

Section 5: Overview of the Management of Offenders

The majority of people sentenced to federal institutions will eventually return to society. Because of this, the Correctional Service of Canada (CSC) emphasizes the importance of an offender's safe reintegration into the community and the programs necessary to help make this happen.

CSC begins this process by determining the factors that led to an offender's crime. This information is then used to develop a plan to address these factors. The development of a correctional plan involves analyzing the behaviours that brought the offender into conflict with the law, assessing the risks they pose, identifying their potential for safe reintegration and recommending suitable programs and treatments.

In compliance with the principles of the *Corrections and Conditional Release Act*, CSC manages the offender population using the following methods:

1. Offender Intake Assessment

Following sentencing, each offender undergoes a review called the Offender Intake Assessment (OIA). This process evaluates the risk and correctional needs of the offender.

To complete the assessment, CSC staff gather all the information available about the offender from a variety of sources, including police, courts, victims, family members, employers, and psychologists. This information is then analyzed and used to identify the main risk factors that may affect the safe, secure and humane management of the offender during incarceration, and his/her potential for safe reintegration into the community. Specific tools and policy guidelines are used during the analysis process.

Based on the intake assessment, staff develop a correctional plan for each offender. The plan determines the offender's security classification (minimum, medium,

maximum), which determines the security level of the institution to which the offender will be placed and any necessary rehabilitation programs that will assist in the reduction of, and/or management of risk.

2. The Correctional Plan

Once the placement is made, a correctional plan is developed for each offender. This plan is based on the results of the OIA and is designed to address specific factors that relate to an offender's criminal behaviour.

For example, if substance abuse is a problem, the plan will focus on breaking the cycle of substance abuse. If violence is a problem, the plan will focus on teaching offenders to understand the dynamics of their abuse and train them to replace these abusive behaviours with positive, non-abusive skills and conduct.

The correctional plan details all the programs, interventions and activities to be undertaken by the offender to address the factors that led to his/her incarceration. The plan also acts as a yardstick against which an offender's progress can be measured throughout the sentence. Progress is

continually monitored and is a significant consideration in all decisions relating to the offender, including transfers to reduced security or conditional releases. Public safety is always the paramount consideration in these decisions.

CSC offers a wide range of fully accredited correctional programs, both within the prison system and to offenders on parole. The programs address the attitudes and beliefs that appear to have led to an offender's criminal behaviour, help them develop social skills and upgrade their education. The goal is to ensure their safe return to the community and their prospects for finding and keeping a job.

All programs are supported by current research and have clear objectives, along with criteria for selecting participants and a process for measuring their progress. Programs are also regularly evaluated for their effectiveness. Research has shown that programs that teach behavioural skills are 50% more effective in reducing the likelihood of re-offending. It also indicates that rehabilitation programs are more effective when delivered in the community, as opposed to in a correctional setting.

As offenders progress through the correctional system to lower security levels and more freedom of movement, the programs and activities are tailored to more closely reflect the conditions the offender is likely to encounter once released into the community. Programs focus on several main areas: cognitive skills, anger management, violent behaviour, substance abuse, sexual deviance, family violence, education and literacy. There are also specialized programs for women and Aboriginal offenders.

There are four streams of intervention for women offenders: correctional programs, which target criminal behaviour; mental health services, which are referred to as treatment and are aimed at symptom reduction and well-being; education and employability programs, which have been linked to successful reintegration; and social programs, which assist and reinforce successful reintegration.

For a complete listing and description of correctional programs, please refer to the [Programs](#) section of the CSC website.

3. Risk Assessment

Risk assessment provides a way of assessing the likelihood of re-offending by the offender. Once this has been identified, CSC staff can decide how best to manage the risk through appropriate programs and treatment. However, because the process involves treatment of human behaviour, it is not foolproof.

Risk assessment is an ongoing process that begins when an offender enters the correctional system and continues for as long as he/she is under supervision, whether in an institution or in the community. By regularly measuring changes in behaviour and attitudes, Parole Officers can adapt the correctional plan as needed.

Risk assessment forms the basis for conditional release decisions made by the National Parole Board (NPB). While on conditional release (parole), the offender's risk factors are monitored by a Parole Officer, who may seek input from the police, employers, family members and community agencies. Any change in perceived risk to the community can be offset by a number of actions including disciplinary interviews, imposition of additional conditions, or ultimately, suspension of conditional release and return to a correctional facility.

4. Rehabilitation

Incarceration and supervision alone do not stimulate the long-term changes that many offenders require in order for them to lead productive, law-abiding lives in the community. Treatment services and programs are also necessary to bring about positive changes in behaviour. The rehabilitation programs identified in the offender's correctional plan are aimed at treating problems that interfere with his or her ability to function in society, such as getting along with other people or finding and maintaining meaningful employment. Participation in education is a requirement if offenders have not achieved the basic educational standard. In addition, offenders may attend work as part of their correctional plan.

5. Security Re-Classifications

The security classification of an offender is reviewed annually or bi-annually. Receipt of new information significantly affecting the offender's Correctional Plan and potentially resulting in a change of risk will result in an immediate review of the offender's security classification.

The custody rating scale and security re-classification scale are research-based tools used by staff to determine the most appropriate level of security throughout the sentence. It is important to understand that these scales provide a broad assessment of an offender's performance while incarcerated. This includes behaviour, correctional programs and work progress.

The transfer of an offender to lower security depends on their progress at the current level and upon the assessment of the risk for public safety, escape and institutional adjustment.

6. Conditional Release (Parole)

Conditional release means releasing offenders into the community before their sentence is completed under strictly defined conditions and with supervision and support. Conditional release is only granted when CSC or the NPB has determined that the offender's risk is manageable in the community.

The purpose of conditional release is to protect the public by helping offenders make a safe, gradual, supervised return to society. Conditional release allows for the early identification of offenders who are having difficulty making the transition to the community. For example, if they breach the conditions of parole, they can be returned to a federal institution even if they have not committed another criminal offence.

Offenders who are incarcerated until their sentence has expired (warrant expiry) are released into the community without any controls or supervision. These offenders have an increased chance of committing another crime. Conditional releases are more conducive to the safe reintegration of offenders than keeping them in the institution until their warrant expiry date.

In keeping with the principle of gradual, supervised return to society, conditional release consists of five types of release, as set out in the *Corrections and Conditional Release Act*.

For each type of conditional release, failure to comply with the conditions set out by the National Parole Board (NPB) can lead to CSC suspending the release and returning the offender to custody during this time. The NPB would then conduct a review to decide whether to revoke the release.

The five types of conditional release are:

Temporary absences (escorted and unescorted)

Temporary absences can be granted to offenders in order to provide them with opportunities to maintain family and community ties and to avail themselves of rehabilitative, employment, personal and cultural activities with the goal of reintegrating them into the community and enhancing public safety.

An escorted temporary absence may be granted at any time during the sentence, whereas an unescorted temporary absence may be granted only after an offender has served one-sixth of the sentence or six months, whichever is greater.

Offenders classified as maximum security and offenders detained beyond their Statutory Release date are not eligible to apply for unescorted temporary absences.

Work release

This type of conditional release allows offenders from minimum and medium security facilities to do paid or voluntary work in the community under supervision, as long as they do not pose an undue risk to society, to gain the skills required to improve their employability in the community upon release. By offering practical experience, work releases give offenders an opportunity to contribute to the community, thus increasing their self-esteem and reducing their chances of re-offending.

Day parole

Day parole allows offenders to participate in community-based activities in preparation for release on full parole or statutory release.

Offenders become eligible to be considered for day parole six months before their full parole eligibility date. First-time, non-violent federal offenders are also eligible for day parole after serving one-sixth of their sentence. Those imprisoned for either first or second degree murder become eligible for day parole three years before they are eligible for full parole. Only the NPB can grant day parole, and it does so only if it determines that the offender does not pose an undue risk to society.

Full parole

Inmates are normally eligible to be considered for full parole by the NPB once they have served one-third of their sentence, or seven years, whichever is less.

Under the *Corrections and Conditional Release Act*, judges can, at the time of sentencing, increase the time that violent and serious drug offenders spend in a correctional facility by delaying their eligibility for full parole until they have completed one half of their sentence. Offenders sentenced to life for first degree murder or high treason are not eligible to be considered for parole until they have served 25 years. Those sentenced to life for second degree murder may apply for parole after serving between 10 and 25 years, as determined by the court.

Offenders who are serving life sentences and are granted parole remain on parole for the rest of their lives.

Full parole is granted by the National Parole Board after careful assessment by CSC that the offender does not pose an undue risk to society.

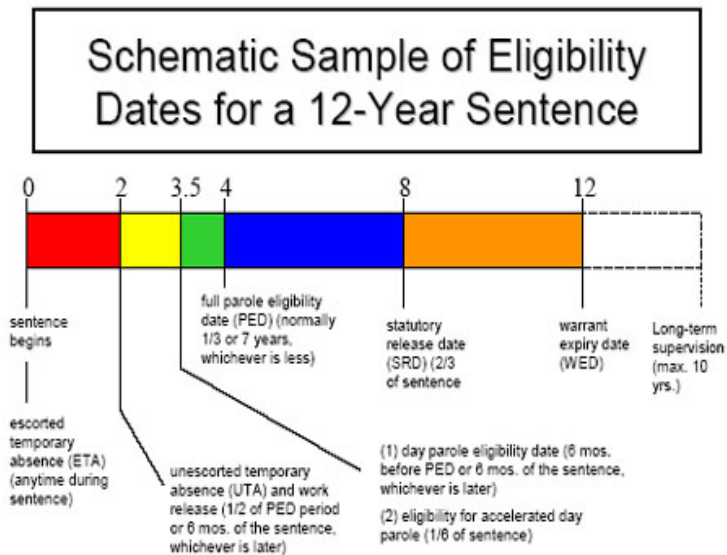
Statutory release

Statutory release is a form of supervised release to the community.

Most offenders who are serving sentences of fixed length, and have not been granted parole or had their parole revoked, will be released by law on statutory release after serving two-thirds of their sentence. However, the NPB may add conditions to the release to protect society and help the offender adjust to the outside world in a law-abiding manner. These conditions may include an order to live under strict residential conditions (i.e. in a halfway house).

Offenders will not be released at two-thirds of their sentence, if upon referral from CSC, the NPB determines that an offender is likely to cause serious harm or death to another person; to commit a serious drug offence; or to commit a sexual offence involving a child prior to completion of their sentence. The NPB may order the offender to remain in a correctional institution until the sentence expires.

If a decision is made to detain an offender until the end of his or her sentence, the NPB must review that decision once a year. Statutory release does not apply to offenders serving life or indeterminate sentences.



*Please note that this is only an example. Also, offenders are not automatically eligible for parole, they are **only eligible to apply** for it.

7. Long-term Supervision Orders

Depending on the offender's assessed potential for safe reintegration and the nature of the original offence, the court may impose a long-term supervision order on inmates who have served

their full sentence and are eligible for release. These orders can apply for up to 10 years, if needed to ensure public safety.

A long-term supervision order lays down conditions for behaviour that are similar to those for parole. If the conditions are breached, and it is determined that the offender still poses a threat to public safety and that there are no suitable community-based alternatives to manage the risk posed by the offender, the long-term supervision order may be suspended and the offender taken into custody.

8. Supervision of Offenders in the Community

Every day in Canada, there are federal offenders living or working in the community under some form of conditional release. They are there because the NPB has determined they can be safely managed in the community with proper supervision, support and controls. In making these decisions and in setting the conditions for release, the NPB relies on many partners.

First among these is CSC, which provides the release plan as well as background information on an offender's criminal history, performance in the institution and involvement in correctional programs. Community agencies, police, victims and others provide input about an offender's ability to reintegrate successfully. When an offender is released into the community, he or she must adhere to a number of standard conditions, including:

- reporting regularly to their parole officer and the police as instructed; and
- always carrying their release certificate or identity card and presenting it to any police officer who requests it.

The NPB can also impose additional conditions such as avoiding alcohol and staying away from known criminals, victims and their families or attend correctional programs offered in the community. Breaking one of these conditions could result in the offender being sent back to a correctional institution. Parole officers and police share information, enforce these rules and supervise offenders in the community.

Apart from monitoring and supervision, an important part of the parole officer's job is to make sure offenders are linked to community services, volunteers and programs that can help them successfully reintegrate. Examples of these include after-care agencies, counselling, education, training, and job search assistance. For many offenders, community chaplains also play a key role in their safe and productive return to society. For others, the family may form part of the supervision plan (though that depends on the family situation). In general, the more ties offenders have to the community, the more likely they are to make a successful transition.