implementation to respect diverse needs and circumstances, complement existing measures and avoid duplication" (CICS, 1999) .

In the Final Evaluation report of the Canada New Brunswick Initiative (CNBI), it was noted that the CNBI "is an example of the type of co-operative federalism envisioned by the

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<sup>1</sup> The government of Quebec did not sign and Nunavut had not yet become a territory; nonetheless, the federal government has committed to adhere to the principles and provisions in SUFA in working with all provincial and territorial governments.

Social Union Framework Agreement” (CSC, 2003, p. 31). The CSCA, the successor to the CNBI, continues to demonstrate inter-governmental collaboration to provide correctional services and interventions.

## **1.2 The Canada New Brunswick Initiative (CNBI)**

From 1996 to 1998, discussions between CSC and the New Brunswick Department of Public Safety (DPS) were undertaken to identify opportunities to increase collaboration between federal and provincial corrections and to improve the integration of the two systems (CSC, 2003). At that time, both correctional agencies were faced with the issue of institutional surplus (i.e., unused beds; CSC & Province of New Brunswick Department of Public Safety, 2003). In order to strengthen crime prevention efforts, address offender needs, and promote public safety and protection in the most efficient manner, the governments of Canada and New Brunswick entered into a five-year partnership in April 1998 to exchange services for offenders in New Brunswick.

The partnership, the CNBI, was formalized in a Memorandum of Agreement (MOA) and a Memorandum of Understanding (MOU). Under the CNBI, offenders under provincial jurisdiction of DPS would be transferred to serve their custodial sentences in federal penitentiaries where they would have access to institutional programs to address their criminogenic needs. In return, DPS would help to build community infrastructure by investing funds (made available through the net savings associated with the closing of a 48 bed Correctional Center and federal institutional costs) in community programs and services that would be made available to both provincial and federal offenders. Collectively, the menu of community-based programs and services that were funded through the CSCA is referred to as the Community Investment Plan (CIP). Several evaluations were conducted to determine the overall success and any implementation issues associated with the Agreement. The main findings and recommendations for each of these evaluations are described in the following sections.

### **1.2.1 First Annual Evaluation (1999)**

The first evaluation (CSC, 1999) was completed in November 1999 and was focused on evaluating the extent to which the CNBI was implemented in accordance with the MOA and MOU and to ensure that monitoring mechanisms were established for use in future evaluations.

The evaluation identified due process concerns with respect to selection and assessment, informed consent, process for transfers, and appeals. The following issues were identified:

- Offenders were transferred based exclusively on the sentencing criteria, regardless of motivation to participate in programs and services;
- Timeliness of the transfer was often such that offenders were not given enough time or information to contest the transfer, a right which was outlined in Appendix A of the MOA; and,
- Procedures to return provincial offenders to provincial custody (e.g., in case of an institutional incident or at the request of the offenders) were absent.

Recommendations from the first annual evaluation included:

- Provincial staff members should provide clear documentation to ensure that offenders have been assessed and screened in compliance with the provisions of the MOA;
- Forms utilized in notifying offenders of the transfer should be amended to ensure adherence to due process requirements described in the MOA;
- Clarify the role and composition of the Transfer Review Committee;
- Establish clear roles, responsibilities, timeframes, and sign-offs for transfers back to the province;
- Clarify the issue of the transfer of offenders without formal core programming needs and communicate the results to staff members; and,
- Implement appropriate tracking mechanisms to monitor changes in program enrolment and to capture cost and savings.

### **1.2.2 Second Annual Evaluation (2001)**

The second annual evaluation (CSC, 2001b) also focused on implementation issues including following up on recommendations from the first evaluation. Seven main findings emerged from the evaluations:

- Transfer protocols were being developed to ensure that due process was being respected;
- The process to transmit court transcripts needed to be modified to ensure that sentence managers had all pertinent information available to calculate sentence lengths;

- The proportion of offenders who remained in the institutions until their earliest release dates (ERDs) increased while the percentage of offenders who were conditionally released<sup>2</sup> decreased. The ERD refers to the date a provincial offender is entitled to be released in accordance with the provisions of the Prisons and Reformatories Act and the CCRA. Offenders released at ERD are not subject to community supervision;
- Provincial offenders demonstrated increased levels of institutional misconduct over the two years of the CNBI;
- CSC and DPS cooperated on a number of initiatives to facilitate information sharing;
- In accordance with the objectives of the CNBI, the province partnered with other agencies to co-fund services for offenders. However, the evaluation team indicated that it was difficult to identify which programs: (1) had been in place before the CNBI; (2) were enhanced by DPS funding; and (3) were co-funded by DPS and other agencies; and,
- Significant challenges were associated with tracking of costs associated with the CNBI.

The following were noted as recommendations:

- The 'Notice of Final Decision' form be revised to reflect accountability and ensure that the completed 'Final Decision for Transfer' form is part of the file accompanying the provincial offender to a federal institution;
- New Brunswick offenders be considered for and transferred to a maximum-security institution if their behaviour warrants;
- The existing agreement for the transfer of federal offender court transcripts to sentence managers be applied to CNBI offenders;
- Ensure sufficient capacity of French language programming;
- The program funding from the CIP be separated out and recorded to determine exactly what program components are funded through the Initiative;
- Clarifying the accreditation expectations for those community programs that may be attended by federal offenders;
- A consensus be reached between CSC and the Province on cost tracking;

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<sup>2</sup> Conditional release refers to release on parole which is granted by the National Parole Board.

- A contingency plan be developed to address the possibility of the Agreement not being renewed after the initial 5 year period; and,
- Ensure that the design of the CNBI Reports of Automated Data Applied to Reintegration (RADAR) site permits clear identification and reliable tracking of provincial CNBI offender sentences.

### **1.2.3 Third Annual Evaluation (2002) and Independent Evaluation (2002)**

The third annual evaluation (CSC, 2002) and the comprehensive evaluation completed by an external contractor (CS/RESORS Consulting, 2002) examined the extent to which the CNBI has achieved the three objectives as outlined in the MOA. Positive results included:

- More efficient use of institutional capacity and programs;
- Increased investment into community infrastructure; and,
- Increased partnerships with other government and non-government organizations.

Major issues revealed included the following:

- CSC and DPS staff members were not fully aware of the goals and objectives of the CNBI;
- A lack of awareness of programs and services available to offenders, particularly access to income assistance upon release;
- CIP programs were underutilized due to systemic issues such as scheduling difficulties and lack of awareness;
- Improved mechanisms were needed to document the participation of federal and provincial offenders and individuals at risk of becoming involved in criminal activity in community programs funded through the CIP;
- There were no provisions for transfers requested by parole officers and offender attitudes appeared to reflect the belief that regardless of their behaviour in the penitentiary, they would not be transferred back;
- High proportions of offenders being released at ERD compared to parole continued to be a concern, although factors such as short sentences and insufficient time to complete

programs to become eligible for parole were identified as contributing to the increased rates of ERD releases;

- Federal facility staff members were generally able to assign appropriate programming for provincial offenders based on the high quality assessments they received from provincial corrections;
- Educational assessments were not completed as part of the provincial assessment protocol, but rather at the receiving institution which contributed to delays in placement in educational programs;
- Delays in program placement in conjunction with short sentences and delays in transfers (particularly for Dorchester Penitentiary), contributed to the high proportions of offenders who are released at ERD;
- Concerns related to offenders' motivation to attend programs was once again highlighted in the comprehensive evaluation report;
- Both the institutions and the community were ill-prepared to manage offenders with mental health issues;
- Concerns related to financial investment in community programs persisted through the comprehensive evaluation; and,
- With regards to cost-effectiveness, respondents perceived that the benefits of the CNBI significantly outweighed the costs. Identified benefits included: cost-savings that resulted from closure of a provincial facility; increased access to community based programs coupled with reduction in duplicate services; and increased capacity to prevent crime and support youth and families. It did become apparent that the per diem rate that was paid by DPS to CSC to cover institutional costs was not sufficient.

Recommendations from the third annual evaluation included:

- Inclusion of a parole application and information regarding conditional release in the checklist used to prepare NB offenders for transfer to a federal institution to encourage application for discretionary release;
- The timeliness of intake, transfer, program assignment, and commencement be examined, and the process streamlined to facilitate eligibility for conditional release;

- The Joint Implementation Committee examine the terms of transfer defined by the MOU and MOA, and provide clear direction on the criteria to be used in assessing the suitability of a provincial offender for transfer to and maintenance in a federal institution;
- An information package be developed and distributed to all federal and provincial employees involved in the CNBI;
- The province's inmate handbook be revised to include information on the goals and objectives of the CNBI, and the transfer appeal process;
- Explore the feasibility of including the Canadian Academic Achievement Test (CAAT),<sup>3</sup> or any accredited educational assessment tool, in the modified intake assessment process;
- Examine the initial mental health needs screening process and the feasibility of conducting selective psychological assessments for inmates considered for transfer;
- DPS examine its mental health services to facilitate a continuity of care and services from the institution to the community;
- The funding allocated through the CIP be tracked separately from investments in programs that pre-date the CNBI in order to be able to examine the impact of additional funding on new programs and enhanced programs;
- The provincial program and finance sectors establish a consistent method of recording and reporting financial information related to the CIP;
- Strengthen the working relationships between the provincial Regional Program Administrators and Federal District Program coordinators and continue to improve the program referral process so as to increase the availability and utilization of all community programs; and,
- The province to re-assess the program offerings under the CIP to ensure that they are still relevant and required in the five districts.

The independent evaluation also included recommendations to enhance operational aspects that for the most part could be addressed readily through informal consultations. These included:

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<sup>3</sup> The CAAT is the educational assessment tool used in the federal correctional system that assesses the level at which the offender functions in terms of schooling.

- Consider the implementation of a more timely response for admissions of transfers from remand to Dorchester Penitentiary;
- Ensure that Dorchester Penitentiary and Westmorland Institutions facilitate offender access to income assistance upon release by clarifying the provincial policy with institutional staff members;
- Continue efforts to document the financial costs and benefits of all aspects of the CNBI, for internal accountability and management, as well as in preparation for the summative evaluation or other types of reporting;
- Conduct an extensive review of the ERD situation as it presented a number of challenges to correctional planning and rehabilitative efforts; and,
- Clarify the ultimate goal of the CNBI with respect to programming needs and criteria for transfer from provincial facilities to the federal facilities.

#### **1.2.4 Final Evaluation (2003)**

A final evaluation report (CSC, 2003) was produced in 2003 to determine the overall success in achieving the objectives of the CNBI. This evaluation report was based primarily on a review of the previous three evaluations, as well as additional information gathered from other sources (e.g., CSC Performance Measurement Branch) to respond to specific evaluation questions. Key findings are highlighted below:

- Streamlined process of intake assessment and program placement was implemented;
- There was a drop in reconviction rates for provincial offenders who participated in the Initiative compared to a comparison group before the implementation of the CNBI matched on sentence length. There were reports of a slight increase in reconviction rate for sex offenders, but in general the rate remained low;
- Savings realized by the Province were invested in the community, allowing for expansion of services and programs available to all offenders;
- The Province of New Brunswick accessed an additional one million dollars' worth of programs and services from other agencies;
- The CIP reflected regional needs for services for offenders;
- There was a significant increase in cooperation in a number of areas and initiatives; and,

- Greater cooperation and understanding between courts, police departments and correctional services in New Brunswick were reported.

Issues identified for future action included:

- Program accreditation - Concerns arose as a number of programs under CIP could not meet accreditation standards which precluded federal offender participation;
- Funding - In order to offset increases in per diem rates charged to DPS, it was reported that it may be necessary to reduce funds to the CIP, which could adversely affect program availability; and,
- Women offenders - Considerations to include women offenders under a new agreement were recommended.

### **1.3 The Current Agreement: The Correctional Services Co-ordination Agreement**

Following the end of the CNBI Agreement in March 2004, a second Agreement, the CSCA, was developed and signed in April 2004.

#### **1.3.1 Overview of Principles and Objectives**

The CSCA was founded on the following principles:

- Public safety and protection is the paramount objective of the criminal justice system;
- Due process and administrative fairness will be respected;
- The rights and freedoms of all Canadians will be respected;
- The best long-term protection of the public results from offenders being returned to a law-abiding lifestyle in the community;
- Incarceration should be used primarily for the most serious offenders and offences where the sentencing objectives are public safety, security, deterrence or denunciation;
- Alternatives to incarceration should be sought if safe and more effective community sanctions are appropriate and available;
- Sound correctional practice entails assessment of the risk and needs of individual offenders, and matching the level of supervision and the delivery of programs to meet the risk and needs;

- Through the use of conditional release measures, the gradual reintegration of offenders addresses public safety maintaining safe and transformative correctional environments; and,
- Canada and New Brunswick will work together to maximize the effectiveness and efficiency of the criminal justice system.<sup>4</sup>

The overarching goal of the CSCA was to develop an integrated, seamless correctional process in the Province of New Brunswick that contributes to public safety. As in the CNBI, provincial offenders who were eligible for transfer under the CSCA included: (1) sex offenders who were serving a sentence of 6 months or more; (2) all other offenders who were serving sentences between 1 year and 2 years less a day; and (3) other provincial offenders. In addition, federal offenders under CSC jurisdiction could also be transferred to provincial correctional institutions for various reasons, such as the need to accommodate access to the home community, to provide access to relevant programs and services (in the preferred official language), and to ensure a safe environment. According to the MOA, DPS (in collaboration with other departments and agencies) would contribute an annual investment of no less than one million dollars in community programs and services for offenders and their families. Furthermore, the MOA outlined a commitment to involve the community in determining program and service needs and delivering community programs and services to offenders.

### **1.3.2 Summary of CSCA Activities and Associated Costs**

The CSCA (formerly called the CNBI) permitted DPS to close a 48 bed Correctional Centre at an annual cost savings of \$1.7 million. Originally, of the \$1,700,000, \$950,000 was designated to cover institutional costs and the remaining \$750,000 was designated to be invested into building community infrastructure to support the reintegration of provincial and federal offenders (e.g., developing or enhancing community-based programs and services). Since then, the per diem paid by DPS to CSC for the accommodation of provincial CSCA offenders has increased from \$54.07 (CSC & Province of New Brunswick Department of Public Safety, 2003, p. 30) in fiscal year 2003/04 to \$90.50 for the 2006/07 fiscal year, and there has been a

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<sup>4</sup> Government of Canada & Government of the Province of New Brunswick (2004). *Canada/New Brunswick Correctional Services Co-ordination Agreement: Memorandum of Agreement*, pp. 1-2.

corresponding decrease in DPS community program expenditures (\$1,303,970 in 2003/04 to \$1,023,109 in 2006/07). Nonetheless, the total dollar value of the expenditures remains above the minimum \$1 million commitment.

***Federal Offenders in Provincial Institutions.*** As part of the CSCA, federal offenders may be housed in provincial facilities to await transportation from provincial to federal institutions following sentencing or in instances in which federal offenders receive a suspension while being supervised in the community. According to the MOA, a maximum of 50 federal offenders may be housed in provincial facilities at any one time (although this limit may be exceeded on a short-term or temporary basis, at the discretion of the provincial Assistant Deputy Minister). Federal offenders have been incarcerated in provincial correctional centres in Bathurst (Bathurst Detention Centre, Dalhousie Correctional Centre), Edmundston (Madawaska Regional Correctional Centre), Moncton (Moncton Detention Centre) and Saint John (Saint John Regional Correctional Centre). CSC federal offenders on release may also reside at the Island View Community Residential Centre in Fredericton.

Table 1 presents the provincial institutional per diem rates and the percent change from one year to the next for each of the provincial facilities housing CSC federal offenders. Table 2 presents the provincial bed days used by CSC offenders and the costs based on provincial per diem rates from 2004/05 to 2006/07. Overall, the total provincial bed days occupied by CSC offenders decreased by 9.8% from 2004/05 to 2006/07.

**Table 1: Per Diem Rates and Change in Rates for CSC Offenders in Provincial Facilities<sup>5</sup>**

Institution	FY 2004/05		FY 2005/06		FY 2006/07	
	Per Diem	% Change	Per Diem	% Change	Per Diem	% Change
Bathurst Detention Centre	\$185.75	Baseline	\$223.43	20%	\$233.51	5%
Dalhousie Correctional Centre	\$131.63	Baseline	\$138.18	5%	\$154.35	12%
Moncton Detention Centre	\$116.88	Baseline	\$135.65	16%	\$150.24	11%
MRCC	\$113.64	Baseline	\$131.85	16%	\$130.61	-1%
SJRCC	\$185.75	Baseline	\$223.43	20%	\$233.51	5%
Island View Community Residential Centre	\$100.48	Baseline	\$154.23	53%	\$116.59	-24%

Notes: 1) For detailed per diem calculation methodology refer to Appendix C.

2) MRCC refers to Madawaska Regional Correctional Centre

3) SJRCC refers to Saint John Regional Correctional Centre

<sup>5</sup> CSC Atlantic Region Financial Documents

**Table 2: Bed Days, Per Diem Rates, and Total Expenditures for CSC Offenders in Provincial Institutions**

Institution	FY 2004/05			FY 2005/06			FY 2006/07				
	Bed days	Per diem	Total	Bed days		Per diem	Total	Bed days		Per diem	Total
				Men	Women			Men	Women		
Bathurst	25	\$185.75	\$4,644	19	N/A	\$223.43	\$4,245	17	N/A	\$233.51	\$3,970
Dalhousie	1,242	\$131.63	\$163,484	430	N/A	\$138.18	\$59,417	1,021	N/A	\$154.35	\$157,591
Moncton	185	\$116.88	\$21,623	134	7	\$135.65	\$19,127	81	N/A	\$150.24	\$12,169
MRCC	488	\$113.64	\$55,456	83	N/A	\$131.85	\$10,944	215	53	\$130.61	\$35,003
SJRCC	675	\$95.19	\$64,253	721	56	\$117.34	\$91,173	738	124	\$114.15	\$98,397
Island View	3,606	\$100.48	\$362,331	2,881	N/A	\$154.23	\$444,337	3,362	N/A	\$116.59	\$391,976
<b>Total</b>	<b>6,221</b>		<b>\$671,791</b>	<b>4,268</b>	<b>63</b>		<b>\$629,243</b>	<b>5,434</b>	<b>177</b>		<b>\$699,107</b>

Note: No CSC women offenders were housed in provincial facilities in 2004-2005

Source: CSC Atlantic Region Financial Records

***Provincial Offenders in Federal Institutions.*** According to the CSCA, provincial offenders in NB may be transferred to serve their custodial sentences in federal institutions where they will have access to programs and services to address their criminogenic needs that would otherwise not be available to them in provincial institutions. The MOA also specifies that a maximum of 80 provincial offenders may be incarcerated in federal penitentiaries at any one time (although these numbers may be exceeded on a short-term or temporary basis, at the discretion of the Commissioner). Table 3 presents the per diem rates charged to DPS to house CSCA offenders in federal institutions in New Brunswick and the percentage change over the years since 2004/05. Table 4 presents the total federal bed days used by CSCA offenders and associated costs. Overall, the total federal bed days occupied by provincial CSCA offenders decreased by 36.7% from 2004/05 to 2006/07.

**Table 3: Invoiced Per Diem Rates and Percent Change in Rates for Provincial (CSCA) Offenders in Federal Institutions**

	FY 2004/05		FY 2005/06		FY 2006/07	
	Per Diem	Percent Change	Per Diem	Percent Change	Per Diem	Percent Change
CSCA per diem	\$61.12	---	\$63.61	4%	\$76.35	20%

Notes: 1) The per diem rate charged to DPS for incarceration of CSCA offenders in federal institutions is the same regardless of the institution to which the offender is transferred. Detailed per diem rate calculations can be found in Appendix C.

2) The percent change represents change in per diem rate from the previous year.

3) Note that the per diem rates in the above table are the actual per diem rates invoiced to DPS for the fiscal year listed in the table. However, per diem rates are actually calculated based on data from the previous year. For example, the per diem rate of 63.61 was calculated based on data from 2004/05. This per diem of \$63.61 was then used to invoice DPS for services rendered in 2005/06.

**Table 4: Invoiced Total Bed Days and Per Diem Rates for Provincial (CSCA) Offenders in Federal Institutions**

Institution	FY 2004/05		FY 2005/06		FY 2006/07	
	Per diem = \$61.12		Per diem = \$63.61		Per diem = \$76.35	
	Bed days	Total (\$)	Bed days	Total (\$)	Bed days	Total (\$)
Atlantic Institution	669	40,889.28	1,061	67,490.21	27	2,061.45
Dorchester Penitentiary	9,952	608,266.24	6,134	390,183.74	4,250	324,487.50
Shepody Healing Centre	--	--	--	--	68	5,191.80
Westmorland Institution	11,946	730,497.90	10,645	677,128.45	10,363	791,215.05
Springhill Institution	1,066	65,153.92	152	9,668.72	247	18,858.45
<b>Total</b>	<b>23,633</b>	<b>1,444,448.96</b>	<b>17,992</b>	<b>1,144,471.12</b>	<b>14,955</b>	<b>1,141,814.25</b>

Notes:

- 1) Values presented in this table represent the CSCA Fiscal Billing as documented by DPS.
- 2) Source: CSC Atlantic Region Financial Records

***Investment in Community Programs and Services.*** According to the MOA, the Province of New Brunswick through DPS in cooperation with other Provincial departments or agencies are committed to invest no less than \$1 million dollars into community services and programs for offenders (provincial and federal). Table 5 presents the total expenditures on community programs by DPS from FY 2003/04 to FY 2006/07.

**Table 5: New Brunswick Community Program Expenditures**

	FY 2003/04	FY 2004/05	FY 2005/06	FY 2006/07
Total Investment	\$1,303,970	\$1,213,043	\$1,211,841	\$1,023,109

Note: For a complete breakdown of DPS funded community programs refer to Appendix C, Table C3.  
Source: DPS Financial Records

The total investment in community programs has been decreasing since 2003/04. Compared to FY 2004/05, the total funds invested in community programs in FY 2006/07 decreased by 16.3%. It is possible that the slight decrease in funding for community programs may be a function of an overall decrease in funds available to DPS related to the increase in CSC per diem rates (e.g., \$61.12 invoiced rate for 2004/05 to \$76.35 invoiced rate for 2006/07; see

Table 3).<sup>6</sup> It is important to note, however, that the total dollar value of the expenditures remains above the minimum \$1 million dollar commitment specified in the CSCA Agreement.

***Total DPS and CSC Expenditures Related to the Agreement.***

Overall costs related to the CSCA are presented in Table 6. Total costs paid by DPS to CSC included total costs related to the maintenance of CSCA provincial offenders in CSC institutions minus several costs related to the administration of the initiative and services provided by DPS (e.g., costs for administrative issues, community chaplaincy service federal offender usage paid by CSC), resulting in a total of just over \$1 million dollars per fiscal year. Annual costs for CSC, averaging at a little more than half a million dollars, include the cost of maintaining federal offenders in provincial facilities for various reasons (e.g., awaiting transportation from provincial to federal institutions following sentencing, instances when federal offenders receive a suspension while supervised in the community, etc.). In addition, DPS, in cooperation with other provincial departments or agencies, provides funding for investment in community services and programs for offenders resulting in an investment of a little more than \$1 million dollars per fiscal year.

**Table 6: Overall Expenditures Related to the CSCA**

	FY 2004-2005	FY 2005-2006	FY 2006-2007
DPS Total Payments to CSC for Incarceration of Provincial Offenders in CSC Institutions <sup>a</sup>	\$1,297,927.82	\$1,038,640.17	\$1,030,366.00
DPS Total Expenditures for Provision of Community Programs Available to Provincial and Federal Offenders	\$1,213,043.00	\$1,211,841.00	\$1,023,109.00
CSC Total Payments to DPS for Incarceration of Federal Offenders in DPS Provincial Institutions	\$671,221.00	\$629,243.00	\$699,107.25

<sup>a</sup> Note that DPS Total Payments to CSC for Incarceration of Provincial Offenders in CSC Institutions include costs based on the CSC incremental per diem defined in the CSCA, minus DPS Recoverable Costs (i.e., costs for DPS administrative personnel related to the Agreement and costs for community chaplaincy services provided by DPS to CSC offenders). For a complete breakdown of these costs, please see Appendix C, Table C4.

<sup>6</sup> In 2003, DPS staff reported that they had not been successful in obtaining any additional budget funding to cover increases in the CNBI per diem. As a result, DPS projected that large per diem increases for the CSCA would be associated with significant reductions in funding for community programs (Joint Implementation Committee Meeting, March 21, 2003).

The overall summary of CSCA activities and associated costs provides the basis for the assessment of the relevance, success, cost-effectiveness, implementation issues, and any unintended effects, according to the program logic model and the evaluation strategy described in the following section.

## **2.0 Evaluation Strategy**

### **2.1 Logic Model**

The logic model for the CSCA, as presented in the CSCA Agreement, is shown in Appendix A. The CSCA operates at three points of contact in the correctional process: offender assessment (primary activities are assessment and reassessment), institutional programming (program development and delivery, program participation, and security interventions), and community reintegration (community supervision, capacity building, and engagement).

Short-term outcomes of the CSCA include:

- Timelier and comprehensive assessments
- Appropriate placement and targeted correctional plans
- Safe releases
- Economies of scale (institutional program development and delivery)
- Institutional program participation and successful completions
- Access to better quality (accredited) institutional program that would impact early release
- Reduction in serious institutional incidents and escapes
- Increased community supervision through shared resources
- Economies of scale (community programming) through community partnerships and other leveraged federal/provincial resources
- Balanced services and programs available in the community
- Effective involvement of volunteers, community groups, agencies and departments in offender support and crime prevention

Mid-term outcomes include:

- Earlier parole
- Reduction in rates of re-offending while supervised and post sentence expiry
- Greater community capacity to support offenders and prevent crime
- Lower rates of incarceration and associated costs
- Cost avoidance (i.e., cost savings incurred as direct result of initiative)

- Greater use of alternatives to incarceration
- Leveraging of other federal provincial initiatives
- Seamless federal/provincial correctional service delivery

Ultimately, the CSCA strives to contribute to safer Canadian communities.

## **2.2 Evaluation Plan**

The evaluation strategy was developed by the evaluation team (CSC-NHQ) in consultation with a consultative group, comprised of stakeholders from Atlantic RHQ (CSC) and DPS in New Brunswick. The purpose of the evaluation was twofold. The first goal of the evaluation was to provide decision-makers with information regarding the success and cost-effectiveness of the current five-year period of the Agreement. The second goal was to identify lessons learned and best practices that could be used in the development and implementation of future agreements of this nature. To these ends, the evaluation focused on five evaluation objectives, namely:

1. Continued relevance;
2. Success;
3. Cost-effectiveness;
4. Design and implementation issues; and,
5. Unintended effects

The CSCA includes a number of components expected to produce benefits for many groups, including CSC, DPS, offenders, and community organizations. For example, CSC might be expected to benefit from access to community programs for offenders on release and increased cooperation and communication with provincial partners. DPS could experience benefits such as augmented accommodation options for provincial offenders, increased access to institutional programs for these offenders, and improved cooperation and communication with federal and community partners. Provincial offenders would be expected to benefit from participation in institutional programming, whereas federal offenders might experience increased access to additional programs in the community. Community partners might be expected to benefit from augmented funding to deliver programs for offenders in the community. Benefits to

each of these groups would also be expected to result in ultimate benefits to the public as a whole, through contributions to overall public safety.

As indicated previously, numerous evaluations of this Agreement have been conducted since 1998, detailing the benefits of the CSCA for these groups. For the purposes of the current evaluation, the focus was primarily on the benefits to CSC and DPS. In addition, since the previous evaluations were focused on the first Agreement (the CNBI), the decision was made to focus primarily on the period of time covered by the new Agreement (the CSCA since 2004) for the present evaluation. A brief summary of results from previous evaluations is incorporated into the present report where related to the evaluation objectives.

One additional issue was examined in greater detail with respect to various aspects of the evaluation. Despite the fact that provincial offenders who are transferred to CSC are eligible for parole, results from previous evaluations indicated that a large proportion of CSCA provincial offenders were released at ERD rather than on parole (CSC, 2002; CS/RESORS Consulting, 2002). The ERD refers to the date a provincial offender is entitled to be released in accordance with the provisions of the *Prisons and Reformatories Act* and the CCRA. Offenders released at ERD are not subject to community supervision, and there was some previous speculation that some offenders were choosing to wait for their ERD date, rather than work towards a parole release due to the fact that they would not have to be supervised in the community following their release. In addition, factors such as short sentence length, the time required to complete parole applications, and delays in program assignment and commencement may contribute to the high proportion of ERD releases (i.e., if parole applications are not made on time, or rejected because program needs have not been met; CSC, 2002). For example, delays in placement into programs reduces the time in which offenders can complete treatment in order to have a final progress report presented to the NPB for parole consideration. In the third evaluation (CSC, 2002), it was recommended that factors such as delays in program intake and completion be examined in order to facilitate discretionary release of provincial offenders. In addition, independent evaluators recommended a review of the issue of ERD releases and particularly its implications on program participation, program completion, and recidivism (CS/RESORS Consulting, 2002).

In order to follow up on previous findings and recommendations and to more thoroughly understand the implications of ERD versus discretionary releases, comparisons were made

between these two groups throughout the present evaluation (e.g., with respect to the delay between sentencing and admission to CSC federal institutions, program participation and completion, outcomes of parole applications, cost-effectiveness, and recidivism). Throughout the report, offenders who were eventually released at ERD and on parole are referred to simply as “ERD offenders” and “parolees”, respectively. It is important to be aware that this classification system was based on offenders’ release type following incarceration. However, this classification (determined at release) was used as a grouping variable to retrospectively examine critical events that occurred prior to release (e.g., delays in admission to CSC institutions, institutional program participation and completion), that might have impacted upon release type (i.e., parole release vs. ERD release).

### **2.3 Measures and Procedure**

A multi-method approach incorporating qualitative and quantitative methodology was utilized to address the evaluation objectives (refer to Appendix B for the Performance Measurement Strategy, Appendix C for detailed information on financial calculations, and Appendix D for detailed description of measures, procedures, and analysis). First, a thorough review of relevant program documents and reports (e.g., previous evaluation reports, Joint Management Committee [JMC] meeting minutes) was completed. Financial data were obtained from various sources including: (1) the Cost of Maintaining Offenders (COMO) database maintained by CSC; (2) the Corporate Reporting System (CRS) which provides aggregate financial information originally derived from the Integrated Financial and Material Management System (IFMMS) and is maintained by personnel from CSC’s Performance Assurance Sector; and (3) CSCA financial records provided by CSC and NB DPS financial personnel.

Institutional capacity and usage data were collected from two main sources. Information for CSC institutions was obtained from the National Capital Accommodation and Operations Plan (NCAOP) and Regional Accommodation and Operation Plan (RCAOP), databases maintained by CSC’s Operational Planning Branch. Information related to bed days occupied by CSCA offenders was obtained within specific reports found on the secure CSCA website maintained by CSC. DPS capacity and usage data were obtained from administrative records provided by DPS.

In addition, interviews were conducted with key stakeholders from CSC (RHQ, NHQ, Dorchester Penitentiary, and Westmorland Institution), DPS, NPB, and community-based service providers. In-person interviews were conducted during site visits in February 2008, followed by telephone interviews completed with those who were not available at the time of the site visits. A total of 26 interviews were completed: 8 with CSC NHQ and Regional representatives, 5 with CSC institutional staff, 3 from CSC community corrections, 7 from DPS, 1 from the National Parole Board (NPB), and 2 from community-based service providers.

Finally, data were extracted from databases maintained by CSC (i.e., OMS), the Royal Canadian Mounted Police records (i.e., CPIC), and Statistics Canada (*Beyond 20/20*, Canadian Centre for Justice Statistics).

## **2.4 Limitations**

In order to directly examine the effectiveness of the CSCA in reducing recidivism among offenders in New Brunswick, it would be necessary to have a comparable group of offenders who were not impacted by the CSCA. However, virtually all of the New Brunswick provincial offenders who met CSCA eligibility criteria were transferred to CSC. As such, a comparison group of New Brunswick provincial offenders who met eligibility criteria but who were not transferred under the CSCA was not available.

The evaluation team considered selecting a comparison group comprised of CSC federal offenders with relatively short sentences and matched to the CSCA provincial offenders on a number of demographic variables. Changes to data management system and management of offender records in the provincial and federal systems, however, precluded the collection of data for provincial and federal offenders prior to the implementation of the CSCA. These data would be necessary to establish a baseline against which to compare data collected post-CSCA implementation in order to determine whether any differences between measures prior to and after implementation of the CSCA could be attributed directly to the CSCA rather than to variables unrelated to the Agreement (e.g., maturation, particular events). Furthermore, there was some expectation that there might also be some positive impact for federal offenders who might have received access to DPS funded community programs. However, due to a lack of adequate tracking mechanisms, specific data regarding federal offender participation in these community programs were unavailable. Therefore, comparison of CSCA offenders to others who were not

impacted by the CSCA was not possible, limiting attribution of any findings to the effects of the CSCA versus some other unknown factor, particularly when conducting recidivism analyses.

In order to provide information with respect to recidivism, descriptive data regarding recidivism rates (new offences that resulted in provincial or federal sentences) for CSCA provincial offenders transferred to CSC institutions were provided. In addition, in accordance with findings and recommendations from previous evaluations, the impact of type of release (discretionary release vs. ERD) on recidivism was assessed in order to provide information regarding the effectiveness of these release processes for provincial CSCA offenders transferred to CSC under the Agreement.

### 3.0 Key Findings

**SUMMARY FINDING 1: Overall, costs associated with the CSCA have resulted in several benefits, particularly greater interagency awareness and cooperation, and the provision of programs to provincial offenders. A degree of success has been achieved in resolving implementation issues identified in previous evaluation reports, particularly with respect to institutional services. However, new challenges have arisen recently related to the provision of institutional services as a result of the increasing offender population. With respect to the community programming aspect of the Agreement, implementation challenges identified as early as the third annual evaluation in 2002, have never been entirely resolved. As such, the community programming aspect of the CSCA has never been fully implemented as intended.**

Detailed findings related to the evaluation objectives of relevance, success, cost-effectiveness, and implementation issues associated with the CSCA are discussed in the following sections.

#### 3.1 Evaluation Objective 1: Relevance

*The extent to which a policy, program or initiative remains consistent with departmental and government-wide priorities, and realistically addresses an actual need*

**FINDING 1: Goals and objectives of the CSCA remain consistent with those of CSC and DPS, as well as with broader governmental goals related to intergovernmental cooperation in achieving broad national objectives as outlined in the Social Union Framework Agreement**

The vision for the MOA between the Government of Canada and the Government of the Province of New Brunswick is “to strengthen crime prevention and public safety by combining the contributions of the federal and provincial correctional systems”.<sup>7</sup> Achieving the vision of the initiative requires that both governmental “parties manage the appropriate diversion of offenders from the criminal justice system and the successful reintegration of offenders in the community”.<sup>8</sup> It also articulates a need for community involvement in the development and

<sup>7</sup> Canada/New Brunswick Correctional Services Co-ordination Agreement Memorandum of Agreement, 2004, p.1.

<sup>8</sup> Canada/New Brunswick Correctional Services Co-ordination Agreement Memorandum of Agreement, 2004, p.1.

delivery of provincial correctional community programs based in part on regional needs. The CSCA thus recognizes the strengths of both partners, and seeks to enhance cooperation (CSC, 2003).

### **CSC**

The mission of CSC is to contribute to public safety by actively encouraging and assisting offenders to become law-abiding citizens, while exercising reasonable, safe, secure and humane control. Correspondingly, one of CSC's identified strategic priorities for 2007-2008 is to facilitate the safe transition of offenders into the community. As such, the CSCA is consistent with the mission and priorities of CSC. Results of interviews with staff members<sup>9</sup> supported this view, with the majority of respondents suggesting that the goals/objectives of the CSCA were "somewhat" to "very" consistent with those of CSC (81.3% of CSC staff; 100% of DPS staff).

### **DPS**

Similar to CSC's mandate, the mission of Public Safety NB (New Brunswick, 2008) is to build a safer province by: (1) providing leadership in the areas of public order and community safety; (2) providing fair, accessible, community-focused, coordinated programs and services; (3) ensuring effective inspection and enforcement procedures; (4) partnering with NB communities to prevent crime, to assist victims, and to create opportunities for offenders to change; and (5) collaborating with the federal government in the administration and delivery of community, correctional, and law enforcement services in NB. With respect to consistency between goals and objectives of the CSCA and DPS, the majority of respondents found the objectives to be "somewhat" to "very" consistent (75% of CSC staff; 100% of DPS staff).

### **SUFA**

The goals of the CSCA are also consistent with those of SUFA (CICS, 1999), which is based upon a mutual respect between orders of government and a willingness to work more closely together to meet the needs of Canadians, reflecting and giving expression to the fundamental values of Canadians. As part of this partnership, governments agree to undertake

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<sup>9</sup> It should be noted that upon being asked to what extent they were familiar with the goals/objectives of the CSCA, the majority of both CSC (16/17, 94.1%) and DPS staff (7/7, 100%) indicated moderate to complete familiarity.

joint planning and to collaborate on implementation of joint priorities when this would result in more effective and efficient service to Canadians. Moreover, the themes that run through SUFA are relevant for almost all public servants, including the following themes: (1) working in partnership for Canadians; (2) involving Canadians in policy-making; (3) ensuring that Canadians have access to social programs and that their occupational qualifications are recognized wherever they move; (4) dispute avoidance and resolution; and (5) ensuring public accountability and transparency by informing Canadians of program achievements and outcomes (McLean & Dinsdale, 2000).

All DPS staff (100%) and slightly more than half of CSC staff (60%) who responded to this question indicated that the objectives of the CSCA were at least somewhat consistent<sup>10</sup> with the goals/objectives of SUFA. The majority of DPS and CSC staff also suggested that the CSCA had contributed to specific principles outlined in SUFA (see Table 7). For example, approximately two-thirds to three-quarters of respondents suggested that the CSCA had contributed to equality of opportunity and access to programs/services for Canadians, as well as involving Canadians in the development of social programs. However, only about half of respondents suggested that the CSCA had contributed to SUFA principles of ensuring adequate or sustainable funding for social programs. When asked to indicate the extent to which the SUFA objectives have been demonstrated through the implementation of the CSCA, the majority of both CSC and DPS staff responded “moderately” to “completely”. Overall, interviewees appeared to be most likely to agree that there had been joint development of the objectives and principles for the CSCA, and interviewees were least likely to suggest that there had been regular public reporting of the results of the CSCA. DPS and CSC responses to these questions were similar in most cases, with the exception of two questions in which there was more than 20% disparity in agreement. Specifically, more CSC than DPS respondents agreed that the following objectives had been demonstrated through the implementation of the CSCA: (1) ensuring intergovernmental cooperation in contributing to public safety; and (2) providing advance notice of changes to social policy or programs that may substantially affect the other governmental department.

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<sup>10</sup> These frequencies reflect responses of “somewhat” or “very” consistent on a 4-point scale among all those who responded to this question.

**Table 7: Interviewee Perceptions of the Links between CSCA & SUFA**

	CSC		DPS	
	<i>n</i>	Moderately to Completely (%)	<i>n</i>	Moderately to Completely (%)
To what extent has the CSCA contributed to the following principles:				
Promotes equality of opportunity for all Canadians	15	87%	7	71%
Ensures equal access to essential social programs and services regardless of where Canadians live	15	67%	7	71%
Involves Canadians in the development of social programs	12	58%	7	71%
Ensures adequate funding for social programs	12	58%	6	50%
Ensures sustainable funding for social programs	12	42%	6	50%
To what extent have the following objectives been demonstrated through the implementation of the CSCA:				
Joint development of objectives and principles for the CSCA	15	93%	7	100%
Ensuring intergovernmental cooperation in contributing to public safety	16	94%	7	71%
Clear roles and responsibilities for collaborating departments	14	79%	7	86%
Reduction in duplication of services	15	87%	7	71%
Reliable monitoring and measurement of CSCA data (e.g., administrative, financial, outcomes)	12	83%	6	83%
Flexibility in implementation to accommodate needs or circumstances of the other governmental department	12	75%	6	67%
Opportunity to consult prior implementation of social policies or programs that may substantially affect the other governmental department	12	75%	7	71%
Advance notice of changes to social policy or program that may substantially affect the other governmental department	10	80%	7	57%
Regular public reporting of results of CSCA	10	50%	5	60%

Notes: 1) “Moderately to completely” represented a score of 3-5 on the response scale.

2) The total number of personnel who responded to the questions above varied depending on the question. Percentages were calculated based on overall number of respondents who answered each question (n).

3) Responses from the NPB participant are included with “CSC” responses in the table in order to maintain respondent confidentiality.

### **Continued Need/Capacity to Maintain CSCA**

The majority of staff (76% CSC; 100% DPS) suggested that there was a continued need for the CSCA between the federal government and the province of NB. Among the remaining

staff, 18% of CSC staff suggested that there was “maybe” a continued need for the CSCA and 6% reported that there was “no” continued need for the CSCA. When asked to describe why there was a continued need for the Agreement, the most common responses included the need for offenders to have access to better resources and programming in the federal system, the perceived merit in the Agreement’s principles, enhanced offender reintegration, a reduction in duplication of services, an increase in levels of cooperation between the two levels of government, and the continued need for some kind of ESA in the province. There were, however, some reasons presented as to why the CSCA should not be continued that were primarily related to perceived implementation challenges, such as difficulties related to the implementation of community programs (e.g., accreditation issues, federal offender utilization), difficulties maintaining provincial offenders in institutions (e.g., short sentences to deliver programming on time, early release time), and the lack of bed space in CSC institutions.

Overall, there was a perceived need for a continued ESA between CSC and DPS. The Agreement was perceived to be consistent with the goals and objectives of both CSC and broader government objectives and principles related to the SUFA. However, the relevance of the Agreement, as it is currently designed, appears to be overtaken by current operational realities (e.g., lack of bed space in CSC institutions). These operational realities, along with associated implementation issues, are discussed in later sections of the report.

### **3.2 Evaluation Objective 2: Success**

The extent to which the CSCA is effective in meeting its objectives, within budget, and without unwanted outcomes.

*The extent to which the CSCA is effective in meeting its objectives, within budget, and without unwanted outcomes.*

**FINDING 2: Overall cooperation between CSC and DPS was perceived to be relatively good. DPS personnel reported greater cooperation with respect to the design than with respect to the implementation of the Agreement. Interviewees perceived a moderate increase in community involvement in determining community needs and delivery of offender community programs and services as a result of the CSCA.**

Interagency cooperation in addressing social issues and specifically offender reintegration and public safety are fundamental principles and objectives described in SUFA. In previous evaluations of the CNBI, it was reported that there was an increase in co-ordination between the correctional services, including: documented joint initiatives related to program rationalisation, program offerings and scheduling, document transfer, risk assessment training, and technology transfers. It was also noted that, since the inception of the initiative, most correctional issues were dealt with in a co-operative manner, whereas previously the two correctional services operated largely independent of each other (CSC, 2003). The focus of this section is the level of cooperation between CSC, DPS, and community-based service providers during the time period of the current CSCA Agreement.

### **Cooperation between CSC and DPS**

Most CSC staff (85%) and almost half of DPS staff (43%) rated the *overall level of cooperation* between the two governments as good to excellent. With respect to the *design of the CSCA*, 91% of CSC staff members and 100% of DPS staff members rated the level of cooperation as good to excellent. The level of cooperation during *the implementation of the CSCA* was rated as good to excellent by 85% of CSC staff members, but only 33% of DPS staff members.

For both CSC and DPS staff members, the factor most frequently identified as facilitating cooperation between CSC and DPS was communication (e.g., regular meetings, sharing of information, and exchange of dialogue). A review of the Joint Management Committee (JMC) meeting minutes highlights the ongoing communication between CSC and DPS. The JMC, composed of members from both correctional agencies, met at least twice per year (the minimum number of meetings specified in the MOA) to discuss the progress of the Agreement as a whole and formed smaller sub-committees to address specific issues that arose (e.g., ERD releases, per diem rates, other financial issues). Information was also shared through access to departmental automated information systems. For example, mutual access to each agency's offender information systems was granted: DPS was able to access CSC's Offender Management System (OMS) and the RCMP's Canadian Police Information Centre (CPIC), while CSC was granted access to DPS' Client Information System (CIS). A joint website was also created to provide

information regarding CSCA (e.g., provincial offender bed-day usage in CSC federal institutions, programming data, and relevant CSCA documents and forms).

Interviewees also identified several factors that facilitated cooperation, including staff expertise/experience, the ability to adapt processes when necessary, commitment to shared vision/goals, and staff leadership, dedication, and “buy-in”. Communication was the strategy most frequently identified by CSC and DPS staff members, to improve collaboration or avoid obstacles. Importantly, it was noted that communication, understanding, and “buy-in” were important in all areas or levels of the organizations (i.e., DPS and CSC NHQ and RHQ; institutions and communities, management and front-line staff). Other strategies and suggestions for improving collaboration included having dedicated, stable, and informed leadership, and having a clear understanding of responsibilities and accountability.

One of the objectives of the CSCA (as described in provision 72 of the MOA) was to encourage collaboration between CSC and DPS in developing other initiatives that would improve cooperation, coordination, and integration of correctional services in New Brunswick. When asked to comment on this issue, some interviewees (25% CSC; 50% DPS) indicated that they were aware of other CSC-DPS joint initiatives. When asked to identify such initiatives, several initiatives were identified as operational at or prior to the date of the evaluation (e.g., shared access to information through the Justice Information System of New Brunswick, Island View Halfway House, joint staff training), and others were identified as being in the conceptualization phase (e.g., opportunities for women offenders, joint formulary to purchase and dispense prescription medication, joint forensic unit to manage offenders with mental illness, and initiatives to encrypt shared information).

It is also important to note that, although themes of “communication” and “collaboration” were noted as positive aspects of the Agreement throughout the interviews conducted with stakeholders, these themes were also noted at several points as areas which required some improvement. For example, although some respondents reported that communication and collaboration were factors that had contributed to addressing service gaps in the community, others suggested that insufficient communication, awareness, or relationship building between DPS and CSC was a factor that had hindered the progress in addressing service gaps in the community (note that further information regarding this issue is discussed in more detail in the latter section on community programming). Stakeholders also suggested that there was a need to

increase communication, awareness, and “buy-in” to the CSCA at all levels of DPS and CSC organizations in order to enhance collaboration and some staff noted that insufficient communication, cooperation, and leadership impeded the resolution of implementation issues. An interesting dichotomy was noted with respect to stakeholders’ opinions regarding positive or negative effects of the CSCA, with some respondents reporting that the positive impact was increased collaboration and partnership between the organizations and with others reporting that a negative impact of the Agreement had been insufficient collaboration, mistrust, and a general deterioration of the relationship between DPS and CSC.

Thus, although the vast majority of CSC respondents and about half of DPS respondents suggested that the overall level of cooperation between the two organizations was perceived to be good, there were some individuals or instances in which it was reported that cooperation needed to be improved. For example, although CSC personnel reported cooperation with respect to both the design and implementation of the Agreement, DPS personnel perceived cooperation to be good with respect to design, but not the implementation of some aspects of the Agreement. Overall, the need for strong communication, understanding, and “buy-in” at all areas and levels of the organizations involved were identified as key in improving collaboration and avoiding obstacles to cooperation in the future.

### **Community Involvement in Correctional Programs and Services in New Brunswick**

The MOA also refers to an agreement between CSC and DPS to involve the community in determining the needs for correctional programs and services. The majority of the interviewees indicated that the CSCA had a slight or substantial increase in community involvement in determining community needs for correctional programs/services (67% CSC; 100% DPS). Examples of community involvement that occurred largely in the first half of the CNBI, such as discussions with stakeholders and community focus groups that had been conducted to determine needs and best practices, were found through a review of JMC meeting minutes. Renewed interest in community input was observed in the minutes after the implementation of the CSCA, and meetings were scheduled with the Community Advisory Committees to discuss the CSCA and community initiatives. Twelve focus groups were conducted across the province to assess existing services and identify priorities and service gaps. Similar results were found when interviewees were asked the extent to which the CSCA has

impacted community involvement in delivering programs and services to offenders in the community. Approximately half of respondents indicated that there had been a slight to substantial increase (46% CSC; 60% DPS).

Cooperation between community agencies and DPS and CSC was rated as being good to excellent. CSC and DPS staff reported somewhat moderate levels of cooperation between CSC and DPS in recruiting and engaging community-based agencies in the CSCA (only 29% CSC; 60% DPS staff indicated this cooperation as good or very good). The most commonly noted obstacle to cooperation in this area was CSC's requirement for program accreditation. Program accreditation issues and other related concerns associated with liability and copyright of program materials will be discussed in greater detail in the following section on community programming. Respondents identified open dialogue (communication, community involvement, and consultation) and a focus on the needs of clients (rather than needs of the organization) as best practices in developing and maintaining partnerships with community-based agencies.

**FINDING 3: Offenders in the community, including provincial offenders, participated in DPS-funded community programs (e.g., anger management, cognitive/life/social skills, and partner abuse treatment). Federal offender participation in these programs was not tracked. However, stakeholders suggested that factors related to CSC program accreditation requirements, and associated copyright and liability considerations, contributed to limited federal offender referrals and usage of these programs.**

One of the main goals of the CSCA is to strengthen community infrastructure to address the needs of provincial and federal offenders in the community. This is consistent with the provisions of the SUFA, specifically related to collaboration on implementation and efficient service to Canadians (CICS, 1999). As part of the Agreement, DPS provided funding for community-based programs that were made available to individuals in the community including: provincial DPS offenders, as well as "external" offenders (some of who may have been federal offenders). Data regarding the total number of clients participating in DPS-funded community programs in 2006/07 and 2007/08 are provided in Table 8. The total number of offenders participating in DPS funded community programs/services was 1,360 in 2006/07 and 984 in 2007/08.

The programs/services with the highest participation rates in 2007/08 included anger management, cognitive/life/social skills, and partner abuse treatment. Somewhat similar patterns

were observed in 2006/07. Other less commonly utilized programs are shown in Table 8 including: (1) information sessions; (2) employment; (3) sex offender treatment; (4) personal / physical / mental health; (5) housing; (6) education; (7) community interventions; (8) substance abuse; and (9) other programs. Community service providers also suggested that DPS's investments had made a moderate to considerable contribution to improved access to offender services in the community. Community service providers involved in delivering programs under the CSCA identified other areas for which services are provided, including community fora on mental health, addictions, reintegration, offender employment, and restorative justice, as well as restorative justice training and dispute resolution.

**Table 8: Total Provincial/External Offender Participation in DPS Funded Community Programs/Services in FY 2006/07 and FY 2007/08**

Program Type	FY 2006/07		FY 2007/08	
	Provincial	External	Provincial	External
Anger Management	378	61	339	66
Cognitive/Life/Social Skills	104	26	181	11
Partner Abuse Treatment	111	15	153	4
Information Sessions Intervention	298	139	49	16
Employment Intervention	51	39	50	33
Sex Offender Treatment	21	4	23	4
Personal / Physical / Mental Health	21	1	19	3
Housing Intervention	9	0	19	0
Education Intervention	19	0	5	0
Community Intervention	2	4	8	0
Substance Abuse	0	0	1	0
Other	46	11	0	0
<b>Total</b>	<b>1,060</b>	<b>300</b>	<b>847</b>	<b>137</b>

Notes: 1) Provincial counts represent total number of DPS provincial offender participants. External counts represent all clients who are not DPS (other government departments, self-referrals, federal clients). The exact number of federal clients within the "external" category could not be reliably determined.

2) "Information sessions intervention" included various broader categories of interventions such as "communication skills", "stress management" and "leisure activities".

3) "Personal physical mental health" included mainly "individual counselling" and "assessment, counselling and program services"

### **Provincial Offender Utilization of Community Programs**

Overall, results presented in Table 8 suggest that a relatively high number of DPS provincial offenders were served through participation in DPS-funded community programs. Data regarding offender participation in community programs were provided for two years of the

initiative, indicating a decrease in total number of participants from 2006/07 to 2007/08, largely due to the decrease in number of participants in information session interventions. Note that data regarding the number of community programs for provincial offenders prior to the implementation of the ESA in 1998 was unavailable; therefore an objective comparison of the accessibility of community programs for provincial offenders prior to and following implementation of the ESA was not possible. However, interviewees were asked to comment on the extent to which the CSCA had impacted on access to community correctional programs/services for provincial offenders over the longer term (i.e., since its inception). Despite the relative decrease in the number of provincial participants from fiscal year 2006/07 to 2007/08, the majority of interviewees suggested that there had been a “slight increase to substantial increase” in access to community programs for provincial offenders since the implementation of the ESA in 1998 (79% CSC; 67% DPS).

### **Federal Offender Utilization of Community Programs**

DPS provided data regarding “external” client program participation in DPS-funded community programs (see Table 8). “External” counts represent program participation by other clients who were not DPS offenders, including participants referred from other government departments, self-referrals, and federal clients. Overall, the number of external clients declined from 300 to 137 from fiscal year 2006/07 to 2007/08. However, the total number of federal offenders within this category was not tracked separately. Therefore, the total number of federal offenders who participated in these programs could not be reliably distinguished from utilization by other individuals (e.g., referrals from other government departments, self-referrals, etc.) within this external category. Again, no objective comparison of the accessibility of community programs for provincial offenders prior to and following the implementation of the ESA was possible, because data regarding the number of community programs prior to the implementation of the ESA in 1998 was unavailable. However, when asked to comment on the extent to which the CSCA impacted federal offender access to community correctional programs/services, the responses were split primarily between suggestions that there had been “no change” (53% CSC; 20% DPS) and that there had been a “slight to substantial increase” (33% CSC; 60% DPS).

### **Community Programming for Special Populations and Crime Prevention**

Interviewees were also asked to identify the extent to which programming for certain special population areas had been addressed (see Table 9). Overall, approximately half of CSC (50%) and DPS staff (44%) perceived that there had been at least moderate progress in addressing programming needs for offenders in rural communities. Approximately half of DPS staff also reported that the needs of French speaking offenders, Aboriginal offenders, women offenders, those with mental health needs, and the needs of physically or sexually abused offenders had been at least moderately addressed. Fewer staff members were likely to suggest that services had been provided to address the needs of offenders' families, young offenders, and offenders with cognitive impairments or learning difficulties. On the whole, a greater percentage of DPS than CSC respondents, reported that services had been provided to address the needs of individuals in most of these groups. Interviewees were also asked to indicate the extent to which the CSCA had impacted the number of crime prevention initiatives in the community. The majority of the interviewees indicated that there had been a slight increase in crime prevention initiatives (67% CSC; 50% DPS).

**Table 9: Interviewees’ Responses Regarding the Impact of DPS’ Investment in Community Programs/Services**

	CSC		DPS	
	<i>n</i>	Moderately to Completely (%)	<i>n</i>	Moderately to Completely (%)
To what extent have the following areas been addressed through DPS’ investment in community programming/services:				
Programs/services in rural areas	9	44%	6	50%
Programs/services offered in French	7	14%	6	67%
Programs/services for Aboriginal offenders	7	14%	6	67%
Programs/services for women offenders	7	29%	6	50%
Programs for offenders with mental health issues	8	25%	6	50%
Programs for physically or sexually abused offenders	9	22%	6	50%
Support/prevention services for offenders’ families	8	38%	5	40%
Support/prevention services for youth at-risk/young offenders	6	33%	6	33%
Programs/services for offenders with cognitive impairment or learning difficulties	9	11%	6	33%

Notes: 1) “Moderately to completely” represents a score of 3-5 on the response scale.

2) The total number of personnel who responded to the questions above varied depending on the question, and ranged from 1-9 persons (CSC) and 1-6 persons (DPS). Percentages were calculated based on overall # of respondents who answered each question (n).

3) Responses from the NPB participant are included with “CSC” responses in the table in order to maintain respondent confidentiality.

4) Note that interviewees also commented about the extent to which several specific programming areas were addressed through DPS’ investment in community programs: substance abuse, sex offender, employment programs. Since actual numbers on program participation in these areas were obtained from DPS, verified data on participation rates were presented in the previous table, rather than presenting only perceptions of program utilization from interviewees in these categories here. The remainder of the categories presented in this table represent perceptions of benefits to specific populations of individuals who might be targeted for interventions for which no reliable data is available.

### **Design and Implementation Challenges**

The majority of CSC and half of DPS staff rated the design of community programs and service provisions to be “inadequate” (40% CSC) or only “somewhat adequate” (50% CSC; 50% DPS). Correspondingly, the majority of staff suggested that there had been major or minor implementation challenges in the provision of community programs and services (73% CSC; 100% DPS). The majority of these respondents (90% CSC; 100% DPS) indicated that these

challenges remained unresolved, including a lack of federal offenders' participation that was primarily related to CSC accreditation requirements and a suggestion that there was a need to increase staff awareness/input/"buy-in" with respect to offender participation in DPS funded community programs.

Similarly, when asked to describe factors that hindered progress in addressing service gaps in the community, three key factors were identified: (1) insufficient resources; (2) CSC program accreditation requirements; and (3) insufficient communication, awareness, and relationship building. With respect to comments regarding insufficient resources, DPS records provided for the evaluation indicated that their contribution to funding for community programming remained above the amount stipulated in the Agreement. Therefore, it appears likely that respondents were simply referring to the fact that additional resources, beyond the commitment level, would be beneficial in providing additional services to address the needs of offenders in the community.

Additional issues raised as hindering the ability to address service gaps in the community included CSC program accreditation requirements and reports of insufficient communication, awareness, and relationship building between the two departments. As a result of CSC policy on program accreditation, federal offenders in NB were not generally referred to community-based programs funded by DPS because they were not accredited. Efforts to overcome difficulties related to the provision of reintegration or core programs in the community were evident in the review of JMC meeting minutes and accompanying reports and correspondence. A report entitled *DPS Report on Joint Initiatives* (Department of Public Safety, New Brunswick [DPS], 2005) was presented at the JMC meeting on December 13, 2005, that described proposed strategies to address accreditation requirements and to provide community-based services. Proposed strategies included providing shared programs to CSC and DPS offenders, having CSC-trained program staff deliver programs to provincial offenders, and having DPS staff use CSC material to deliver programs to provincial offenders. The report also indicated that CSC had identified liability and copyright issues related to these proposed strategies, as these strategies were not covered under the terms of the current CSCA. It was determined that a separate Agreement would need to be reached to address copyright issues (related to DPS use of CSC program delivery material), and liability issues (related to CSC providing community programming to DPS provincial probationers). It was noted that it would be possible to address

liability and copyright issues through “a formal request process as has been followed in the past by other provinces and countries” (DPS, 2005, p.2).

Correspondence between CSC and DPS regarding the issues of program accreditation, liability, and copyright continued into January and February, 2006. In January, 2006, CSC provided DPS with an outline of the steps to be followed to enable DPS to deliver accredited programs. However, correspondence between the two departments in February, 2006, indicated that little progress had been made in this area. Given the recognized difficulties associated with provincial delivery of accredited programs, both parties agreed to explore options, at least in the interim, related to DPS provision of reintegration support services (or re-entry services) to federal offenders in the community. Given that there were no requirements for these types of services to be accredited (e.g., transportation, temporary housing, employment, methadone programs, etc.), there were no issues associated with CSC policy regarding accreditation that were expected to impact on federal offender use of these services. CSC and DPS also agreed that their programs and reintegration support services were to be catalogued and included on the CSCA website (an initiative jointly developed by DPS and CSC). It was suggested that programs that could not be accredited could be utilized to help serve in the area of “robust re-entry”.<sup>11</sup> DPS staff spent more than four months compiling data to produce an inventory of DPS programs available in the community.

Throughout the course of the Agreement, differences in program standards and program accreditation requirements have been identified repeatedly as issues that needed to be addressed in order to fully implement the community programming aspect of the Agreement. The issue of program accreditation was identified in the CNBI final evaluation (CSC, 2003) and was also raised regularly at JMC meetings, mostly toward the end of the CNBI and throughout the duration of the CSCA. At the time of this evaluation of the second Agreement, the CSCA, this issue still remains essentially unresolved, and as such, it appears that the community programming aspect of the CSCA has yet to be fully implemented. Given the inability to resolve this issue over the span of the 10 years of the Agreement, a clearly implementable plan that is fully agreed upon by both departments will need to be developed if this aspect of the Agreement is to remain. In the absence of any such a strategy, the community programming aspect of the Agreement should be removed or replaced with a more operationally feasible option.

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<sup>11</sup> Joint Management Committee Minutes, September 2, 2005

As per the MOA (2004), the parties (CSC and DPS) agree to develop data standards to ensure consistent and appropriate data are captured for evaluation and any other reporting.<sup>12</sup> Interviewees were asked to rate the degree to which the design of documentation/record keeping procedures was adequate to support the achievement of expected outcomes. The majority who responded rated it to be “somewhat adequate” (67% CSC; 57% DPS) or “inadequate” (8% CSC). The majority of interviewees (64% CSC; 57% DPS) also suggested that there had been minor or major challenges in implementation of documentation/record keeping procedures. When asked to indicate if challenges were resolved, the majority of staff responded “no” (67% CSC; 75% DPS). Some reported challenges included a need to increase collection/reporting on “outcomes” of the Agreement, and issues related to providing provincial offender files to CSC (e.g., delays, insufficient information). It should be noted, however, that issues related to the provision of provincial offender files to CSC were only raised by a small number of respondents, and half of them suggested that these issues had been resolved (2/4 respondents). In addition, results of the CNBI Final Evaluation (CSC, 2003) indicated that a document transfer process had been successfully implemented to enable the timely transfer of court documents to CSC. Therefore, although a few interviewees reported minor concerns with the process, it appears issues related to the document transfer process raised in previous evaluations have been generally resolved.

In previous evaluations of the CNBI, one of the areas most often reported to lack adequate data tracking and reporting, was the area of community program participation. Recommendations to implement and improve tracking mechanisms to enable assessment of program impact (e.g., with respect to investment in community programs and costs) were made in each of the first, second, third, and external evaluations of the CNBI. One of the major findings of the third annual evaluation (CSC, 2002) was that improved mechanisms were needed to document the participation of federal and provincial offenders and individuals at risk of becoming involved in criminal activity in community programs funded through the CIP. It does not appear that this recommendation was ever fully addressed, given the lack of adequate

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<sup>12</sup> The main body of the 1998 MOA does not specify the need for consistent data collection and reporting with regards to research and evaluation, stating simply that research may be undertaken either jointly or independently by the parties with relation to the activities of the Initiative (pg. 8). However, the *Evaluation Framework* (June 1999) includes a list of “key results, indicators, and measurement approaches” in Appendix C to be used for the annual evaluations. This includes the tracking and collection of data with regards to the transfer processes, security and other incidents, costs of the Initiative (such as transfer and accommodation), billing and payment processes, accessibility to programming, as well as the outcomes of the Initiative (such as improved conditional release and reductions in revocation and recidivism).

tracking of specific federal offender participation in DPS-funded community programs at the time of the current evaluation of the CSCA.

**RECOMMENDATION 1: Prior to the renewal the CSCA, CSC and DPS should develop a mutually agreed upon strategy to facilitate: (a) federal offender participation in DPS-funded community programs and services; and (b) the collection and annual reporting of community program expenditures and usage by provincial and federal clients (including type of data to be collected and specifying responsible departments/sectors). If a strategy to facilitate federal offender use of DPS-funded programs cannot be developed in accordance with CSC and DPS policies and practices, the community programming aspect of the Agreement should be eliminated or replaced with more operationally feasible options**

**FINDING 4: The CSCA provided the opportunity for provincial offenders to participate in a wide variety of CSC programs, including correctional programs (e.g., substance abuse, sex offender programs), education, and employment programs.**

#### **Profile of CSCA Provincial Offenders**

One of the main goals of the CSCA is to provide program opportunities commensurate to the risk and need levels of offenders. In order to provide a context for the institutional programs utilized by provincial CSCA offenders transferred to CSC jurisdiction, an overall profile of these offenders for the period of the current agreement is presented first.

A total of 384 provincial offenders were transferred to CSC institutions through the CSCA between April 1st, 2004 and the end of the data collection period (March 9, 2008). The average age of the offenders at the time of admission to CSC was 35 years, ranging from 18 to 74 years. A small percentage (4%) of these offenders was Aboriginal.

#### **Current Offence**

An examination of offence data for the sentence in which offenders were transferred to CSC indicated that the most common index offences among CSCA provincial offenders were drug trafficking, aggravated assault, sexual abuse/assault, and breaking and entering. A smaller percentage of offenders was convicted for robbery and weapons-related offences (see Table 10). Note that nearly one-fifth (19%) of the offenders had committed a sexual offence, and were therefore eligible to be transferred to CSC if they were serving a sentence of 6 months or more,

rather than the 1 year minimum sentence length for other offenders transferred under the Agreement.

**Table 10: CSCA Provincial Offenders Offences on Sentence**

Offence Category	Number of Offenders	Percentage of CSCA Offenders with this Current Offence
Drug Trafficking	81	21%
Aggravated Assault	75	20%
Sexual Abuse/Assault	73	19%
Break and Enter	70	18%
Robbery	16	4%
Weapons Related	14	4%

Notes: Percentages do not add to 100% as some offenders committed more than one offence. In addition, only common categories of offences were reported, and other miscellaneous offences that did not fit into one of the categories above were not reported here (e.g., fraud, impaired driving, etc.).

### Assessment at Intake

At intake to CSC, approximately half of CSCA provincial offenders were assessed as having moderate levels of static and dynamic risk,<sup>13</sup> and moderate motivation levels and reintegration potential, while approximately one third of CSCA provincial offenders had high ratings in each of these areas. The most common initial intake security rating (per the Custody Rating Scale-CRS) was minimum security (See Table 11).

**Table 11: CSCA Provincial Offender Intake Assessment Information**

Factor	N	High/Maximum	Medium/Medium	Low/Minimum
Static Risk	380	31%	43%	26%
Dynamic Risk	381	34%	58%	8%
Reintegration Potential	384	31%	55%	14%
Motivation Level	384	38%	52%	10%
CRS Security Rating	384	2%	27%	70%

Note: Intake assessment data were not available in OMS for some of the offenders.

<sup>13</sup> Static risk refers to the risk of reoffending based on historical variables that either cannot be changed or can only change in one direction. Dynamic risk refers to criminogenic needs (e.g., employment, marital/family, associates, substance abuse) that when changed are associated with changes in risk of recidivism.

## CSCA Provincial Offender Participation in CSC Programs

The results found in Table 11 indicated that the majority of offenders had either medium or high risk (static risk) and need (dynamic risk) levels. The transfer of provincial offenders to federal institutions provided them with the opportunity to participate in institutional programs to address their criminogenic needs that were not generally available to them in provincial institutions. The proportion of CSCA offenders who participated in institutional programming within a particular program category since the beginning of the CSCA in 2004/05<sup>14</sup> is shown in Table 12. The program category with the highest participation rate was education, with 63% of provincial offenders admitted to federal institutions being enrolled in an education program. Similarly, 50% of provincial inmates participated in substance abuse programs, over 44% took part in CSC employment opportunities, and 39% of CSCA inmates participated in CORCAN employment. The lowest participation was found in Community Correctional (9%) and Family Violence Programs (7%).

**Table 12: CSCA Offender Program Participation (FY 2004/05 to FY 2006/07)**

Program Category	Percent of Provincial Offender Program Participation a
Community Correctional Programs	9%
Family Violence	7%
Living Skills	18%
Sex Offender	16%
Substance Abuse	50%
Education	63%
CSC Employment	44%
CORCAN Employment	39%

Notes: a From OMS, based on unique program participation. An inmate who took the same program more than once was only counted as one participant to reflect the true uptake rate.

1) Participant counts represent unique individuals within each program category (i.e., 50% of all CSCA provincial offenders admitted since 2004-05 took part in at least one substance abuse program).

2) Community correctional programs included the Counter-Point Program and Community Maintenance Program. Counter-Point is a moderate intensity community-based program with the principle goal to “help participants change their pro-criminal values and attitudes and take more responsibility for their criminal actions”. The Community Maintenance Program is designed to follow most national programs and it reviews a selected sub-set of core skills learned in national programs such as: working towards goals; dealing with emotions; countering high risk thinking; interpersonal communication; and self management.

3) CORCAN employment involves such jobs as welder, assembler, metal or paint shop worker. CSC employment involves such jobs as cleaning, working in the canteen or on the inmate committee, and institutional maintenance.

<sup>14</sup> A modified intake assessment was completed for provincial CSCA offenders. As a result, data on each of the seven dynamic need levels were not always available for these offenders. The amount of missing data regarding the seven dynamic need levels precluded analysis of the match between specific need levels and program participation.

Overall, the increase in access to institutional programming for CSCA provincial offenders transferred to CSC institutions was perceived to be one of the main benefits of this Agreement. When interviewees were asked about the extent to which the CSCA resulted in increased access to intensive institutional programs to address offenders' criminogenic needs, the majority of respondents suggested that there had been a "slight increase to substantial increase" in access to institutional programs for provincial offenders (87% CSC; 86% DPS).<sup>15</sup>

### **Institutional Program Expenditures, Completion Rates, and Overall Program Efficiency**

Atlantic Region Program Cost Breakdown. Table 13 presents program enrolment and expenditures for programs for all offenders (federal and provincial offenders transferred on ESA) in the Atlantic Region by fiscal year.<sup>16</sup> Cost per inmate based on overall program costs and enrolment are also provided. The per inmate cost for programs highlights the importance of offender completion of these programs, as the opportunity for program effectiveness is generally maximized if offenders experience full exposure to the program. Moreover, greater program completion rates demonstrate greater efficiency in terms of program delivery.

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<sup>15</sup> Interestingly, although the majority of respondents (60% CSC; 100% DPS) reported that there had been no change in access to institutional program for federal offenders, a few (33% of CSC) suggested that there had been a "slight to substantial increase" for federal offenders

<sup>16</sup> All financial information was obtained from the Corporate Reporting System – the information in the Corporate Reporting System is derived by cost centre (program category) and activity code (program subcategory) from IFMMS. Program expenditures are comprised of directly related program costs, more specifically program costs are salary and O & M related to that program assigned by cost centre and activity code. Each program category has an associated cost centre. Program categories represent a number of programs under a specific umbrella such as substance abuse program category.

**Table 13: Atlantic Region Program Enrolment and Expenditures**

	FY 2004/05			FY 2005/06			FY 2006/07		
	Enrolled	Expenditure	Per Inmate	Enrolled	Expenditure	Per Inmate	Enrolled	Expenditure	Per Inmate
All Programs	3,468	\$6,460,805	\$1,863	3,506	\$6,791,826	\$1,937	3,324	\$6,951,938	\$2,091
Correctional Programs	1,835	\$3,703,251	\$2,018	1,902	\$3,955,863	\$2,080	1,610	\$3,913,972	\$2,431
Community Correctional	123	\$94,026	\$764	189	\$216,850	\$1,147	240	\$237,708	\$990
Family Violence	141	\$338,608	\$2,401	163	\$401,941	\$2,466	178	\$377,109	\$2,119
Living Skills	461	\$688,385	\$1,493	426	\$750,343	\$1,761	230	\$747,642	\$3,251
Sex Offender	209	\$950,311	\$4,547	178	\$758,213	\$4,260	150	\$654,170	\$4,361
Substance Abuse	810	\$990,902	\$1,223	888	\$1,237,751	\$1,394	782	\$1,452,856	\$1,858

Notes: 1) All programs includes all programs offered by CSC (correctional programs, personal development and education

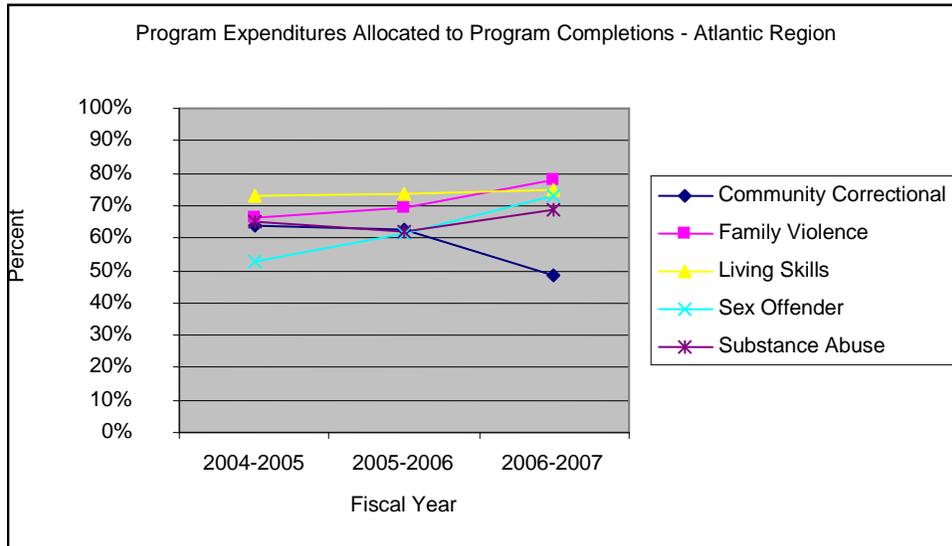
2) Correctional programs include all programs excluding education and personal development.

***CSCA Provincial Offender Institutional Program Completion Rates.*** CSC defines three types of program output measures including: (1) completions (including successful and unsuccessful completions); (2) dropouts (defined as terminating program participation due to factors under the control of the offender); and (3) population management (program participation was terminated through no fault of the offender, such as transfer to another facility or release).

Program expenditures and completion rates were assessed to determine overall efficiency in institutional program delivery.<sup>17</sup> Figure 1 and Figure 2 present the proportions of program expenditures that were accounted for by completions in the Atlantic Region and CSCA offenders for the three fiscal years since 2004/05. The proportions can be interpreted as the portion of one dollar of program costs that was attributed to program completions.

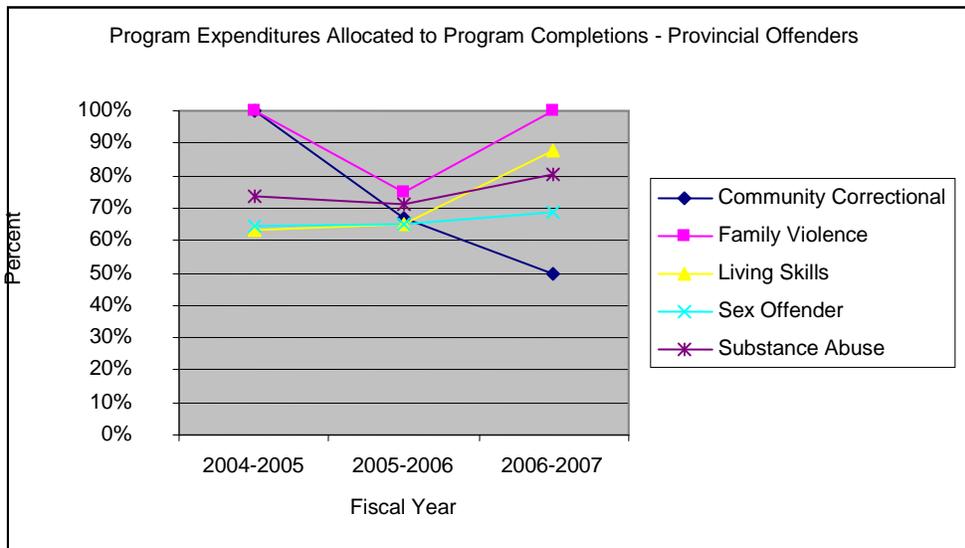
<sup>17</sup> Education and employment programs do not always have clear expected “completion dates”, or the expected completion times may be quite lengthy (e.g., Adult Basic Education Programs). Therefore, these programs were not included in the following completion/efficiency analysis.

**Figure 1: Percent of Program Expenditures Allocated to Completion – All Offenders in the Atlantic Region**



Note: All offenders in the Atlantic Region include both federal and CSCA provincial offenders.

**Figure 2: Percent of Program Expenditures Allocated to Completion – Provincial CSCA Offenders**



Overall, a comparison of Figure 1 and Figure 2 suggests that CSCA provincial offender program completion rates during the CSCA were generally consistent with or greater than the program completion rates for the Atlantic Region as a whole. This indicates that similar or greater program expenditures were being allocated to program completions for the CSCA

provincial offenders compared to the Atlantic Region as a whole, suggesting that CSCA provincial offender usage of CSC institutional programs was relatively efficient. However, the overall efficiency relation to program completions for CSCA provincial offenders participating in community correctional programs decreased relatively significantly from 2004/05 to 2006/07 (from 100% to 50% respectively).

***Implementation Issues Related to Institutional Programs.*** When interviewees in the present evaluation were asked to indicate the degree to which there had been implementation challenges in the provision of programs for incarcerated offenders, several of the staff indicated that there had been “minor or major” implementation challenges (43% CSC; 57% DPS). When asked to indicate if these challenges were resolved, all respondents stated that they were not. Similar to previous evaluations, the major unresolved challenge included difficulty completing programs prior to release (e.g., due to short sentences, wait times for transfer to CSC, etc.). Given the expressed concern with difficulties completing programs prior to release, as well as previously noted issues related to the number of ERD versus discretionary releases, program enrolment and termination activity were compared for these two groups (see Figure 3). In order to conduct this comparison, the type of release was assessed for those provincial CSCA offenders who had been released at the time of the evaluation and offenders were categorized into two groups: (1) ERD; and (2) parolees. Institutional program participation was then reviewed, retrospectively, to determine whether there were differences in institutional program completion rates for these two groups of offenders. Participation rates were reviewed in the context of program expenditures allocated to program completions, drop-outs, and non-completions related to population management issues.

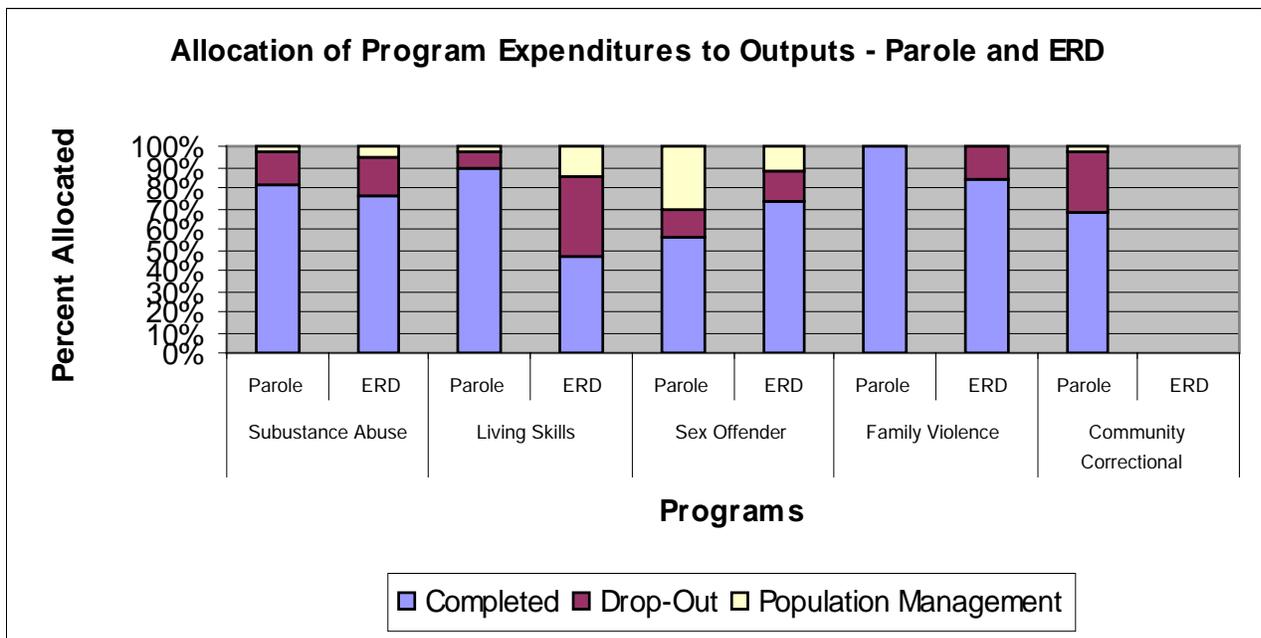
Generally, completion rates for institutional programs (prior to release) were similar between ERD and parolees with the exceptions of Living Skills and sex offender programs.<sup>18</sup> For Living Skills, 90% of the parolees completed the programs, but only 51% of the offenders in the ERD group did so. Conversely, for sex offender programs, 74% of the ERD offenders completed the programs whereas only 57% of the parolees did so. It is notable that 30% of parolees (but

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<sup>18</sup> Statistical comparisons between ERD and parolees on rates of program completion, drop-outs, and non-completion due to population management reasons were not possible due to low cell frequencies in some categories. In addition, for Family Violence programs, 84% of ERD offenders completed the program while 100% of parolees completed the program. However, comparisons related to Family Violence Programs should be interpreted with caution due to low number of parolees who participated in those programs (19 ERD and 5 parolees).

only 12% of ERD offenders) were unable to complete sex offender programs for population management reasons. Allocation of program costs to the three types of program participation outcomes for ERD and parole groups is also illustrated in Figure 3. It should be noted that the provision of sex offender programs was more efficient among the ERD group, where 74 cents of every dollar were accounted for by completions compared to 57 cents for every dollar for the parole group. Given that parolees were generally released earlier than ERD offenders, and that sex offenders could be transferred to CSC with sentences of only 6 months or more, the short sentence lengths may have made it extremely difficult for sex offenders to complete their programs prior to release on parole.

**Figure 3: Allocation of Program Expenditures to Outputs – ERD and Parole from FY 2004/05 to FY 2006/07**



Notes: 1) Counts represent unique program enrolments/completions, not unique individuals (i.e., an offender enrolled in multiple programs would be counted multiple times within that category).  
 2) Offenders released on ERD are not required to participate in community correctional programs since there is no community supervision component.

**FINDING 5: The impact of the CSCA on long-term outcomes (e.g., recidivism) was difficult to ascertain given the absence of a comparison group of similar offenders who did not participate in the CSCA. After controlling for pre-existing differences between the groups, results indicated that the discretionary release process was associated with reduced rates of**

**violent re-offending (but not overall re-offending rates) as compared to ERD released among CSCA provincial offenders released from CSC institutions.**

The long-term goal of the CSCA (as described in the logic model in the MOA) is to contribute to safer Canadian communities. In order to examine the extent to which the CSCA has achieved this goal, the evaluation team reviewed two sets of data: (1) overall crime rates in New Brunswick compared to the other Atlantic provinces; and (2) recidivism rates for provincial CSCA offenders.

**Statistics Canada Crime Rates**

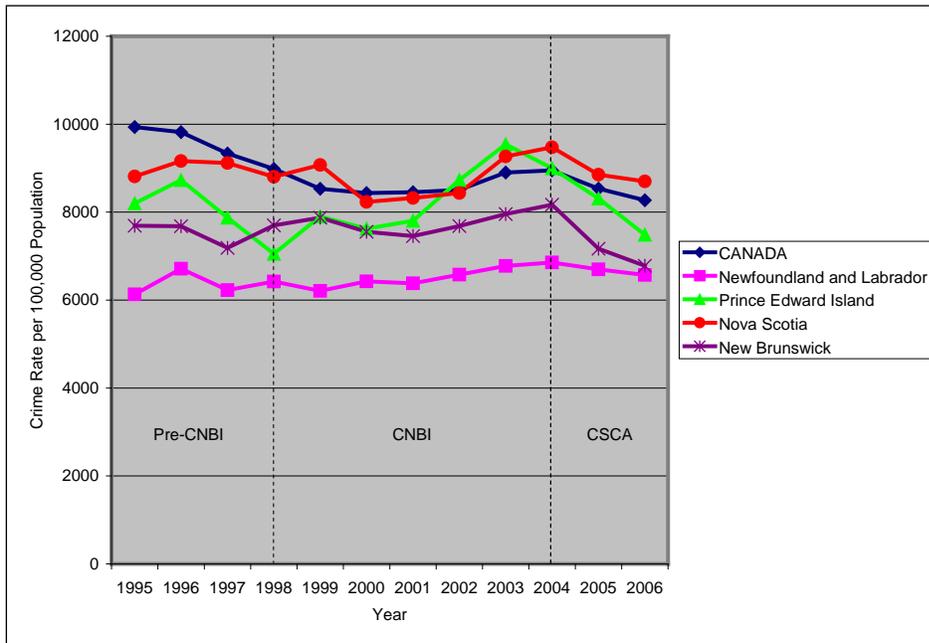
Crime rates from 1995 to 2006<sup>19</sup> for the four Atlantic Provinces and Canada overall are presented in Figure 4 to provide an overview of trends in crime rates in the years preceding and during the Agreement. The fluctuations in crime rates for New Brunswick across the time period appear, for the most part, to parallel those of Canada in general, and most of the other Atlantic Provinces. In particular, the crime rates in New Brunswick appeared to be quite similar to the crime rates in Nova Scotia, remaining stable between 1998 and 2004 (duration of the CNBI) and declining since 2004. Given a decrease in crime rates in Canada overall, as well as most of the other Atlantic Provinces, it is not possible to infer that the CSCA directly contributed to the decrease in crime rates in New Brunswick. The lack of controlled conditions or a control group that was exposed to exactly the same conditions as the CSCA offenders also precludes any direct conclusions as to the impact of the CSCA based on these data.

Interviewees were asked whether they perceived that the CSCA had an impact on public safety. The majority of respondents suggested that the CSCA had at least a moderate contribution to overall public safety (94% CSC; 60% DPS). Similarly, the majority of respondents (86% CSC; 100% DPS) indicated that the CSCA had resulted in a *slight to substantial decrease* in re-offending among provincial offenders.

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<sup>19</sup> At the time of writing, data for 2007 were not available.

**Figure 4: Crime Rates in the Atlantic Provinces from 1995 to 2006**



Notes: 1) Data retrieved from Statistics Canada, Beyond 20/20 Web Data Server, version 7.4.  
 2) The data presented in this graph were collected by the Canadian Centre for Justice Statistics, with cooperation from the policing community, through the Uniform Crime Reporting Survey and represent all crime reported to and substantiated by the police across the country.

### **CSCA Offender Releases**

Recidivism rates for provincial CSCA offenders were assessed in order to determine the impact of the CSCA on the successful reintegration of offenders to the community. Given that virtually all provincial offenders in New Brunswick who met the selection criteria were transferred to CSC under the Agreement, a comparison group of similar offenders not impacted by the CSCA was not available. For this reason, descriptive information is presented regarding overall releases and recidivism rates for CSCA provincial offenders transferred to CSC federal institutions. Furthermore, results of previous evaluations have indicated that the proportion of CSCA offenders being released at ERD was increasing, whereas discretionary releases (i.e., day/full parole) were decreasing. There was some speculation based on earlier evaluations that offenders may have been choosing to remain incarcerated until ERD rather than apply for parole so that they would not be subjected to community supervision after release. For this reason, the number of overall ERD and parole releases during the period of the CSCA, in addition to the association between these types of releases and recidivism, were assessed.

In order to increase the sample size for statistical analyses, all provincial offenders transferred to federal institutions under the CNBI (i.e., since 1998) or the CSCA and who had been released to the community were included in the recidivism analyses. Furthermore, only the first incidence of recidivism (i.e., new conviction resulting in federal or provincial sentence) was included for recidivism analyses. This included a total of 1,105 provincial CSCA sentences (1001 offenders)<sup>20</sup> released from CSC institutions. Note that offenders were eligible for day and full parole after serving one-sixth and one-third of their original sentences, respectively, but ERD releases were mandatory after two-thirds of the sentence at which point the sentence is considered to be complete (National Parole Board [NPB], 2007). Consequently, provincial offenders released at ERD were not subject to community supervision by parole officers.

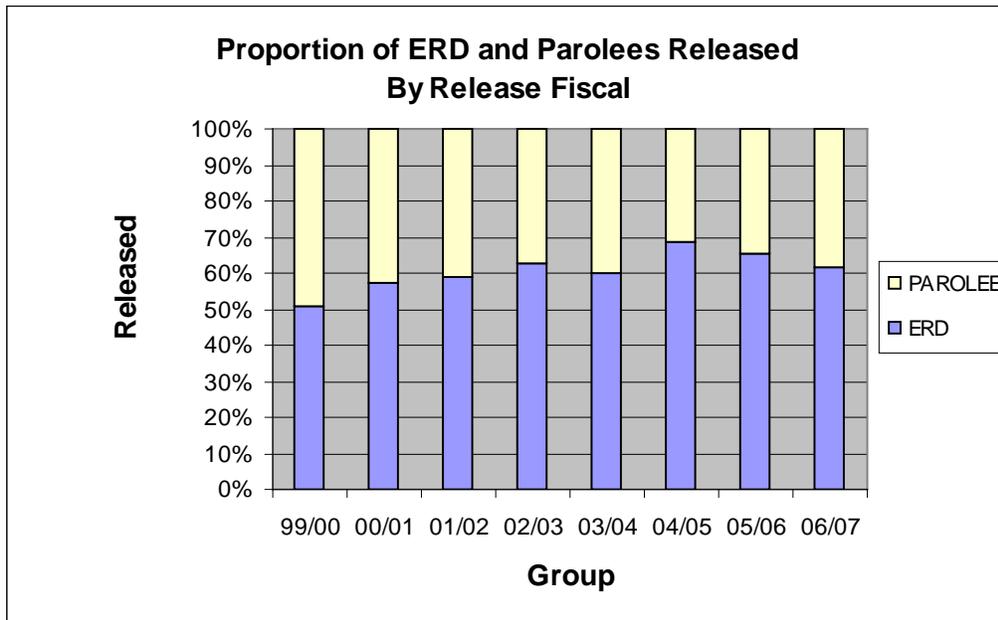
Over the course of the CNBI and CSCA, slightly more than half of the provincial offenders were released at ERD (57%,  $n = 633$ ) and the remaining provincial offenders were released on parole (43%,  $n = 472$ ). Of those released through the discretionary release process, 55% were released on full parole and 45% on day parole. These results indicated that almost half of CSCA provincial offenders were released at an earlier stage in their sentence (i.e., parolees) than if they had simply waited until their ERD mandatory release after serving two-thirds of their sentence. When asked about the impact of the CSCA on earlier releases of offenders to the community, the majority (64% CSC; 100% DPS) suggested that the CSCA had a slight to substantial increase in the likelihood of provincial offenders receiving an early release.

It is also of note that the proportion of ERD releases showed an upward trend until about 2004/05, but then decreased, with a corresponding increase in the proportion of discretionary releases (day or full parole) over the last three fiscal years of the Agreement (see Figure 5). It is still noteworthy, however, that the proportion of ERD releases remained relatively high throughout the course of the Agreement, with over 60% of all releases in 2006/07 being at ERD, rather than on parole.

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<sup>20</sup> Note the removal of seven offenders due to the fact that their records indicated that they had entered CSC on a provincial sentence through the CSCA, but were identified as federal offenders in OMS. A review of their records appeared to indicate that they had later received convictions for earlier charges that resulted in an increased sentence length beyond two years which thereby made them subject to a federal sentence. Therefore, these offenders were not included in the CSCA provincial offender group for the purposes of this report.

**Figure 5: Proportion of ERD and Parolees Released**



Note: ERD releases represented 57% of all CSCA releases since 1998/1999.

**Profile of Released Offenders.** On average, released CSCA provincial offenders were 34 years old at the time of admission<sup>21</sup> and were sentenced to an average of 483 days (ranging from 181 days to 730 days),<sup>22</sup> with parolees having a longer average sentence length than ERD offenders (505 days vs. 469 days, respectively). On admission, offenders were most frequently at medium risk and need levels (see Table 14). Parolees and ERD offenders differed with respect to risk and need profiles. Specifically, larger proportions of the parole group were rated at low risk and need levels, whereas larger proportions of the ERD group were rated at high risk and need levels. Further detail regarding group differences on age, sentence length, risk, need levels between ERD vs. parole groups and recidivists vs. non-recidivists is presented in Appendix F.

<sup>21</sup> There was no difference in age between parolees and ERD offenders.

<sup>22</sup> The average index sentence length represents an adjusted sentence length. If offenders received a new sentence while serving the sentence for the index offence, the new sentence length was added to the index sentence and sentence length was over-written within CSC databases to reflect the new warrant expiry date. As a result, sentences (5%,  $n = 57$ ) for some CSCA offenders were overwritten (with index sentence lengths over 730 days. Given that the original sentence length was no longer available, index sentence lengths that were 731 days or longer were truncated to 730 days (the longest possible sentence for a provincial offender) and all analyses were completed with the adjusted index sentence length. A check of the data was completed by conducting the recidivism analysis with the adjusted and unadjusted sentence lengths and the pattern of results were similar for both analyses.

**Table 14: Profile of Risk and Need at Admission**

	ERD Frequency	Parolee Frequency
Risk level	<i>N</i> = 592	<i>N</i> = 452
Low	14%	37%
Medium	43%	49%
High	43%	14%
Need level	<i>N</i> = 593	<i>N</i> = 452
Low	3%	19%
Medium	46%	66%
High	51%	15%

Note: There were some missing data on risk and need variables for parolees and ERD offenders.

### **Recidivism**

Recidivism may be defined in several ways. For the purposes of the present study, three types of recidivism were examined: (1) technical revocations (for parolees);<sup>23</sup> (2) new convictions for any offence (violent or non-violent); and (3) convictions for violent offences. Offenders released on parole are subject to community supervision whereas offenders released at ERD are not. As such, only parolees may incur technical revocations while on release. In total, 20% of parolees (94 of 472) received a technical revocation.

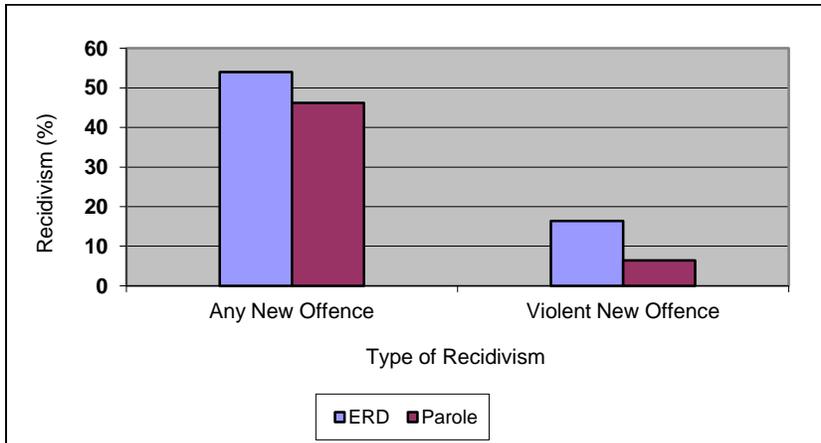
As ERD offenders are not subject to supervision by CSC following release and, therefore, cannot receive a technical revocation, recidivism analyses between ERD and parolees were limited to new offences. In order to conduct recidivism analyses, the first incidence of a new offence for each offender following release was identified and included in the analyses. The follow-up time for the recidivism analyses was not restricted, so all provincial offenders were followed from the time of their release to the date of the evaluation data extraction. Following release, there were 560 incidents of new offences (51% of all releases), resulting in either federal or provincial sentences. The first new offence following release was a violent offence in 12% of releases.

Figure 6 presents the recidivism rates for ERD offenders and parolees. For both any new offences and violent new offences, a larger proportion of offenders released at ERD reoffended than offenders released on parole. However, results presented in the previous section regarding the profile of released offenders indicated that the ERD and parole groups differed on several

<sup>23</sup> A technical revocation is a revocation for the violation of a condition of parole where no criminal incident occurred but the offender's risk to public safety was assessed as requiring the offender's return to a penitentiary.

variables commonly found to be associated with recidivism (e.g., sentence length, risk, need). In order to determine whether recidivism is truly associated with the type of release (ERD or parole) or some other pre-existing difference between the groups, specific analyses (survival analyses) that enabled statistical control for these pre-existing differences were conducted.

**Figure 6: Percentage of Any New Offence and Violent New Offence by Type of Release**



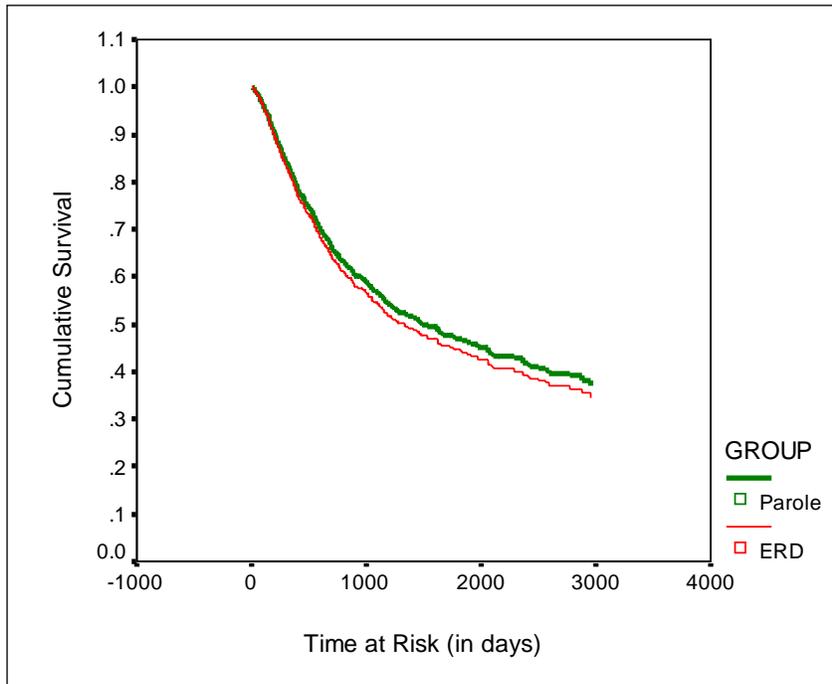
***Survival Analyses Controlling for Pre-existing Differences between Groups.*** Two sets of Cox regression survival analyses were conducted to examine whether likelihood of recidivism (convictions for any offence and for a violent offence) differed between provincial CSCA offenders released on parole and offenders released at ERD after controlling for differences in age at admission, risk and need levels, and length of index sentence.<sup>24</sup> The outcome variable was time-at-risk which refers to the days during which the offenders have an opportunity to re-offend. Offenders who “survived” are those who did not recidivate whereas offenders who “failed” are those who did recidivate.

***Conviction for Any Offence (Violent or Non-Violent).*** After controlling for the four covariates, type of release did not have a significant effect on survival time, indicating that there was no evidence to suggest that parolees or ERD offenders differed with respect to likelihood of

<sup>24</sup> For each analysis, age at admission, risk and need levels, and length of index sentence were entered into the analyses in block 1, type of release (i.e., ERD vs. parole) was entered into block 2, and time at-risk was entered as the dependent variable.

reoffending after statistically controlling for other variables that might be associated with recidivism (refer to Figure 7).

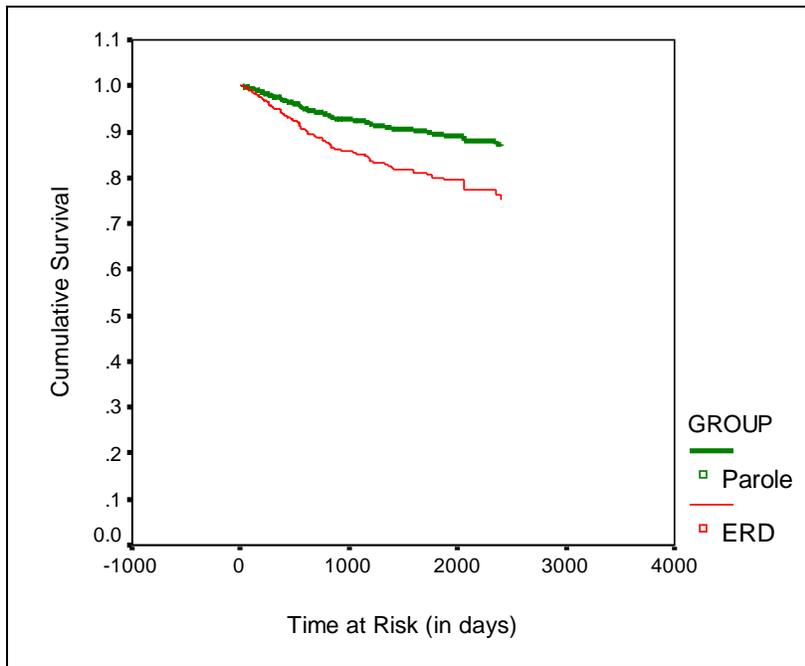
**Figure 7: Survival Function for ERD and Parole Groups (New Offence)**



Notes: 1) A point on the lines represents the proportion of offenders who have not reoffended at that point in time.  
2) Time 0 represents release date where 100% of the two samples have “survived” (i.e., did not recidivate).  
3) Results indicate that parolees and ERD offender reoffended with a new offence ( violent or non-violent) at the same rate after controlling for age at admission, index sentence length, and risk and need levels.

***Conviction for a Violent Offence.*** After controlling for other variables, type of release had a significant effect on survival in that offenders released at ERD were convicted of a violent offence at a significantly higher rate than parolees (refer to Figure 8). Parolees had a 51% lower likelihood of recidivating violently than offenders released at ERD.

**Figure 8: Survival Function for ERD and Parole Groups (New Violent Offence)**



In summary, due to the lack of an appropriate comparison group, we were unable to determine whether the transfer of provincial offenders to CSC institutions had an impact on reducing recidivism rates for provincial offenders. Overall, given an unrestricted follow-up time, and considering new offences that resulted in either provincial or federal offences, 51% of provincial offenders transferred to CSC eventually committed a new offence. Analyses were conducted to determine the impact of different types of releases for provincial CSCA offenders from CSC institutions (e.g., parole release with post-release supervision versus ERD release without supervision). After controlling for age at admission, index sentence length, risk, and need, there was no difference between ERD offenders and parolees with respect to conviction for any new offence, but parolees had a 51% lower likelihood of reoffending violently than offenders released at ERD. Thus, it will be important to promote parole applications and releases for CSCA provincial offenders transferred to CSC to reduce the risk of violent re-offending.

**RECOMMENDATION 2: A review of the parole application process for CSCA provincial offenders and the reasons for ERD releases should be conducted. An action plan should be established to address any identified obstacles to discretionary releases for CSCA provincial offenders transferred to CSC institutions under CSCA jurisdiction.**

### 3.3 Evaluation Objective 3: Cost-Effectiveness

*Cost-effectiveness determines the relationship between the amount spent and the results achieved relative to alternative design and delivery approaches.*

**FINDING 6: Overall cost-effectiveness was difficult to quantify given the lack of adequate comparison groups to assess overall long-term results. In general, the increased costs associated with the CSCA resulted in several benefits, particularly in the areas of offender access to programming and interagency awareness and cooperation.**

One of the goals of the CSCA is to provide the most efficient and effective use of correctional services. In correctional settings, cost-effectiveness may be commonly determined by comparing the overall cost in relation to specific quantifiable benefits. In order to conduct cost-effectiveness analysis, the output of total expenditures is examined in relation to total benefits of the initiative or programs (e.g., every dollar spent resulted in an average of “x” number of additional days in the community for the treatment group prior to re-offending). Given the lack of an available comparison group of offenders who did not participate in the CSCA, it was not possible to provide a specific cost per unit of outcome (e.g., reduction in recidivism) for CSCA provincial offenders transferred to CSC. Therefore, a more descriptive approach was taken in the present report. First, overall costs of the CSCA are presented and compared to expected costs for CSC and DPS if the CSCA was not in operation. For illustrative purposes, overall costs for 2006/07 are used in the cost comparison presented below. Second, a summary of overall benefits to offenders, CSC, DPS, and the public are discussed in the context of the overall costs related to the Agreement.

#### **Cost to DPS and CSC under the CSCA for FY 2006-07**

Under the CSCA, the cost to DPS was just over \$2 million and included:

- Payments made to CSC for the cost of maintaining provincial offenders in CSC federal institutions (calculated using the incremental per diem rates established for each fiscal year). The incremental per diem rate is less than the actual per diem rate to maintain an offender in a CSC institution in New Brunswick. For FY 2006/07, the incremental per diem rate charged by CSC to DPS was \$76.35. In total, DPS was invoiced for a total of \$1,030,366.00 for housing provincial offenders in CSC; and,

- DPS expenditures related to provision of programs and services to offenders in the community (\$1,023,109.00).

Table 15 presents a summary of costs under the CSCA using data for FY 2006/07. Under the CSCA, the cost to CSC was just over \$3 million and included:

- The cost to maintain federal offenders in DPS provincial institutions calculated based on institutional per diem rates and bed days at each provincial institution (\$699,107.25); and,
- Supplementary costs related to the incremental per diem rate charged to DPS under the Agreement. This is the difference between the actual cost of maintaining provincial offenders in CSC federal institutions (total of \$3,426,190.50 for 2006/07) and the actual amount that was remitted to CSC by DPS based on the incremental per diem rate outlined in the CSCA (total of \$1,030,366.00 for 2006/07). The total institutional costs remitted by DPS to CSC (\$1,030,366.00) were then subtracted by this total (\$3,426,190.50), resulting in the total amount that it costs CSC to house provincial offenders in CSC above and beyond DPS payments (\$2,395,824.50).

Overall, the total cost under the CSCA for both CSC and DPS in 2006/07 was \$5,148,406.75.

**Table 15: Costs to CSC and DPS with and without the CSCA for FY 2006-2007**

	Costs	
	Under CSCA	Not under CSCA
<b>Costs to DPS</b>		
Institutional Payments	\$1,030,366.00 <sup>a</sup>	\$2,241,904.00 <sup>b</sup>
Community programs and services	\$1,023,109.00 <sup>c</sup>	\$1,023,109.00 <sup>d</sup>
<b>Total Costs to DPS</b>	<b>\$2,053,475.00</b>	<b>\$3,265,013.00</b>
<b>Cost to CSC</b>		
Institutional Payments	\$699,107.25 <sup>e</sup>	\$1,285,480.10 <sup>f</sup>
Cost differential resulting from Incremental per diem to house provincial offenders rather than actual CSC per diem	\$2,395,824.50 <sup>g</sup>	\$0.00
<b>Total Costs to CSC</b>	<b>\$3,094,931.75</b>	<b>\$1,285,480.10</b>
<b>Total</b>	<b>\$5,148,406.75</b>	<b>\$4,550,493.10</b>

a From Table 6: Overall Expenditures Related to the CSCA

b Number of bed days for provincial offenders (14,955) multiplied by the average provincial per diem, \$149.91 (average was based on per diem rates from Bathurst, Dalhousie, Island View, Moncton, MRCC, and SJRCC facilities)

c From Table 5: New Brunswick Community Program Expenditures

d Investment levels for 2007/08 were utilized as the best estimate of investments in community programs for the scenario in which the CSCA was not in effect.

e From Table 2: Total Bed Days and per Diem Rates for CSC Offenders in Provincial Institutions

f Number of bed days for federal offenders (5,611) multiplied by the average cost of incarceration, \$229.10 (based on per diem rates from Westmorland Institution and Dorchester Penitentiary)

g This figure represents the actual cost to CSC to house provincial offenders in CSC federal institutions above the amount that is remitted to CSC by DPS (based on the incremental per diem charged to DPS via the CSCA). The average CSC per diem rate was based on rates for Dorchester [\$253.60] and Westmorland [\$204.60], since most provincial offenders were incarcerated in those institutions. This average per diem rate for CSC (\$229.10) was multiplied by the number of bed days for CSCA provincial offenders (14,955) to get a total of \$3,426,190.50. This total cost (\$3,426,190.50) minus the total institutional costs remitted by DPS to CSC (\$1,030,366.00), equals the total amount that CSC pays to house provincial offenders in CSC institutions above and beyond DPS payments (\$2,395,824.50).

h The CSCA included provisions for an incremental per diem that would be revised on an annual basis. These costing formulae were described in the Agreement, which was signed by both parties.

### **Estimated costs to DPS and CSC if the CSCA had not been utilized for FY 2006/07**

In order to calculate the estimated costs to DPS and CSC if the CSCA had not been utilized for 2006/07, several assumptions were made including:

- Provincial offenders were housed in provincial DPS institutions;
- Federal offenders were housed in federal CSC institutions;
- DPS community investment level even if the CSCA was not in effect would be approximately \$1,023,109.00. DPS personnel indicated that their department would continue to invest in community programming even in the absence of the CSCA, since

such programming is part of DPS' commitment to a comprehensive approach to correctional services. While an official estimate of the amount of this investment was unavailable at the time of the writing of this report, DPS staff stated that they would not recommend any reduction in community-based programs and services funding even if the CSCA were to be substantially changed in relation to such services.<sup>25</sup> In this regard, DPS' aim was to retain, if not increase, the current level of funding for such services regardless of whether the CSCA was in effect or not. Therefore, the community investment level for 2007/08 (\$1,023,109.00) was utilized as the best estimate of investments in community programs for the scenario in which the CSCA was not in effect.

- CSC costs for community programming if the CSCA was not in operation would remain the same as they were with the CSCA in effect in 2006/07. Although data regarding federal offender participation in DPS-funded community programs were not available, stakeholders perceived that participation was minimal due to CSC policies regarding program accreditation. As a result, CSC continued to pay for federal offenders to participate in CSC community programs throughout the course of the CSCA, and it was expected that they would continue to do so if the CSCA was not in effect. Since there was no expected net cost differential associated with community programs for federal offenders whether the Agreement was operational or not, it was excluded from the cost comparisons (since the expected dollar amount was expected to be approximately the same under either scenario).

In the absence of the CSCA, the total cost to DPS was estimated to be \$3,265,013.00 and included:

- Costs of incarcerating provincial offenders at provincial institutions (i.e., \$149.91 per day for 14,955 bed days); and
- Estimate of DPS investments in community programming (\$1,023,109.00).

In the absence of the CSCA, the total cost to CSC was estimated to be \$1,285,480.10 and included:

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<sup>25</sup> DPS staff indicated that recommending any reduction in community-based programs and services funding even if the CSCA were changed would be inconsistent with DPS correctional philosophy, principles, and goals.

- Institutional costs for housing federal offenders in federal institutions (calculated using the average cost of incarceration of an offender in Westmorland Institution and Dorchester Penitentiary; i.e., \$229.10 for a total of \$1,285,480.10).

### **Cost differential between the provision of services under the CSCA versus without the CSCA for FY 2006/07**

Based on the scenarios provided in Table 15, the total cost under the CSCA in FY 2006/07 was just over \$5 million while the cost without the CSCA (under the previously described assumptions) was just over \$4.5 million. With respect to overall cost in comparison to benefits of the Agreement, specific benefits per unit cost could not be quantified (e.g., due to the lack of an adequate comparison group of offenders not impacted by the Agreement to provide specific effectiveness levels). However, other benefits of the Agreement have been observed throughout the course of this evaluation and other evaluation reports on the CNBI that can be utilized to describe the overall benefits in relation to the overall cost of the Agreement.

### **Benefits of the CSCA**

Results from previous sections of the report have indicated various benefits of the CSCA. For example, numerous programs and services were provided for offenders in the community. In addition, the CSCA provided provincial offenders with access to institutional programs to address criminogenic needs, to which they would not otherwise have had access. Although the potential effect of the CSCA on reducing recidivism cannot be adequately captured in the present evaluation given the lack of a comparison group, research has consistently found that programs that target criminogenic needs are associated with reductions in recidivism (Andrews & Dowden, 2006; Andrews et al., 1990).

Working relationships and increased understanding of the two correctional systems may assist or facilitate the development and implementation of other collaborative initiatives that contribute to a movement towards a seamless approach to target crime and improve public safety in New Brunswick. Indeed, as discussed earlier in the success section, interdepartmental growth/awareness, and understanding were described as benefits of the Agreement.

Staff respondents noted other additional benefits of the CSCA for various stakeholder groups, such as DPS, CSC, community organizations, and offenders.

**DPS:** Respondents identified several benefits for DPS including cost-savings/additional resources (e.g., extra funds with closing of provincial jails, more cost-effective for CSC to house higher risk offenders than for DPS to do so, offenders having access to CSC's programs). Other acknowledged benefits included: efficient use of bed space/accommodations (e.g., closing of provincial jails), joint training between CSC and DPS, and interdepartmental growth, awareness, understanding, and cooperation.

**CSC:** Interdepartmental growth, awareness, understanding and cooperation were identified by respondents as benefits of the CSCA for CSC. There was also a perception among some respondents that by providing services to offenders at an early stage it would reduce the likelihood of these offenders entering the federal corrections system.

**Community Organizations:** Benefits to community organizations centered on increases in financial capabilities and capacity building (e.g., increased client base and referrals).

**Offenders:** According to respondents, the primary benefit for provincial offenders was increased access to institutional programming in order to address criminogenic needs, education, and employment. Increased access to community programs was also observed to be a benefit for provincial offenders and potentially for federal offenders as well.

Interviewees were asked to comment upon the efficiency and cost-effectiveness of the CSCA. Overall, there were mixed perceptions as to whether the CSCA had resulted in more efficient delivery of offender programs within the institutions, with 71% of DPS staff, but only 33% of CSC staff indicating that it had led to greater efficiency in institutional program delivery. On the other hand, few CSC nor DPS respondents perceived that the CSCA resulted in more efficient delivery of offender programs within the community (13% CSC; 0% DPS). Generally, when asked about cost-savings related to the agreement, interviewees were most likely to perceive cost savings due to the reduction in duplication of services, reduced re-offending rates, the ability to leverage additional funds from external sources for community programming, and economies of scale for institutional programs. It should be noted, however, that CSC respondents were more likely to report perceived cost-savings due to reduction in duplication of services than

DPS respondents. Cost savings due to the earlier release of provincial offenders to the community and, especially, to economies of scale for community programs were not generally perceived by DPS or CSC respondents (see Table 16). Overall, when asked about the cost-effectiveness of the CSCA for CSC and DPS, the majority indicated that the CSCA was “not at all” to “minimally” cost effective for CSC (63% CSC; 75% DPS), but “moderately” to “extremely” cost effective for DPS (86% CSC; 60% DPS).

**Table 16: Stakeholder Perceptions of Efficiencies or Cost Savings Related to the CSCA**

	CSC		DPS	
	<i>n</i>	Moderately to Completely (%)	<i>n</i>	Moderately to Completely (%)
In your opinion, have there been cost-savings due to:				
Reduction in duplication of services	7	86%	5	20%
Reduced re-offending rates (thereby reducing institutional population and costs)	5	80%	3	100%
Ability to leverage additional funds from external sources for community programming	5	60%	5	60%
Economies of scale for institutional programs (i.e., lower cost per participant in institutional program)	6	67%	4	50%
Earlier release of provincial offenders to the community (thereby reducing institutional costs)	7	43%	4	25%
Economies of scale for community programs (i.e., lower cost per participant in community program)	7	29%	5	20%

Note: Only the “yes” responses are presented here, since this was indicated by the majority of respondents. The other responses given were mainly “no”, with few “maybes”.

**FINDING 7: There was a need for greater clarity with respect to the CSCA financial provisions and costing methodologies.**

The MOA (2004) provided a description of the billing procedures to be followed, including detailed guidelines for the chart of accounts (stating which jurisdiction is responsible for which aspects of the Agreement), investment in community programs and services, and the actual billing practices in place. However, when asked to comment on the degree to which the

design of CSCA financial provisions was adequate to support the achievement of expected outcomes, several staff members reported that the design was “inadequate” (38% CSC; 0% DPS), or only “somewhat adequate” (50% CSC; 40% DPS). CSC and DPS staff members were also asked to indicate whether there had been challenges in billing and payment procedures. The majority indicated that there were minor or major implementation challenges (56% CSC; 100% of DPS). When asked to indicate if these challenges were resolved, most indicated that they were not (80% CSC; 100% DPS).<sup>26</sup>

Several unresolved challenges with financial provisions were described. It was noted that costs continued to escalate as the provincial offender per diem rate (for custody in CSC federal institutions) increased on a yearly basis. In addition, it was reported that the financial provisions in the Agreement required clarification (e.g., billing provisions for housing offenders in institutions were subject to interpretation and frequently required extensive discussion regarding payments). Evidence for this was found in several letters that were exchanged between CSC and DPS, in which clarifications regarding calculation of bed day usage (in provincial institutions), per diem rate calculations (for both CSC and DPS facilities), and costing formulas were requested and discussed. It was also noted that there had been an increase in the number of provincial offenders transferred to CSC federal institutions for psychiatric assessments imposed by the Courts and provincial offenders transferred to CSC who had been found not criminally responsible on account of mental disorder. There was a reported lack of clarity with respect to the department responsible for the cost of housing these offenders in CSC institutions (i.e., CSC, DPS, or some other provincial agency).

**RECOMMENDATION 3: CSCA financial provisions and costing methodologies should be reviewed and revised to develop unambiguous, mutually-agreed upon costing methodologies.**

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<sup>26</sup> Percentages are presented here, as they are throughout the rest of the report, based on the number of individuals who responded to each question. It is important to note, however, that response rates to questions regarding financial billing procedures and cost effectiveness were somewhat lower than response rates to other questions, due to the fact that many staff did not feel that they had enough knowledge about the financial aspects of the Agreement to comment on these questions.

**FINDING 8: Cost-savings and efficiencies were observed when CSCA provincial offenders were released from CSC institutions through the discretionary release process versus at the ERD.**

Results presented earlier indicated that slightly more than half of CSCA provincial offenders transferred to CSC jurisdiction were released at the ERD rather than through a discretionary release process (i.e., parole). In order to determine the various costs associated with the accommodation of CSCA provincial offenders in CSC institutions, the average number of days that parolees and ERD offenders spent in CSC institutions and the community was determined and used to derive overall incarceration and supervision costs.

Offenders are typically eligible for day and full parole after completing one-sixth and one-third of their sentence, respectively. Provincial offenders who are not paroled are released at ERD without community supervision, which occurs at approximately two-thirds of the sentence. The total cost of maintaining an offender eventually released on parole within CSC institutions includes institutional costs and subsequent community supervision costs. On the other hand, the total cost of maintaining an offender in CSC institutions until ERD is based on institutional costs only since ERD offenders are not supervised in the community after release. Table 17 presents the breakdown of costs for both ERD offenders and parolees based on average number of days that these groups spent in the institution and the community.

Regardless of the institution at which the offender was incarcerated, the average costs of maintaining an offender who was eventually released on parole (i.e., costs associated with incarceration and community supervision) were substantially less than the cost of maintaining an offender who was eventually released at ERD. This was due to the fact that offenders who are eventually released on ERD, although they incurred costs only related to incarceration, spend a substantially greater number of days in the institutions than parolees (on average 341 days vs. 127 days, respectively). It is important to note that although Table 17 presents cost data for all four institutions in New Brunswick, the overwhelming majority of the CSCA offenders were admitted to Dorchester Penitentiary (33%) and Westmorland Institution (65%). Thus, if we consider only these two institutions, the average cost of maintaining a CSCA provincial offender released on parole was approximately \$48,387.94,<sup>27</sup> which was approximately 62% of the

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<sup>27</sup> Averages calculated based on costs Dorchester Penitentiary and Westmorland Institution since 97.9% of the CSCA offenders were admitted to one of these two institutions.

average cost of maintaining a CSCA provincial offender released at ERD in CSC institutions (i.e., \$78,242.23).

It is important to recognize that the cost comparisons presented in Table 17 represent one cycle from CSC admission to either reconviction or WED. Incarceration and supervision costs associated with reconviction (or remand) have not been included as we did not examine length of subsequent sentence or where the offenders were incarcerated (i.e., provincial or federal institutions). Results reported earlier indicated that a significantly larger proportion of offenders released at ERD recidivate than offenders released on parole (54.0% vs. 46.2%, respectively, for any new conviction and 16.4% vs. 6.4%, respectively, for a conviction for a violent offence). As such, the cost differential between offenders released on parole and at ERD would likely be even greater if costs associated with recidivism (i.e., return to custody following a new offence) were taken into consideration.

**Table 17: Earliest Release Date (ERD) and Parole Cost Comparison**

Institution	Institutional Per Diem Rate	Average Days Incarcerated	Average Total Cost of Incarceration	Community Per Diem Rate <sup>a</sup>	Average Days Community Supervision	Average Total Cost of Community Supervision	Total Costs
	(A)	(B)	(A x B) = (C)	(D)	(E)	(D x E) = (F)	(C + F) = (G)
<b>Parole (n = 472)</b>							
Dorchester	\$253.60	127.04	\$32,217.34	\$63.30	304.63	\$19,283.08	\$51,500.42
Westmorland	\$204.60	127.04	\$25,992.38	\$63.30	304.63	\$19,283.08	\$45,275.46
Shepody Healing Centre	\$584.59	127.04	\$74,266.31	\$63.30	304.63	\$19,283.08	\$93,549.39
Atlantic	\$382.96	127.04	\$48,651.24	\$63.30	304.63	\$19,283.08	\$67,934.32
<b>ERD (n = 633)</b>							
Dorchester	\$253.60	341.52	\$86,609.47	N/A	N/A	N/A	\$86,609.47
Westmorland	\$204.60	341.52	\$69,874.99				\$69,874.99
Shepody Healing Centre	\$584.59	341.52	\$199,649.18				\$199,649.18
Atlantic	\$382.96	341.52	\$130,788.50				\$130,788.50

## Notes:

1) Calculated based on data on CSCA offenders released from federal institutions. Data were derived from OMS and CPIC. Average days incarcerated for ERD and parole groups were derived by calculating the number of days between CSC institutional admission and release dates for each offender and averaged across offenders within each group.

2) For parole group, the number of days between release date and date of recidivism or WED (whichever was earlier) was calculated for each offender and averaged across all of the parolees to obtain a mean of 304.63 days of CSC community supervision. Provincial offenders who are incarcerated until ERD are not supervised in the community.

<sup>a</sup> Source: Public Safety Canada (2007). Corrections and Conditional Release Statistical Overview Annual Report 2007 (Cat. No. PS1-3/2007E). Ottawa, ON: Public Works and Government Services Canada.

### 3.4 Evaluation Objective 4: Implementation

*The extent to which the policy, program, or initiative is organized or delivered in such a way that goals and objectives can be achieved. This involves appropriate and logical linkages between activities, outputs, outcomes, and long-term outcomes.*

**FINDING 9: CSC Atlantic Region institutions and DPS facilities have been operating at near- or over-capacity levels. This has resulted in an overall decrease in admissions and an increase in wait times for transfer of CSCA provincial offenders to CSC institutions, particularly at the medium security level.**

The issue of efficient and informed transfers of provincial inmates to federal CSC institutions was raised during the first and second evaluations. Recommendations were made to ensure that the principles of due process were being fully respected. In response to these recommendations, transfer decision documents were amended to allow the inmate the opportunity to challenge the transfer decision, and a protocol to return provincial offenders to provincial custody was put into place. An official timeframe was not established for transfer conditions; however, streamlined intake assessment procedures (i.e., a shortened intake assessment process) were implemented in order facilitate timely transfer of provincial offenders to CSC custody. Overall, recommendations related to transfer process and procedure have been addressed. However, more recent issues related to institutional capacity seem to have resulted in additional implementation challenges related to provincial offender transfers and accommodation.

Staff members were asked to rate the degree to which the design of transfer guidelines was adequate to support the achievement of expected outcomes. The majority of the interviewees who responded rated it to be “adequate” (50% CSC; 86% DPS), while few rated it to be “somewhat adequate” (25% CSC) or “inadequate” (25% CSC; 14% DPS). The majority of interviewees also indicated that there were “minor/major” implementation challenges (67% CSC; 86% DPS). When asked if these challenges have been resolved, the majority of respondents indicated that they were not (90% CSC; 50% DPS staff). Unresolved challenges included guidelines that describe the transfer of provincial CSCA offenders back to provincial institutions

(e.g., based on behavioural/motivational issues) and long wait time/decreases in transfers (e.g., due to process, logistics, and/or lack of bed space in federal institutions).

In order to further examine staff members' comments regarding issues related to wait times, the evaluation team examined the average number of days that CSCA offenders waited to transfer into CSC institutions for all CSCA admissions since 2004/05. Overall, CSCA offenders waited,<sup>28</sup> on average, 71 days (SD = 53.55) between their sentencing date and admission to CSC institutions and ranged from 0 to 450 days (refer to Table 18). Sex offenders also had significantly shorter wait times than non-sex offenders. It is important to note that sex offenders are eligible to be transferred if their sentences are six months or longer whereas all other offenders need to have sentences of at least one year in order to be eligible for transfer under the CSCA. Therefore, there may be increased urgency regarding the transfer of these sex offenders if they have shorter sentences. The average wait time for medium security institutions was significantly longer than that of minimum security institutions.<sup>29</sup> Furthermore, the average wait times have been increasing since 2004/05, particularly for Dorchester Penitentiary (medium security institution; refer to Figure 9). Finally, offenders released at ERD tended to have significantly longer wait times than the offenders released on parole (see Table 18), although they tend to have shorter index sentences than the parole group. Thus, it is possible that longer wait times for transfer to CSC institutions may impact upon the ability to adequately prepare for parole (to be discussed in the next section) and may be one reason for offender releases at ERD rather than on parole.

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<sup>28</sup> Wait time refers to number of days between the sentencing date and the date of admission into CSC penitentiary.

<sup>29</sup> **Note that maximum security institution (average wait time was 111 days, SD = 61.2) was excluded in the analysis due to low CSCA offenders population ( $n = 6$ )**

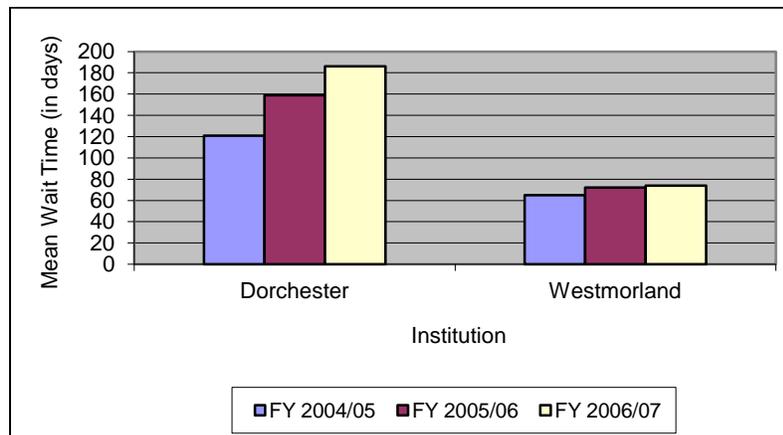
**Table 18: Average Wait Times for CSCA Offenders**

	<i>n</i>	Mean days	(SD)
Total Sample	1,141	71.21	(53.55)
1998-2003/04	757	60.04	(45.31)
Since 2004/05	384	93.21	(61.25)
Type of Release	<i>t</i> = 7.18*		
ERD	635	80.86	(60.76)
Parole	472	57.79	(39.75)
Type of Offender	<i>t</i> = 3.97*		
Non-sex offender	919	74.28	(53.23)
Sex offender	222	58.50	(53.12)
Institution	<i>t</i> = 11.79*		
Medium	114	141.32	(72.00)
Minimum	264	72.03	(41.28)

\* indicates that the average wait-times differ significantly at  $p < .001$ .

Note: Wait time refers to the number of days between the sentencing date and date of admission to a CSC institution.

**Figure 9: Average Wait Time for Transfer to Dorchester Penitentiary and Westmorland Institution since FY 2004/05**

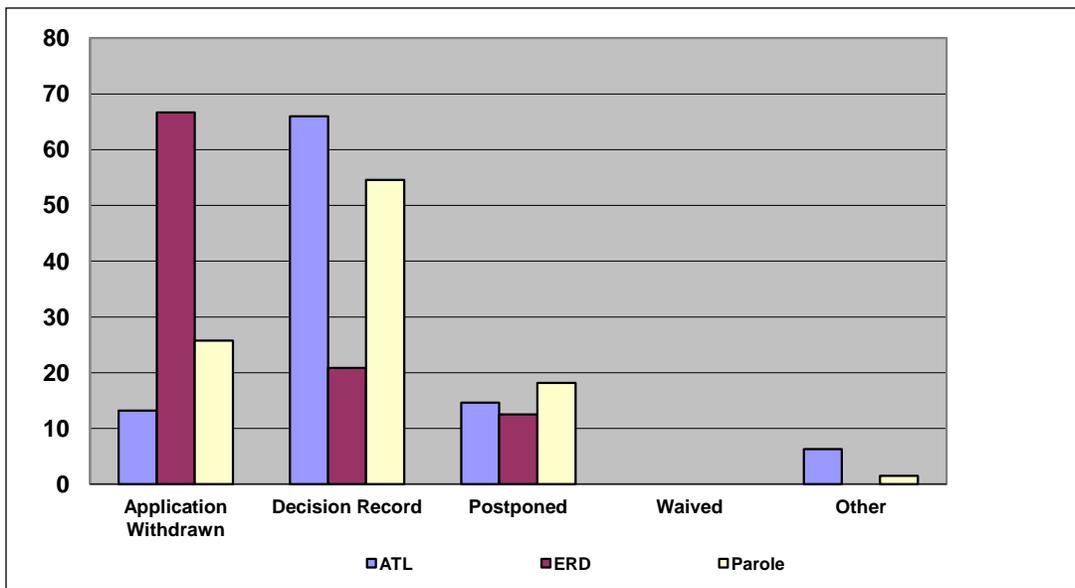


### Parole Applications and Decisions

It is possible that lengthy wait times may have an impact on parole applications. For this reason, overall parole application decisions for parolees, ERD offenders, and for CSC federal offenders in the Atlantic Region as a whole were reviewed. The goal was to determine whether there were any systematic differences in parole application and decisions.

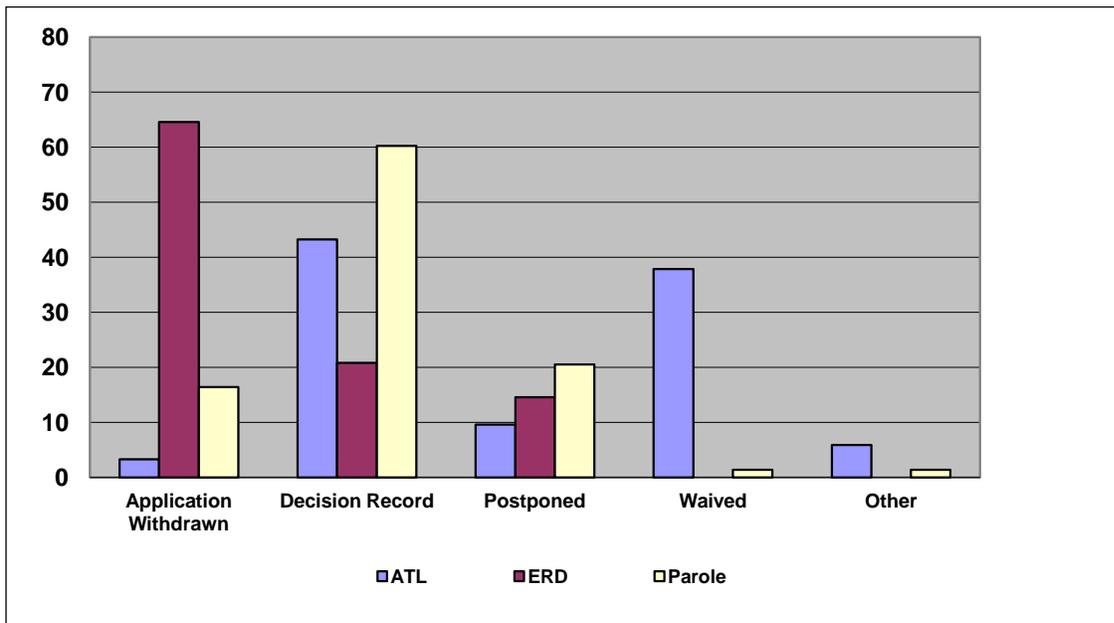
Figure 10 and Figure 11 present the proportion of day and full parole application outcomes for CSCA offenders (ERD and parole groups) and all offenders (federal and provincial offenders incarcerated on an ESA) in the Atlantic region during FY 2006/07 fiscal year.<sup>30</sup> Although some of the counts in the categories were too low to allow statistical comparisons between the groups, the data provide interesting descriptive information which may assist in understanding differences between the two groups.

**Figure 10: Day Parole Application Outcomes for CSCA (ERD and Parole Groups) and All Offenders in the Atlantic Region, FY 2006/07**



<sup>30</sup> Overall, the pattern of results for 2006/07 was similar to the two years prior. Therefore, data for 2006/07 were selected as an example for presentation here.

**Figure 11: Full Parole Application Outcomes for CSCA (ERD and Parole Groups) and All Offenders in the Atlantic Region, FY 2006/07**



Notes:

- 1) A total of 114 day parole applications were made by CSCA provincial offenders in 2006/07. Of these, 48 offenders were eventually released at ERD and 66 were released on parole.
- 2) A total of 121 full parole applications were made by CSCA provincial offenders in 2006/07. Of these, 48 offenders were eventually released at ERD and 73 were released on parole.
- 3) Data for Atlantic region include federal offenders and provincial offenders incarcerated on an ESA. As such, the ERD and parole groups are also included in the Atlantic Region group.

As can be seen in Figure 10, the proportion of ERD offenders who withdrew their day parole applications was more than twice that of the parole group, while the reverse was true for applications that resulted in a decision record. Similar results were found for full parole applications (see Figure 11): the proportion of withdrawn applications for ERD offenders was almost four times that of parole offenders while the proportion of applications that resulted in a decision record for the parole group was almost three times that of the ERD group.

In order to proceed with a parole application, CSC parole officers need to prepare documents (e.g., a community strategy that describes whether or not the offender has appropriate accommodations and supports) within three months of the initial application (NPB, 2007). By the time these documents have been completed, there may be little time left before the offender reaches ERD, particularly since ERD offenders have significantly shorter index sentence lengths (on average, 35 days shorter; refer to recidivism section) and also wait longer to be transferred to CSC institutions than parolees. Therefore, short sentences, combined with longer wait times for

transfer, and potentially related difficulties in completing programs in a timely manner, may lead to a greater likelihood of an ERD release.

There is also the possibility that parole officers may recommend that the offender withdraw the application based on information gathered during case preparation (e.g., unfavourable community strategy or difficulty securing appropriate accommodations). Another possible reason for the withdrawal of a parole application is that by waiting for release at ERD the offender would not be subject to supervision in the community. When considering the time remaining to ERD and the implications of revocations, withdrawal of parole applications may be a more attractive option than proceeding with a parole decision. This interpretation is partially supported by the relatively low percentage of application withdrawals for federal offenders in the Atlantic Region, in comparison to the ERD group.

Consistent with the findings reported in this section, when asked to describe any major issues that had arisen during the CSCA due to differences between jurisdictional regulations/procedures, interview respondents most frequently identified different release, parole procedures, and/or regulations as an issue. On a related point, issues related to institutional programming (such as short provincial sentences) were also identified by respondents as a major issue related to inter-jurisdictional differences that had impacted upon the implementation of the CSCA. Short provincial sentences coupled with wait times before transfer means there is likely less time to participate and engage meaningfully in programs that would help to facilitate parole applications. The third evaluation of the CNBI (CSC, 2002) led to a recommendation that these areas (i.e., timely intake, transfer, and program assignment) be examined and streamlined to facilitate more inmates being eligible for early release. Overall, perhaps due to increasing population pressures, these issues do not appear to have been adequately addressed.

### **CSC Institutional Capacity and Usage**

On average, offenders who were eventually released at ERD were incarcerated in the institutions for an average of 342 days, which is 2.7 times longer than the average number of days in which parolees were incarcerated prior to their release (refer to cost-effectiveness section). One of the factors that may contribute to the high proportion of offenders released at ERD relative to parole may be the increased wait time experienced by ERD offenders. These two factors may be impacted by institutional capacity and usage. As seen in Table 19, CSC

institutions in NB have been operating near capacity levels between 2004 and 2007.<sup>31</sup> Furthermore, as of March 2007, there was an overall usage rate for CSC institutions in New Brunswick of just over 100% when both federal and CSCA usage rates were considered. The two institutions to which the overwhelming majority of CSCA offenders were admitted were Dorchester Penitentiary and Westmorland Institution. Westmorland Institution has been operating near or at capacity for the last three fiscal years with the addition of a small proportion of CSCA offenders. Conversely, Dorchester Penitentiary has been operating at or near capacity when only the custody of federal offenders has been taken into consideration (see Table 20). The attempt to accommodate CSCA offenders in this medium security institution has resulted in the over-population of this institution.<sup>32</sup> Overall, it appears that CSC has little ability to accommodate CSCA provincial offenders in NB institutions, particularly in medium security institutions now and in the future.

**Table 19: Overall CSC New Brunswick Institutional Capacity and Offender Usage Rates**

	Fiscal Year					
	2004 – 2005		2005 - 2006		2006-2007	
	Total	As a percentage of rated capacity	Total	As a percentage of rated capacity	Total	As a percentage of rated capacity
Federal Usage	868	91%	878	92%	901	95%
CSCA Usage	57	6%	46	5%	50	5%
Rated Capacity	954	100%	952	100%	946	100%

Note: Includes Westmorland Institution, Dorchester Penitentiary, Atlantic Institution and Shepody Healing Centre. These data were obtained from CSC NCAOP and RCAOP. These databases were created and maintained by CSC's Operational Planning Branch.

<sup>31</sup> Institutional usage and capacity data were derived from the NCAOP and RCAOP databases maintained by CSC's Operational Planning Branch. Federal usage represents the actual count of offenders at the end of the fiscal years.

<sup>32</sup> Note that CSC institutional capacity/usage rates are based on actual counts taken from snapshot dates (taken on the last day of each fiscal year), whereas NB institutional capacity/usage rates are based on YTD averages.

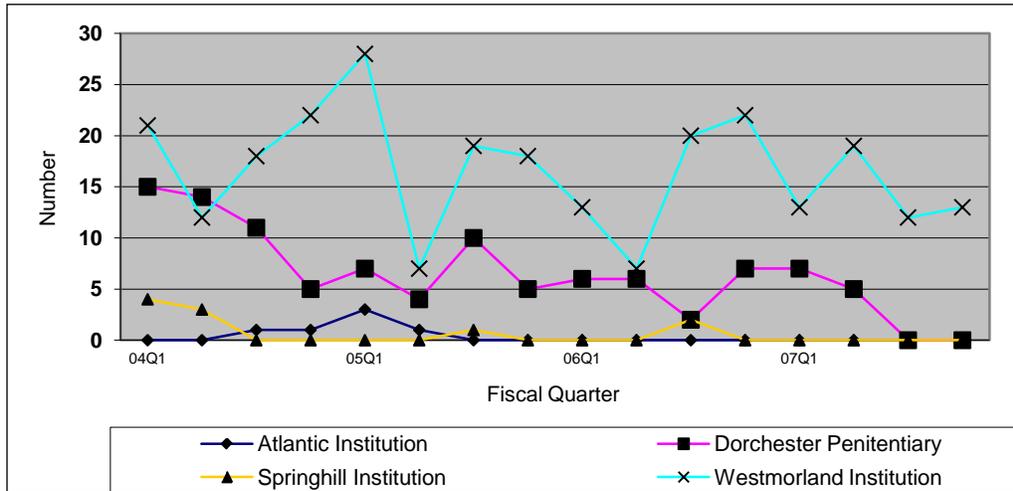
**Table 20: Comparison of Capacity/Usage between Dorchester Penitentiary and Westmorland Institution**

	Fiscal Year					
	2004-2005		2005-2006		2006-2007	
	Total	As a percentage of rated capacity	Total	As a percentage of rated capacity	Total	As a percentage of rated capacity
Dorchester:						
Federal Usage	420	101%	407	98%	429	104%
CSCA Usage	20	5%	13	3%	13	3%
Rated Capacity	416	100%	415	100%	413	100%
Westmorland:						
Federal Usage	212	84%	222	88%	206	82%
CSCA Usage	36	14%	34	13%	37	15%
Rated Capacity	252	100%	252	100%	252	100%

Note: Data regarding federal offender usage and rated capacity were obtained from NCAOP and RCAOP which are created and maintained by CSC's Operational Planning Branch. Data regarding CSCA provincial offender usage of bed space in these institutions were obtained from the CSCA website, based on snapshots of the number of CSCA offenders in these institutions at the end of each fiscal year. This CSCA website was created and maintained by CSCA personnel.

Consistent with these capacity issues, the number of overall admissions of CSCA provincial offenders per year decreased somewhat during the last four fiscal years (ranging from 127 in 2004/05 to 69 in 2007/08). CSCA admissions were highest for Westmorland Institution, followed by Dorchester Penitentiary, Springhill and Atlantic Institutions, respectively. The average admissions to Westmorland Institution declined from an average of 18 CSCA provincial admissions per quarter in 2004 to 14 CSCA provincial admissions per quarter in 2007. Similarly, the average number of CSCA provincial admissions to Dorchester Penitentiary dropped significantly from an average of 11 admissions per quarter in 2004 to only 3 per quarter in 2007. CSCA provincial admissions to Springhill and Atlantic Institutions were relatively low throughout the duration of the Agreement (see Figure 12: Quarterly Admissions (Flow) of CSCA Offenders by Institutions).

**Figure 12: Quarterly Admissions (Flow) of CSCA Offenders by Institutions**



**DPS Institutional Capacity and Usage**

An examination of DPS capacity and usage rates indicates that DPS institutions are currently operating over capacity even without considering the number of provincial CSCA offenders currently housed within CSC institutions. Therefore, given the closure of the provincial institution at the beginning of the CNBI in 1998, there appears to be little capacity for DPS to accommodate the additional CSCA provincial offenders who are currently housed within CSC institutions (see Table 21 for overall capacity/usage rates). In fact, four of six provincial institutions have been operating over capacity in the three year period since 2004/05 (see Appendix E for institution specific capacity and usage information).

**Table 21: Overall DPS Institutional Capacity and Offender Usage Rates**

	Fiscal Year					
	2004-2005		2005-2006		2006-2007	
	Total	As a percentage of rated capacity	Total	As a percentage of rated capacity	Total	As a percentage of rated capacity
Provincially Sentenced Offender Usage	207.3	68%	218.4	72%	198.7	66%
Other Usage	115.7	38%	110.6	37%	130.9	43%
CSCA Federal Usage	11.1	4%	13	4%	12.2	4%
Rated Capacity	303	100%	303	100%	303	100%

Notes: 1) Provincially Sentenced Offender and Other Usage Rates were provided by DPS, based on average daily counts of offenders present in the institutions. CSCA Federal Usage was calculated based on bed day usage rates presented in Table 2 of this report (i.e., average daily counts were estimated by dividing the total number of bed days used per year by 365 days).

2) “Other Usage” represented in this graph included offenders accommodated within DPS institutions for reasons related to: remand, holding, and intermittent custody orders.

Taken together, it appears that CSC is currently experiencing difficulties accommodating CSCA provincial offenders, particularly at the medium security level. It also appears that DPS does not have the institutional capacity to accommodate CSCA provincial offenders currently incarcerated in federal institutions.

During the interviews, respondents were asked if they were aware of any recent or anticipated changes in offender populations, sentencing principles, or CSC or DPS policies/regulations since the inception of the CSCA that have impacted (or may be expected to impact) upon the future direction of the CSCA. The majority of respondents indicated that recent offender population changes were having an impact upon the implementation of the CSCA (88% CSC; 86% DPS). Recent or anticipated changes included: (1) an increase in overall population; (2) an increase in number of offenders with mental health issues; and (3) an increase in number of offenders with short sentences. Most interviewees (81% CSC; 86% DPS) also suggested that recent or anticipated changes to sentencing principles (e.g., mandatory minimum sentences, reductions/elimination of conditional sentencing) might lead to further population pressures that might impact upon the CSCA. In addition several CSC respondents (30%) mentioned recent or anticipated changes to CSC or DPS policy/regulation that might impact upon the CSCA. The most commonly mentioned was the potential for changes due to the recent extensive Report of

the Correctional Service of Canada Review Panel (2007) entitled *A Roadmap to Strengthening Public Safety* (e.g., potential to remove statutory release in favour of “earned parole”).<sup>33, 34</sup>

Notably, the majority of recent or anticipated changes were related to issues/concerns that could be associated in some way with increases in the offender population.

Thus, it appears that current population issues and anticipated increases in offender populations in the future may have a significant impact on the ability to maintain certain aspects of this agreement (e.g., transfer of large numbers of provincial offenders to CSC institutions). During the interviews, respondents provided several suggestions concerning how the CSCA should be adapted in order to accommodate various population challenges. The most common responses given included building new institutions to accommodate increasing offender populations, dedicating a specific number of beds for provincial offenders’ priority in order to ensure their transfer to CSC, or that the CSCA should evolve into a more traditional ESA in order to relieve CSC population management pressures. The provision of additional funding for mental health services (e.g., psychological services, assessments), was also suggested as important in order to address increasing numbers of offenders with mental health issues.

Overall, the conditions under which the Agreement was originally negotiated (e.g., an excess of bed space in CSC institutions) have changed somewhat. Assuming a relatively steady rate of capacity in CSC institutions, any future iterations of this Agreement will need to incorporate a design that enables the effective and efficient transfer and accommodation of CSCA provincial offenders within CSC institutions, particularly at the medium security level, where accommodation pressures appear to be the greatest. The capacity/usage trends suggest that the unresolved challenge of wait time/decreases in transfers to CSC will be difficult to resolve unless changes are made. One way to address some of these issues may be to review and potentially revise the selection criteria for the Agreement.

### **CSCA Selection Criteria**

According to the MOA (2004), the current selection criteria for provincial offender transfers include:

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<sup>33</sup> *A Roadmap to Strengthening Public Safety* discussed the possibility of moving to “earned parole”. Interview respondents used the terms “earned remission” and “earned release” (refer to Appendix F.), but it was inferred that they were referring to the concept of Earned Parole discussed by the CSC Review Panel.

<sup>34</sup> For CSC review panel mandate and list of recommendations: [http://www.ps-sp.gc.ca/csc-scc/report-rapport/appendix\\_i\\_eng.aspx](http://www.ps-sp.gc.ca/csc-scc/report-rapport/appendix_i_eng.aspx).

- Sex offenders serving a sentence of imprisonment between six months and two years less one day;
- All offenders serving a sentence between one year and two years less one day;
- Other provincial offenders; and,
- Offenders who have an appeal pending regarding their sentence and/or conviction will only be considered in exceptional circumstances.

When asked to rate the degree to which the design of the CSCA selection criteria is adequate to support the achievement of expected outcomes, the majority of the interviewees rated it to be “adequate” (58% CSC; 100% DPS), and suggested that there were no implementation challenges. However, some rated the selection criteria as only somewhat adequate or inadequate (42% CSC) and some suggested that there had been “minor/major” challenges (29% CSC; 29% DPS). Of those interviewees who indicated “minor/major” challenges, the majority stated that these were not resolved (100% CSC; 50% DPS). One theme that emerged from the first and second annual evaluations of the CNBI was whether or not offenders should be selected for transfer to CSC based on need and motivation levels identified at intake rather than sentence length. One of the recommendations derived from the external evaluation (CS/RESORS Consulting, 2002) was to clarify the ultimate goal of the CNBI as it relates to criteria for transfer to federal institutions, particularly given concerns with respect to need and motivation for treatment. Interviewee perceptions in the present evaluation were consistent with the previous findings. Specifically, when interviewees were asked to identify changes that should be made to the selection criteria, the majority of staff members who responded suggested discussing criteria related to motivation of offenders to participate in programs/reintegration, or specifying how many provincial offenders to admit under the Agreement.

In addition, it was reported earlier in this evaluation that only slightly more than half (57%) of CSCA provincial offenders released from CSC on parole were able to complete sex offender programs. And approximately 30% of those parolees were unable to complete sex offender programs for population management reasons (e.g., transfers or release). The fact that sex offenders could be transferred to CSC with sentences of only six months or more, in combination with recent population pressures that appear related to an increase in transfer times,

may be making it increasingly difficult for CSCA provincial sex offenders to complete their programming prior to release. The issue of program efficiency and effectiveness for this group (i.e., sex offenders with sentences of six months or more) is one that should be considered in the context of determining the selection criteria for CSCA provincial offender transfer to CSC institutions.

In summary, given the short sentences of CSCA provincial offenders and the short period of time which is available to them to complete correctional programs in preparation for parole applications, it is imperative that CSCA provincial offenders being transferred to CSC under this Agreement arrive at CSC institutions as soon as possible. The recent increases in wait times for transfers to CSC institutions, particularly at the medium security level, appear to be at least partially related to difficulties accommodating the number of CSCA provincial offenders eligible for transfer to CSC due to recent CSC population increases and pressures. Consideration should be given to modifying the selection criteria in some manner (e.g., based on need/motivation level, or security level, or specified number of offenders more consistent with current population realities, etc.) to enable the effective and timely transfer of CSCA provincial offenders to CSC institutions. Given that both CSC and DPS are currently functioning at or above current capacity levels, long-term accommodation plans will need to be made to accommodate offenders in New Brunswick on a more permanent basis for the future.

**RECOMMENDATION 4: Future ESAs between CSC and DPS in New Brunswick will need to incorporate design and selection criteria that will enable effective operation of the Agreement within the confines of the current accommodation pressures experienced by both CSC and DPS.**

**SUMMARY RECOMMENDATION 1: Future ESAs will need to incorporate a design to address: 1) challenges associated with the implementation of any institutional components of this or similar agreements related to recent increases in the offender population; and 2) implementation and design issues related to federal offender participation in provincially-funded community programming.**

## **4.0 Best Practices and Lessons Learned**

One of the two goals of the evaluation was to identify lessons learned and best practices that could be used in the development and implementation of future ESAs. In addition to what has already been presented with respect to successes, implementation challenges, and cost-effectiveness, interview respondents were specifically asked to describe best practices (e.g., strategies that worked) and lessons learned (e.g., suggestions on how obstacles may be avoided or overcome) from their experience with the CSCA. The interviewees were selected amongst a group of individuals who have extensive experience with the design and/or implementation and operation of the CSCA and therefore were poised to provide invaluable information to consider for future agreements of this nature.

Several major themes with respect to lessons learned and best practices emerged from the interview responses, including: (1) the importance of consultation; (2) the need for collaboration and communication at all levels; (3) the importance of being anticipatory, identifying trends, and establishing contingency plans; and (4) establishing clearly defined principles/objectives and roles/responsibilities.

### **The Importance of Consultation**

With respect to enhancing the design of the Agreement, respondents noted the importance of consulting with partners and front-line staff members regarding operational and day-to-day issues in the context of the design of the Agreement. It is possible that enhanced consultation at early stages in the design of the Agreement would have assisted in identifying and managing issues such as the accreditation of community programs. In fact, a lesson learned with respect to the design of the CSCA that respondents thought should be applied to other similar ESA projects was to increase consultations and awareness with staff at all levels of the organization. Furthermore, open dialogue was noted as a best practice for developing and maintaining partnerships with community-based agencies.

### **The Need for Collaboration and Communication at All Levels**

With respect to the overall design of the CSCA, interviewees reported that the development of positive working relationships contributed most positively to the success of the

Agreement. Insufficient communication and cooperation were noted as factors that impeded the resolution of implementation issues, whereas enhanced communication and collaboration were perceived to be the most effective measures to resolve or mitigate implementation challenges. Correspondingly, best practices related to the implementation of the CSCA were collaboration, working together, and focusing on joint goals. When asked about how to prevent or mitigate challenges in future ESAs (with respect to differences between jurisdictional regulations/procedures or population characteristics), staff members suggested increasing communication and information (e.g., face-to-face meetings, information packages for staff and offenders).

### **Being Anticipatory, Identifying Trends, and Establishing Contingency Plans**

The importance of being anticipatory rather than reactionary was also noted by stakeholders. This included, for instance, regular consultations/analyses to identify issues and emerging trends. There was also an identified need to include an amendment system and contingency plans in order to deal more effectively and efficiently with issues that might arise (e.g., issues related to clarity of financial provisions in the agreement, recent implementation challenges related to institutional capacity issues, or community program accreditation issues). It is possible that greater attention to emerging trends/issues and the existence of amendment systems or contingency plans might have been useful in dealing with several issues that arose over the course of the Agreement.

### **Establishing Clearly Defined Principles/Objectives and Roles/Responsibilities**

Stakeholders considered it pertinent to have clearly defined principles and objectives, as well as roles and responsibilities in place. For instance, with respect to the overall design, having clear and appropriate principles/objectives was thought to be an aspect that contributed most positively to the success of the CSCA. Lack of clarity in the Agreement was noted to impede the resolution of implementation issues, while having clearly defined objectives/roles and responsibilities was reported to be an effective measure to resolve or mitigate implementation challenges. Correspondingly, having clearly identified contacts and effective management was considered a best practice in the implementation of an Agreement such as the CSCA. A suggestion for improving collaboration between CSC and DPS, and potentially for avoiding

impediments in future Agreements, was to attempt to maintain stable, dedicated, and informed leadership of the Agreement, and to clarify and impose clear responsibilities and accountabilities. Given the nature and size of the organizations involved, maintaining stable and dedicated leadership for long-term agreements such as the CSCA may present a significant challenge. As such, it may be useful to ensure that future agreements incorporate mechanisms to facilitate knowledge transfer and continuity when faced with issues related to staff turnover.

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## 5.0 Appendices

## Appendix A: Logic Model

The objective of the Canada/New Brunswick Correctional Services Co-ordination Agreement (CNB — CSCA) is to develop an integrated, seamless correctional system in the Province of New Brunswick that contributes to public safety.

Correctional Phase	Activity	Results Short-term	Results Mid-term	Results Long-term
Assessment	Offender assessment and reassessment (compared to provincial offenders who do not participate)	More timely assessments Appropriate placement Targeted correctional plans More comprehensive assessments More safe releases	Earlier parole  Lower rates of re-offending while under supervision  Lower rates of re-offending post sentence expiry  Greater community capacity to support offenders and prevent crime  Lower incarceration rates and associated costs  Cost avoidance  Greater use of alternatives to incarceration  Leveraging of other federal provincial initiatives	Safe Canadian communities
Institutional	Program development & delivery	Economies of scale: Shared expertise Shared administration Increased availability of programs More timely access Lower cost per participant Optimal facility Utilization		
	Program participation	Greater participation More successful completions Better quality (accredited) programs Impact of programs on Early Release Dates		
	Security interventions	Fewer serious incidents Fewer escapes		
Community	Community Supervision Community capacity building	Increased supervision through shared resources	Seamless federal/provincial correctional service delivery (e.g. eliminate unnecessary duplication, information sharing, joint training and development, improved mental health service access, etc.)	
	Community Engagement	Economies of scale through community partnerships and other leveraged federal/provincial resources Balanced services and programs available Effective involvement of volunteers, community groups, agencies and departments in offender support and crime prevention.		

Source: Appendix B of the MOA

## Appendix B: Performance Measurement Strategy

<b>Evaluation Objective 1: <u>Continued Relevance</u></b>		
<b>Does the Correctional Service Co-ordination Agreement (CSCA) remain consistent with departmental and government wide priorities?</b>		
<b>Evaluation Questions</b>	<b>Performance Indicator</b>	<b>Information Source</b>
Are the goals and objectives of the CSCA consistent with objectives of CSC, the NB Department of Public Safety (DPS) and the Government of Canada?	<ul style="list-style-type: none"> <li>• Comparability of CSC and DPS correctional vision, mission, principles.</li> <li>• Link between objectives/activities of CSCA and objectives outlined in Social Union Framework Agreement (SUFA)</li> <li>• Clearly defined roles and responsibilities according to MOA</li> </ul>	<ul style="list-style-type: none"> <li>• MOA</li> <li>• Document Review (e.g., CSC/DPS mission statements, strategic priorities, SUFA)</li> <li>• Key Informant Interviews</li> </ul>
Have the appropriate offenders been identified and included in the Exchange of Services Agreement (ESA).	<ul style="list-style-type: none"> <li>• Number/percentage of offenders from each jurisdiction that have benefited from the Agreement</li> <li>• Profiles of provincial offenders transferred to CSC institutions under the Agreement (risk/need levels, offence histories, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>• OMS</li> <li>• DPS Administrative Data</li> <li>• Key Informant Interviews</li> </ul>
Is there a continued need and institutional/service capacity for the exchange of services between the federal government and the Province of NB?	<ul style="list-style-type: none"> <li>• CSC current/forecasted offender rates and institutional capacity in NB</li> <li>• NB provincial current/forecasted offender rates and institutional capacity</li> <li>• Stakeholders' perceptions of continued need for exchange of federal-provincial services in NB</li> <li>• Identification of changes (e.g., offender populations, legislation, etc) that may necessitate modifications to the Agreement in order to best serve needs of DPS and CSC in future ESAs</li> </ul>	<ul style="list-style-type: none"> <li>• OMS</li> <li>• DPS Administrative Data</li> <li>• Key Informant Interviews</li> </ul>
<b>Evaluation Objective 2: <u>Success</u></b>		
<b>Is the Agreement effective in meeting its objectives, within budget, and without unwanted outcomes?</b>		
<b>Evaluation Questions</b>	<b>Performance Indicator</b>	<b>Information Source</b>
<b>Efficiency</b>		
To what extent does the design of the Agreement allow for the achievement of the expected outputs and outcomes?	<ul style="list-style-type: none"> <li>• Strengths/weakness of design of Agreement related to: <ul style="list-style-type: none"> <li>○ Selection Criteria</li> <li>○ Transfer Process</li> <li>○ Provision of programs/services for NB provincial and CSC federal offenders</li> <li>○ Record Keeping/Billing Practices</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Document Review (e.g., MOA)</li> <li>• Review of Previous CSCA Evaluation Reports</li> <li>• Key Informant Interviews</li> <li>• OMS</li> <li>• DPS Administrative Data</li> <li>• Financial Records</li> </ul>
How could the design of the Agreement be enhanced to better achieve expected outcomes?	<ul style="list-style-type: none"> <li>• Identification of best practices related to design of the Agreement</li> <li>• Lessons Learned (design modifications to avoid/mitigate challenges in future agreements)</li> </ul>	<ul style="list-style-type: none"> <li>• Document Review (e.g., MOA)</li> <li>• Review of Previous CSCA Evaluation Reports</li> <li>• Key Informant Interviews</li> </ul>
<b>Effectiveness</b>		
To what degree has the Agreement resulted in enhanced	<ul style="list-style-type: none"> <li>• Number/percentage of NB provincial offenders transferred to CSC federal</li> </ul>	<ul style="list-style-type: none"> <li>• OMS</li> </ul>

access to CSC institutional programs/services for provincial offenders?	<p>institutions as per Agreement</p> <ul style="list-style-type: none"> <li>• Number/percentage of NB provincial offenders participating in/completing different types of CSC federal programs</li> </ul>	
To what degree has the Agreement resulted in increased access to community programs/services for federal/provincial offenders?	<ul style="list-style-type: none"> <li>• Increase in number/type of DPS services/programs available in NB community pre- and post-Agreement</li> <li>• Number/percentage of federal and provincial offenders on release participating/completing CSC and DPS community programs</li> </ul>	<ul style="list-style-type: none"> <li>• DPS Administrative Records</li> <li>• OMS</li> <li>• Review of Previous CSCA Evaluation Reports</li> <li>• Financial Records (deductions from DPS accounts payable for federal offender participation in DPS community programs)</li> <li>• Key Informant Interviews</li> </ul>
To what degree has the Agreement resulted in positive long-term outcomes in the area of public safety for provincial and federal offenders in the province of NB?	<ul style="list-style-type: none"> <li>• Number/percentage of parole releases vs. ERD releases for NB provincial offenders</li> <li>• Recidivism rates as a function of ERD vs. parole releases for provincial offenders</li> <li>• Recidivism rates (re-offending, returns to custody) among provincial and federal offenders in NB pre- and post-implementation of the Agreement</li> <li>• Review of overall recidivism/crime rates in Atlantic provinces pre- and post-implementation of the Agreement</li> </ul>	<ul style="list-style-type: none"> <li>• OMS</li> <li>• CIPC</li> <li>• Data obtained from other jurisdictions (e.g., NS provincial correctional system)</li> <li>• Statistics Canada data</li> </ul>
To what extent have relations between the two governments and the community been enhanced?	<ul style="list-style-type: none"> <li>• Evidence of collaboration on CSC-DPS joint initiatives</li> <li>• Evidence of community involvement in development of NB correctional programs/services</li> <li>• Strengthened relationships between CSC and DPS, and community partners</li> </ul>	<ul style="list-style-type: none"> <li>• Document Review (e.g., JMC minutes)</li> <li>• Key Informant Interviews</li> </ul>
<p><b>Evaluation Objective 3: Cost Effectiveness</b>  <b>Have the most appropriate and efficient means been used to achieve outcomes, relative to alternative design and delivery approaches?</b></p>		
<b>Evaluation Questions</b>	<b>Performance Indicator</b>	<b>Information Source</b>
To what extent has the integration of federal and provincial corrections systems resulted in a more seamless service delivery, strengthened community structure and reduced duplication of services?	<ul style="list-style-type: none"> <li>• Cost savings as a result of reduction in duplication in services (e.g., reduced institutional costs for DPS, CSC's costs for community-based services are reduced)</li> <li>• Cost savings resulting from increased efficiencies/economies of scale (e.g., cost per program participant due to potential increase in program participation rate)</li> </ul>	<ul style="list-style-type: none"> <li>• OMS</li> <li>• DPS Administrative Data</li> <li>• Financial Data</li> <li>• Key Informant Interviews</li> </ul>
Have there been overall cost savings resulting from reduced incarcerated rates and consequent reductions in institutional costs, in relation to overall investments?	<ul style="list-style-type: none"> <li>• Reduced costs for incarceration of provincial offenders due to earlier parole release (vs. ERD release) while taking into consideration costs related to provision of institutional services, community investments, and parolee supervision.</li> </ul>	<ul style="list-style-type: none"> <li>• OMS (including Recidivism data)</li> <li>• Financial Data</li> </ul>

<b>Evaluation Objective : Implementation</b>		
<b>Has the Agreement been delivered/implemented as designed/intended?</b>		
<b>Evaluation Questions</b>	<b>Performance Indicator</b>	<b>Information Source</b>
Has the Agreement been implemented as designed?	<ul style="list-style-type: none"> <li>• Description of types of challenges and issues encountered</li> <li>• Number/percentage /type resolved</li> <li>• Number/percentage/type outstanding and why</li> </ul>	<ul style="list-style-type: none"> <li>• Document Review (e.g., MOA</li> <li>• Review of Previous CSCA Evaluation Reports)</li> <li>• Key Informant Interviews</li> <li>• OMS</li> <li>• DPS administrative records</li> <li>• Financial Records</li> <li>• JMC Minutes</li> </ul>
What were the overall lessons learned from the implementation of this Agreement that should be considered when implementing similar ESA Agreements?	<ul style="list-style-type: none"> <li>• Number/percentage of challenges resolved/mitigated and how</li> <li>• Lessons Learned (stakeholders suggestions for strategies to avoid or mitigate implementation challenges in future agreements)</li> <li>• Best Practices (stakeholders perceptions of "what worked")</li> </ul>	<ul style="list-style-type: none"> <li>• Document Review (e.g., MOA, Business Case, Working Paper)</li> <li>• Review of Previous CSCA Evaluation Reports)</li> <li>• Key Informant Interviews</li> </ul>

## **Appendix C: Financial Considerations**

### **Definitions and Sources:**

#### **Federal Offenders in Provincial Institutions:**

The Department of Public Safety New Brunswick (DPS) houses federal inmates, both male and female, under suspension or detention at their institutions. The institutions included are Saint John Regional Correctional Centre, Moncton Detention Centre, Island View Community Residential Centre, Bathurst Detention Centre, and Madawaska Regional Correctional Centre. Cost information was provided by CSC-RHQ. The costs include cost of accommodations, information sharing costs and transportation costs.

#### **CSCA - DPS Per Diem Rate Calculation Methodology**

The per diem rate is calculated using the total operating expenditures of the institution where the offender is supervised, according to allowable operating expenditures listed in the Chart of Accounts specified below as per Appendix D of the CSCA and divided by the annual average offender population of the Institution.

#### **CHART OF ACCOUNTS: DPS New Brunswick**

DPS's cost of maintaining offenders (COMO) is the sum of the total operating expenditures of the institution in which the offender is housed (as listed in the following chart of accounts) divided by the annual average actual offender population of the institution.

#### *Salaries and Benefits*

- Base salaries and overtime include the cost of base salaries and overtime pay for all permanent and temporary direct employees of the government
- Supplementary salary costs include the cost of allowances such as shift differentials, premiums and other allowances
- Employee benefits include the cost of employer contributions to employee benefit plans and pensions as well as relocation expenses of employees

### *Operating Costs*

- Fees, allowances and expenses include fees paid to members of boards and commissions, juries and witnesses, and related travel and out-of-pocket expenses
- Travel expenses include travel expenses of government employees and officials on government business
- Professional services include fees and expenses for professional services rendered directly to government such as legal, engineering or management consultation services
- Information systems-operating costs include consulting services, all production costs related to data and word processing operations and services such as data and voice line charges, supplies, repairs, maintenance and short-term rentals of data and word processing equipment
- Office and business expenses includes materials and supplies required for the operation of offices and the conduct of government business, employee training and postal, courier and freight services
- Informational advertising, publications, and statutory notices costs include all costs associated with advertising, publications and special notices required by statute and regulations
- Utilities, materials, supplies, vehicle and equipment costs include the cost of services such as the supply of water and electricity, medical, dental and pharmacy costs, food and clothing in institutions, food, inmate goods materials and supplies, and education materials required for normal operation of government services, and the costs associated with the repair and maintenance of government vehicles, machinery and equipment.

### *Grants and Transfer Payments*

- Conditional grants to individuals, businesses, non-profit associations and others, of a general nature in respect to the provision of programs, services and interventions

### *Other Expenditures*

- Other Expenditures includes only expenditures, which cannot reasonably be allocated to another standard object of expenditure.

### *Recoveries*

- Recoveries within and external to the Consolidated Revenue Fund (CRF).

### **Provincial Offenders in Federal Institutions:**

CSC houses provincial inmates in federal institutions. The institutions included are Atlantic Institution, Dorchester Penitentiary, Westmorland Institution, and Springhill Institution. The cost information was provided by DPS. The costing structure was negotiated in the agreement and is based on an incremental per diem per bed day rates.

### **COMO - CSC Per Diem Rate Calculation Methodology**

The cost of maintaining an offender on a per day basis is obtained by dividing the overall ongoing expenses of CSC by the annual average number of offenders and by dividing the annual cost of maintaining an offender by 365 days. The calculation of these costs is based on actual salaries and operating expenditures as reflected in the 2006/07 Public Accounts, including contribution to employee benefit plan but excluding the retroactive payments of salaries pertaining to previous years for newly signed collective agreements. Also excluded are capital expenses and CORCAN (SOA) disbursements. A reallocation of costs for common services (e.g., personnel, finance, materiel management) and for other shared services (e.g., food, utilities) between certain adjacent institutions (e.g., Westmorland/Dorchester, Laval complex, Joyceville/Pittsburgh) was performed. In addition, a number of central charges (e.g., Employee benefit plan, a monitoring system maintenance contract cost, CORCAN training cost, inmate clothing & officers uniforms and training costs of Correctional Management Learning Centre [CMLC]) were reallocated to the various sites.

### **CSCA - CSC Per Diem Rate Calculation Methodology**

In establishing the per diem rate, the following costs were excluded:

- Capital costs, transfer payments and contributions to employee benefit plans
- Costs related to management services from NHQ and RHQ including staff colleges
- Community supervision

- Direct dynamic and static security and other costs considered as fixed such as those linked to housing (e.g., energy, utilities). These costs were excluded since the majority would have been incurred whether or not provincial offenders were accommodated federally

Given the relatively small numbers of provincial offenders in relation to federal offenders, several CSC budget elements are affected by incremental costs that cannot be accurately quantified. These include costs associated with:

- Correspondence control
- Security for visits
- Escorts
- Urinalysis
- Photocopying

In the determination of an incremental per diem rate for the CSCA only those costs that could be directly attributed to these offenders were included. Initially, the per diem rate was determined to be \$33.56. The per diem rate was established as follows:

**Table C1: Inmate Related Costs**

Food services	\$4.61
Institutional services	\$1.56
Inmate pay	\$4.13
Health care	\$3.75
Pharmacy	\$2.51
Nurse services	\$1.11
Psychological services	\$0.50
Various	\$2.80
Sub-total	\$20.97
Programs	\$12.59
Revised sub-total	\$33.56

**Table C2: Other Costs**

Case management: One parole officer per 25 inmates	\$9.05
Programs	\$3.46
Intake assessment and community release: Due to shorter sentences and greater flow-through nature of these offenders, higher incremental costs are incurred such as admissions and discharges costs, sentence administration, delivery of numerous simultaneous programs	\$8.02
Rate for 2003/04	\$54.07

Higher program costs due to accelerated program needs as this population is assessed as moderate-to-high for programs

**Investment in Community Programs and Services:****Table C3: DPS Investment in Community Programs Available to Provincial and Federal Offenders)**

Program	FY 2003/04	FY 2004/05	FY 2005/06	FY 2006/07	FY 2007/08
Cognitive Living Skills	\$33,500	\$9,500	\$9,500	\$26,854	\$55,010
Anger Management	\$167,964	\$158,500	\$158,500	\$95,563	\$91,293
Partner/Family Abuse Program	\$97,000	\$100,000	\$100,000	\$112,660	\$102,985
Sex Offender Treatment	\$66,000	\$82,000	\$82,000	\$101,698	\$61,030
Substance Abuse Program	\$122,660	\$74,000	\$74,000	\$16,224	\$5,180
Alternative Measures	\$118,807	\$142,500	\$141,881	\$166,251	\$118,219
Other Programs	\$18,000	\$114,239	\$114,239	\$87,630	\$109,306
Chaplaincy	\$52,500	\$71,000	\$70,417	\$98,736	\$98,736
Transportation	\$9,000	\$10,163	\$10,163	\$15,000	\$14,112
Employability Enhancement	\$70,000	\$126,500	\$126,500	\$150,286	\$146,232
Temporary Housing	\$76,039	\$37,500	\$37,500	\$12,191	\$67,570
Community Integration	\$472,500	\$287,141	\$287,141	\$0	\$0
Individual Counselling	\$0	\$0	\$0	\$39,216	\$45,890
Conditional Grants	\$0	\$0	\$0	\$50,800	\$50,000
Female Oriented Programs	\$0	\$0	\$0	\$50,000	\$50,000
<b>Total Investment</b>	<b>\$1,303,970</b>	<b>\$1,213,043</b>	<b>\$1,211,841</b>	<b>\$1,023,109</b>	<b>\$1,015,563</b>

**DPS Recoverable Costs:**

This refers to the costs for programs and services provided by DPS that are subtracted from the overall institutional costs for housing provincial offenders in CSC federal institutions. As part of the Agreement, CSC also pays for: (1) a portion of salary costs for several DPS staff members who provide administrative, financial, and programming services related to the CSCA; and (2) federal offenders' participation in Community Chaplaincy services offered by DPS. The

costs of these items (see Table C4) are subtracted from the institutional costs (based on the incremental per diem rates) of housing provincial inmates in federal institutions and the difference invoiced to DPS.

**Table C4: Department of Public Safety – Fiscal Billing**

	FY 2004/05	FY 2005/06	FY 2006/07
Institutional costs payable to CSC	\$1,444,448.96	\$1,144,471.12	\$1,141,814.25
DPS Recoverable costs			
DPS Staff <sup>a</sup>	\$125,130.38	\$74,843.27	\$85,259.13
DPS Programs: Community Chaplaincy	\$21,390.56	\$30,987.68	\$26,189.12
Total DPS Recoverable Costs	-\$146,521.14	-\$105,830.95	-\$111,448.25
Total paid to CSC by DPS	\$1,297,927.82	\$1,038,640.17	\$1,030,366.00

<sup>a</sup>This includes a portion of salary costs for administrative, financial and programming staff provided by DPS.

## **Appendix D: Detailed Description of Measures, Procedures, and Analysis**

### **Measures and Procedures**

#### ***Semi-structured Interviews***

Semi-structured interviews were designed to address each of the evaluation objectives: (1) continued relevance; (2) success; (3) cost-effectiveness (4) implementation issues; and (5) unintended effects. Closed- and open-ended questions were included in the interview. Response options for the closed-ended questions were categorical (e.g., yes/no/maybe) and rating (3- or 5 point) scales.

***Staff:*** Twenty-three staff members from CSC and DPS participated in the interviews (16 from CSC and 7 from DPS). One interview was completed with a representative of the NPB and the responses from this individual were combined with those of CSC staff in order to maintain respondent confidentiality. Participants from CSC reported working an average of 23.3 years at CSC (SD = 6.8 years; range from 12.0 to 40.0) and 6.2 years (SD = 5.6 years; range from 0.5 to 21.0 years) in their current positions. Participants from DPS reported an average of 18.6 years (SD = 9.9 years; range from 6.5 to 33.0 years) at DPS and 8.2 years (SD = 3.3 years; range from 3.0 to 12.0 years) in their current positions.

***Community-Based Service Providers:*** Interviews were conducted with two staff members from community agencies involved in the delivery of community programs funded by DPS as part of the Agreement. In order to protect the confidentiality of these two participants, primarily qualitative data from their responses are provided in this report, and those responses have been integrated into comments provided by CSC and DPS staff to examine overall themes across all respondent groups.

#### **Institutional Usage/Capacity Rates**

Data from the National Capital Accommodation and Operations Plan (NCAOP) and Regional Accommodation and Operation Plan (RCAOP) were used in the capacity/usage analysis. These databases were created and maintained by CSC's Operational Planning Branch. Data were derived from actual counts representing a snapshot of the offender population on one

day at the end of each fiscal year from 2004/05 to 2006/07. These snapshots include offenders who were in the institutions, or outside for medical or court purposes, or on temporary absences. The rated capacity information took into consideration “any accommodation changes made over the years less the following: cells permanently used to house segregated inmates; suicide watch (observation); health care in non psychiatric centres” (CSC, 2001c), as stated in CD 550. All of the information was approved by the RDC of each Region to operational planning, and was updated on a yearly basis.

Note that bed-day usage for CSCA provincial offenders in CSC institutions for capacity/usage analysis was obtained from Exchange of Services Reports retrieved from the secure CSCA website. Snapshots of the number of offenders in the institutions reviewed at the end of each fiscal year were obtained to provide a summary of CSCA provincial offenders in those institutions for each fiscal year reviewed. This website was a joint effort of DPS and CSC as part of the CSCA, and was updated on a monthly basis by CSC.

***Canada Police Information Center Records:*** Criminal records were obtained through a search of the RCMP’s Canadian Police Information Centre (CPIC). CPIC records provide a complete history of all convictions, including convictions that resulted in provincial and federal sentences. Offender criminal history (including date of sentences, convicted offences) was retrieved from CPIC using FPS numbers and saved as text files. In order to convert the information into a format that is appropriate for analyses, SAS programming codes (i.e., parsing code) were developed to extract the information presented in the text files into a SAS data file. Briefly, the SAS program is designed to search each line of the CPIC text file to identify certain types of information. The CPIC record is presented in a consistent and specific format which enables the program to perform in the same manner for all records. For example, to extract the sentence date, the program searches for a specific length of text presented in a particular location (line and column) of the text file. When the program reaches that position, it extracts all of the text within the specified length and puts the text into the corresponding cell in the SAS data file (spreadsheet). The program continues to extract data for each of the variables included in the parsing code. A reliability check was completed to ensure that the program accurately extracted the information contained in the text file.

Reliability checks were completed on a random sample of 52 offenders that was drawn from the total population of CSCA offenders (i.e., 5% of the population). CPIC records (text files) were cross-referenced with data in the SAS data file.

The SAS data set was created so that each row contained information for one offence only. If an individual was convicted of four offences on the same sentencing date, there would be four rows of data associated with that sentencing date. There were a total of 772 unique offences for the 52 offenders. For the purposes of this evaluation, we examined FPS numbers, sentence dates, and offence codes (which were used to identify whether the offence was of a violent nature). Inconsistencies were found for offence code only (9 cells, 98.8% reliability rate) and all inconsistencies were due to missing data rather than incorrect data. No inconsistencies were found for the remaining seven variables.

### **Intake Assessment**

CSCA provincial offenders transferred to federal institutions are assessed using a modified Offender Intake Assessment (CSC, 2007a), which includes the Preliminary Assessment, Custody Rating Scale, and the Correctional Plan Progress Report. The assessment is completed based on a review of file information (including sentencing information, police reports, comments from the judges, pre-sentence report, and victim impact report) as well as interviews.

***Static Factor Assessment:*** Static Factor Analysis is used to derive the overall static risk level. The Static Factor Analysis is comprised of the Criminal History Record (sample items include the number previous convictions in youth and adult courts, type of convictions, sentences and sanction outcome), Offence Severity Record (e.g., type of victim, use of force on victims, victim harm, and sentence length), and Sex Offence History Checklist (CSC, 2007b).

***Dynamic Factor Analysis:*** The overall Dynamic Factor rating is derived from an assessment of immediate needs (i.e., medical, mental health, and suicide risk potential) as well as the dynamic factor assessment which examines seven target domains. These domains are employment, marital/family, associates/social interaction, substance abuse, community functioning, personal/emotional orientation, and attitude (CSC, 2007b).

***Security Classification Tools:*** The Custody Rating Scale (CRS) is an empirically derived actuarial tool comprised of 12 items that generate security designations of minimum, medium, or maximum security upon an offender's admission.

## **Financial Data**

CSC financial data were obtained from the Corporate Reporting System that is maintained by personnel from CSC's Performance Assurance Sector. The Corporate Reporting System aggregates and presents financial information originally derived from the Integrated Financial and Material Management System (IFMMS).

Additional information regarding CSC and DPS annual bed-day counts and per diem rate calculations are provided in Appendix C.

## **Analytical Procedures**

### ***Interview Data***

The evaluation team conducted frequency analyses of dichotomous and rating-scale questions<sup>35</sup> and qualitative analyses of open-ended interview questions. For open-ended questions, a preliminary analysis of each question was conducted in order to identify themes. Each open-ended response was then carefully reviewed and coded according to the final themes generated through the analysis. Frequencies and percentages were then calculated to provide an overview of findings and the complete results are presented in Appendix G.

### ***Cost-Effectiveness Data***

A descriptive approach to present cost-effectiveness data was used in the present evaluation given the methodological limitations described in detail elsewhere. Instead, the actual cost of the CSCA for 2006/07 was compared to the estimated cost to CSC and DPS had the CSCA not been in effect.

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<sup>35</sup> Note that in some cases, participants were unable or unwilling to respond definitively to some of the dichotomous or rating-scale questions, and chose to respond only with "qualitative" open-ended responses instead. In cases where there was significant missing data in response to dichotomous or rating scale questions, only the open-ended responses were analyzed.

For CSC, the cost of maintaining an offender on a per day basis is obtained by dividing the overall ongoing expenses of CSC by the annual average number of offenders and by dividing the annual cost of maintaining an offender by 365 days. The calculation of these costs was described in Appendix C. Average costs of maintaining offenders was calculated using the actual costs for Westmorland Institution and Dorchester Penitentiary as 98% of the CSCA offenders were admitted to either Westmorland or Dorchester. This average was used to calculate costs to CSC if the CSCA was not in operation.

For DPS, the cost of maintaining offenders is the sum of the total operating expenditures of the institution in which the offender is housed divided by the annual average actual offender population of the institution. Overall averages were calculated across the six institutions (i.e., Bathurst Detention Centre, Dalhousie Correctional Centre, Island View Community Residential Centre, Moncton Detention Centre, Madawaska Regional Correctional Centre, and Saint John Regional Correctional Centre) and were used to calculate expected costs for DPS if the CSCA was not in operation.

## Appendix E: Capacity/Usage Rates

### Capacities and Usage Rates for CSC Federal Institutions (Shepody Healing Centre and Atlantic Institution)

	Fiscal Year					
	2004-2005		2005-2006		2006-2007	
	Total	As a percentage of rated capacity	Total	As a percentage of rated capacity	Total	As a percentage of rated capacity
Shepody Healing Centre:						
Federal Usage	34	71%	33	69%	37	77%
CSCA Usage	0	0%	0	0%	0	0%
Rated Capacity	48	100%	48	100%	48	100%
Atlantic Institution Capacity:						
Federal Usage	202	85%	216	91%	229	98%
CSCA Usage	1	0%	1	0%	1	0%
Rated Capacity	238	100%	237	100%	233	100%

Note. Data regarding federal offender usage and rated capacity were obtained from CSC NCAP and RCAP which are created and maintained by CSC's Operational Planning Branch. Data regarding CSCA provincial offender usage of bed space in these institutions were obtained from the CSCA website, based on snapshots of the number of CSCA offenders in these institutions at the end of each fiscal year. This CSCA website is created and maintained by CSCA personnel.

## Capacities and Usage Rates of Provincial Facilities (DPS)

	Fiscal Year					
	2004-2005		2005-2006		2006-2007	
	Total	As a percentage of rated capacity	Total	As a percentage of rated capacity	Total	As a percentage of rated capacity
Dalhousie Correctional Centre:						
Provincially Sentenced Offenders	18	69%	18.6	72%	20.8	80%
Other Usage	4	15%	1.5	6%	3	12%
Federal Usage	3.4	13%	1.18	5%	2.8	11%
Rated Capacity	26	100%	26	100%	26	100%
Madawaska Regional Correctional Centre:						
Provincially Sentenced Offenders	62.8	90%	67.9	97%	60	86%
Other Usage	23.5	34%	21.6	31%	28.5	41%
Federal Usage	1.34	2%	0.23	0%	0.73	1%
Rated Capacity	70	100%	70	100%	70	100%
Bathurst Detention Centre:						
Provincially Sentenced Offenders	18	69%	18.6	72%	20.8	80%
Other Usage	4	15%	1.5	6%	3	12%
Federal Usage	3.4	13%	1.18	5%	2.8	11%
Rated Capacity	26	100%	26	100%	26	100%
Islandview Community Residential Centre:						
Provincially Sentenced Offenders	0	0%	0	0%	0	0%
Other Usage	0	0%	0	0%	0	0%
Federal Usage	9.88	52%	7.89	42%	9.2	48%
Rated Capacity	19	100%	19	100%	19	100%
Moncton Detention Centre:						
Provincially Sentenced Offenders	31.8	55%	31.7	55%	28.3	49%
Other Usage	38	66%	35.6	61%	37.5	65%
Federal Usage	0.51	1%	0.39	1%	0.22	0%
Rated Capacity	58	100%	58	100%	58	100%
Saint John Regional Correctional Centre:						
Provincially Sentenced Offenders	93.4	78%	99.1	83%	88.7	74%
Other Usage	41.7	35%	43.3	36%	52.5	44%
Federal Usage	1.85	2%	2.13	2%	2.36	2%

Rated Capacity	120	100%	120	100%	120	100%
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Notes: 1) Provincially Sentenced Offender and Other Usage Rates were provided by DPS, based on average daily counts of offenders present in the institutions. CSCA Federal Usage was calculated based on bed day usage rates presented in Table 2 of this report (i.e., average daily counts were estimated by dividing the total number of bed days used per year by 365 days).

2) "Other Usage" represented in these graphs included offenders accommodated within DPS institutions for reasons related to remand, holding and intermittent custody orders.

## Appendix F: Recidivism

### Profile of CSCA Provincial Offender Releases from CSC Institutions

**Table F1: Mean Age at Admission and Index Sentence Length by Release Status and General Recidivism**

	Frequency	%	Age at admission		Index sentence		Time-at-risk	
			Mean in years	SD	Mean in days	SD	in days	SD
Total sample	1,105	100.0%	33.56	11.53			1056.21	956.18
Type of Release								
ERD	633	57.3%	33.49	11.70	467.64	133.60	933.33	880.71
Parole	472	42.7%	33.65	11.31	503.32	120.26	1221.01	1027.01
Recidivism								
Recidivist (violent or non-violent offence)	560	50.7%	29.83	9.00	495.54	124.36	567.92	568.83
Non-recidivist	545	49.3%	37.40	12.54	469.87	132.90	1527.12	1041.45
Violent Recidivists	134	12.1%	29.46	9.44	488.93	128.93	568.75	522.08

ERD offenders had significantly shorter index sentences than parolees ( $t(1103) = -4.58, p < .001$ ) but there was no significant difference between the two groups on age at admission ( $t(1103) = 0.23, p = .819, ns$ ). Offenders released at ERD had significantly shorter time at risk than offenders who did not recidivate ( $t(1103) = 5.00, p < .001$ ).

Recidivists (any violent or non-violent reconviction) were significantly younger ( $t(1103) = 11.55, p < .001$ ) at admission, had longer sentences ( $t(1103) = -3.32, p = .001$ ), and had shorter time at-risk than non-recidivists.

Violent recidivists had significantly longer time at-risk than offenders who did not recidivate violently (568.75, SD = 522.08 compared to 1,123.49, SD = 982.78;  $t(1103) = 6.41, p < .001$ ).

## Chi-Square Analyses: Risk and Need by Type of Release

**Table F2: Proportion of ERD and Parolee Offenders by Risk Level**

Risk	ERD		Parole		Total	
	Frequency	%	Frequency	%	Frequency	%
Low	86	14.5%	166	36.7%	252	24.1%
Medium	254	42.9%	224	49.6%	478	45.8%
High	252	42.6%	62	13.7%	314	30.1%
Total	592	56.7%	452	43.3%	1,044	100%

Note.  $\chi^2(2) = 125.735, p < .001$ .

**Table F3: Proportion of ERD and Parolee Offenders by Need Level**

Need	ERD		Parole		Total	
	Frequency	%	Frequency	%	Frequency	%
Low	18	3.0%	87	19.2%	105	10.0%
Medium	274	46.2%	296	65.5%	570	54.5%
High	301	50.8%	69	15.3%	370	35.4%
Total	593	56.7%	452	43.3%	1,045	100%

Note.  $\chi^2(2) = 175.839, p < .001$ .

## Chi-square analyses: Recidivists by type of release

**Table F4: Proportion of Offenders in the ERD and Parole Groups Who Had a New Conviction for a Violent or Non-violent Offence (any recidivism)**

Type of Release	New Offence (Violent or Non-Violent)					
	No		Yes		Total	
	Frequency	%	Frequency	%	Frequency	%
ERD	291	46.0%	342	54.0%	633	57.3%
Parole	254	53.8%	218	46.2%	472	42.7%
Total	545	49.3%	560	50.7%	1,105	100%

Note.  $\chi^2(1) = 6.65, p = .010$ .

**Table F5: Proportion of Offenders in the ERD and Parole Groups Who Had a New Conviction for a Violent Offence (violent recidivism)**

Type of Release	New Violent Offence					
	No		Yes		Total	
	Frequency	%	Frequency	%	Frequency	%
ERD	529	83.6%	104	16.4%	633	57.3%

Parole	442	93.6%	30	6.4%	472	42.7%
Total	971	87.9%	134	12.1%	1,105	100%

Note.  $\chi^2(1) = 25.75, p < .001$

### Cox Regression Survival Analyses

**Table F6: Cox Regression Analysis to Examine Whether Survival is a Function of Type of Release for Any New Conviction (violent or non-violent offence)**

	$\beta$	SE	Wald	df	Sig.	Odds ratio	95.0% CI for Odds Ratio	
							Lower	Upper
Block 1								
Age at Admission	-0.046	0.005	92.402	1	0.000	0.955	0.946	0.964
Index Sentence Length	0.000	0.000	0.277	1	0.599	1.000	0.999	1.001
Need (low)			7.733	2	0.021			
Need (medium)	0.262	0.204	1.644	1	0.200	1.299	0.871	1.940
Need (high)	0.523	0.227	5.327	1	0.021	1.687	1.082	2.631
Risk (low)			27.047	2	0.000			
Risk (medium)	0.534	0.140	14.562	1	0.000	1.706	1.297	2.244
Risk (high)	0.854	0.164	27.038	1	0.000	2.349	1.703	3.241
Block 2								
Type of Release <sup>a</sup>	-0.071	0.103	0.471	1	0.493	0.931	0.761	1.141

Note. a Type of Release: 0 = ERD and 1 = Parole.

**Table F7: Cox regression analysis to examine whether survival is a function of offender group (ERD and parole) for new conviction for a violent offence**

	$\beta$	SE	Wald	df	Sig.	Odds ratio	95.0% CI for Odds Ratio	
							Lower	Upper
Block 1								
Age at Admission	-0.049	0.010	24.112	1	0.000	0.952	0.933	0.971
Index Sentence Length	0.000	0.001	0.043	1	0.836	1.000	0.998	1.001
Need (low)			8.264	2	0.016			
Need (medium)	0.403	0.545	0.546	1	0.460	1.496	0.514	4.351
Need (high)	1.009	0.576	3.069	1	0.080	2.743	0.887	8.484
Risk (low)			4.985	2	0.083			
Risk (medium)	0.393	0.319	1.518	1	0.218	1.481	0.793	2.768
Risk (high)	0.749	0.355	4.450	1	0.035	2.116	1.055	4.244
Block 2								

Type of Release <sup>a</sup>	-0.704	0.242	8.488	1	0.004	0.495	0.308	0.794
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Note. a Type of Release: 0 = ERD and 1 = Parole.

## Appendix G: Themes from Open-Ended Interview Questions

### General Notes:

- This Appendix provides information regarding themes from open-ended interview questions. Responses to dichotomous (yes-no) and rating scale questions are reported in the text of the document.
- Percentages were calculated using total number of respondents from each source interviewed.
- Note that total percentages may not sum to 100% since multiple themes were noted by individual respondents.
- Note that only responses to questions where clear themes emerged relevant to the evaluation questions are listed here. In some cases, few responses were generated by interviewees, or no clear themes emerged based on the responses that were generated. Thus, some questions may not be shown here due to lack of clear emerging themes.
- Note that due to the nature of these questions and the degree of knowledge that different stakeholder groups were expected to have with respect to a specific topic area, not all questions were presented to all stakeholder groups. Blank spaces are shown in the tables below when the question was not presented to that particular stakeholder group, or in rare cases, when none of the respondents for that group provided responses relating to any identifiable themes.
- Note that community service providers were not included in these tables for confidentiality reasons. Responses from community service providers were reviewed to ensure representation of these themes within the tables presented in this appendix.
- Note that responses from the 1 National Parole Board respondent were included with the CSC staff count in these tables.



## A. Relevance

In your opinion, why/why not is there a continued need for the CSCA between the federal government and the province of New Brunswick?

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
<b>Reasons for Continuing</b>		
Access to better resources & programming in federal system	35%	43%
Merit in principles of Agreement	18%	29%
Enhanced offender reintegration / public safety	18%	14%
Reduction in duplication of services	18%	-
Cooperation between two levels of government / mutual learning	12%	-
Always need for some kind of ESA	6%	14%
<b>Reasons Against Continuing</b>		
Difficulties related to community programs (e.g., accreditation issues, federal offender utilization)	24%	-
Lack of bed space in CSC institutions	24%	-
Difficulties for provincial offenders in institutions (e.g., short sentences to deliver programming on time, early release)	18%	-

## B. Success

Briefly describe the factors that have hindered the progress in addressing service gaps in the community through DPS' investment in community programming/services.

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Insufficient resources (funding, records management)	35%	29%
Federal requirements for program accreditation	18%	29%
Insufficient communication/awareness/relationship building between CSC and DPS	18%	29%

Briefly describe the factors that have contributed to addressing the service gaps in the community through DPS' investment in community programming/services

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Communication/Collaboration – CSC and DPS and/or Community Agencies	24%	29%
Best access/use of unique DPS/CSC resources/capabilities	6%	14%

If not already discussed, briefly describe any other ways in which the CSCA has benefited DPS

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Financial benefits/additional resources	59%	71%
Efficient use of bed space/accommodations (e.g., close provincial jails)	29%	14%
Joint training – between CSC and DPS	12%	14%
Interdepartmental growth/awareness/understanding/cooperation	6%	29%

If not already discussed, briefly describe any other ways in which the CSCA has benefited CSC

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Interdepartmental growth/awareness/understanding/cooperation	41%	29%
Provided services to provincial offenders to keep them out of the federal system	18%	14%
CSC obtains better/less costly services/information for federal offenders	12%	29%

#### D. Partnerships/Collaboration

Briefly describe factors that facilitated cooperation (i.e., best practices/what worked)

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Communication (e.g., regular meetings, dialogue, sharing)	53%	71%
Staff expertise/experience	12%	-
Ability to adapt processes when necessary	12%	-
Commitment to shared vision/goals	6%	29%
Staff leadership/dedication/buy-in	6%	14%

Do you have any suggestions for improving collaboration between CSC and DPS, or how obstacles to cooperation could be avoided in future agreements (i.e., lessons learned)?

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Communication, understanding/buy-in at all areas/levels of organization (NHQ/RHQ; Institutions/Community; Management/Front-line staff)	35%	71%
Maintain stable, dedicated, informed leadership of agreement	12%	14%
Clarify /enforce responsibilities and accountability	12%	-

Please describe any obstacles that you encountered (if any) when enlisting participation from other community service providers and how these obstacles were addressed or resolved (i.e., lessons learned).

Theme	CSC/NPB Staff (n = 17)	DPS Staff (n = 7)
CSC Requirement for Accredited Programs	6%	14%

Describe some of the best practices for developing and maintaining partnerships with community-based agencies

Theme	CSC/NPB Staff (n = 17)	DPS Staff (n = 7)
Open dialogue – communication/community involvement/consultation	24%	71%
Determine/focus on needs of clients (rather than organizational needs)	-	29%

## E. Design and Implementation

Specify changes required to design and unresolved implementation challenges of Selection Criteria.

Theme	CSC/NPB Staff (n = 17)	DPS Staff (n = 7)
Discuss criteria related to motivation to participate in programs / reintegration	18%	14%
Specify how many provincial offenders to admit under the Agreement	18%	-

Specify changes required to the design and unresolved implementation challenges of Transfer guidelines.

Theme	CSC/NPB Staff (n = 17)	DPS Staff (n = 7)
Wait time / decreases in transfers (due to process / logistics / lack of bed space in federal institutions)	35%	43%
Changes to provisions regarding provincial transfers back to province (e.g., based on behavioural / motivational issues)	24%	14%

Specify changes required to the design and unresolved implementation challenges of Community Programs and Service Provisions.

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Lack of federal offenders' participation (primarily related to CSC accreditation requirements)	29%	57%
Increase awareness / input / "buy-in"	24%	14%

Specify changes required to the design and unresolved implementation challenges of Financial Provisions/Billing & Payment Procedures.

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Provisions in Agreement need clarification (e.g., billing provisions subject to interpretations)	18%	29%
Costs continue to escalate (provincial offender per diem rate increases)	6%	29%

Specify changes required to the design and unresolved implementation challenges of Documentation/Record Keeping Procedures.

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Challenges related to providing provincial offender files to CSC (e.g., delays, insufficient information)	24%	14%
Should collect/report more on "outcomes" of Agreement (e.g., re-offending)	12%	43%

With respect to the overall DESIGN of the CSCA, what aspects do you feel contributed most positively to the success of the CSCA and why?

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Increased access to CSC programming/services for provincial offenders	24%	14%
Clear/appropriate principles/objectives	12%	43%
Development of positive working relationships	12%	14%

How could the design of the CSCA be enhanced to better achieve expected outcomes?

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Resolve issues related to community programming/CSC program accreditation requirement	29%	-
Referral/transfer process needs to be redesigned (e.g., to manage long wait lists, unmotivated offenders)	24%	-
Provisions to address recent bed space difficulties (e.g., province receives percentage of beds)	12%	-
Consult with various partners/front-line staff regarding operational/day to day issues in context of Agreement design	6%	29%

What, if any, lessons were learned with respect to the design of the CSCA that could be applied to other ESA projects of this nature?

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Need to increase consultations/awareness with staff at various levels of organization	18%	14%
Be anticipatory / not reactionary (e.g., consider future needs/trends, include amendment system/contingency plans)	18%	-
Need a standardized process/templates across ESAs	6%	14%

Please describe any unresolved implementation challenges with Provision of Programs for Incarcerated Offenders.

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Difficult to complete programs prior to release (e.g., short sentences, wait times for transfer to CSC)	24%	43%
Francophone program needs not addressed	12%	-

In your opinion, what are the factors that impeded the resolution of these implementation issues?

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Insufficient communication/cooperation/leadership	35%	43%
Shortage of bed space in CSC institutions	12%	14%

What measures did you find to be most effective for resolving or mitigating implementation challenges (i.e., lessons learned)?

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Communication/collaboration/consultation (e.g., operational meetings, face-to-face meetings)	41%	57%
Clearly defined objectives, roles and responsibilities	12%	14%

Describe any best practices related to the implementation of an Agreement like the CSCA

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Collaboration/working together/focus on joint goals	24%	29%
Clearly identified contacts/effective management	12%	-

Please describe any major issues due to differences between jurisdictional regulations/procedures or concurrent provision of services to different offender populations.

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Jurisdictional regulations/procedures		
Different release/parole procedures/regulations (e.g., ERD vs. parole, different parole application procedures)	24%	-
Institutional programming issues (e.g., due to short provincial sentences)	12%	14%
Concurrent provision of services		
Differences in program standards/accreditation	6%	29%

Are any of these issues outstanding (i.e., not yet resolved)? If yes, which ones and what actions are being taken to resolve them?

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Different parole procedures for provincial vs. federal offenders -> legislative issues (may require legal changes)	12%	-

Do you have any suggestions to prevent or mitigate these types of challenges in future ESAs of this nature?

Theme	CSC/NPB Staff	DPS Staff
	(n = 17)	(n = 7)
Increase communication/information (e.g., face-to-face meetings, information packages for staff/offenders)	18%	-
Increased planning/standards set at onset	12%	-

## F. Unintended Effects/Other

Briefly describe any unanticipated positive or negative effects of the CSCA.

Theme	CSC/NPB Staff (n = 17)	DPS Staff (n = 7)
Positive		
Collaboration/partnership/interaction between organizations	24%	29%
Capacity building	6%	-
Negative		
Insufficient collaboration/mistrust/deterioration of relationship	18%	29%

Please describe any recent or anticipated changes in offender populations, sentencing principles, or CSC or DPS policies/regulations, etc since the inception of the CSCA that have impacted (or may be expected to impact) upon the CSCA.

Theme	CSC/NPB Staff (n = 17)	DPS Staff (n = 7)
Offender populations		
Increase in overall population	41%	43%
Increase in number of offenders with mental health issues	12%	-
Sentencing principles		
Tougher sentencing / mandatory minimum	41%	71%
Reductions/elimination of conditional sentencing	18%	14%
CSC policies		
Issues Raised from Blue Ribbon Panel <sup>a</sup> (e.g., earned remission/earned release)	29%	-

Note: a Refers to the review chaired by Mr. Rob Sampson: CSC Review Panel (2007). A Roadmap to Strengthening Public Safety (Cat. No. PS84-14/2007E). Ottawa, ON: Minister of Public Works and Government Services Canada

Should the CSCA be adapted to accommodate these changes? And if so, how?

Theme	CSC/NPB Staff (n = 17)	DPS Staff (n = 7)
Build new institutions	12%	43%
Funding for mental health services (e.g., psychological services, assessments)	12%	-
Evolve into more traditional ESA	12%	-
Dedicate specific number of beds for provincial offender priority	6%	-

Are there any additional lessons learned from the CSCA that have not been mentioned yet of which we should be aware?

Theme	CSC/NPB Staff ( <i>n</i> = 17)	DPS Staff ( <i>n</i> = 7)
Ensure clarity of Agreement	6%	-
Collaboration / working together / partnering with province	18%	-
Strong leadership to provide support for initiative	12%	-