

Office of the Correctional Investigator



# Overcoming Barriers to Reintegration:

## An Investigation of Federal Community Correctional Centres



The Correctional Investigator L'Enquêteur correctionnel Canada  
Canada

Canada



**OVERCOMING BARRIERS TO REINTEGRATION:  
AN INVESTIGATION OF FEDERAL COMMUNITY  
CORRECTIONAL CENTRES**

**Final Report**

**Office of the Correctional Investigator**

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# AN INVESTIGATION OF FEDERAL COMMUNITY CORRECTIONAL CENTRES

## INTRODUCTION

The 2013-14 Annual Report of the Office of the Correctional Investigator (OCI) features a special focus on the safe and timely reintegration of offenders into the community. The Office has become concerned that indicators of effective community corrections have been trending in the wrong direction in recent years. Parole grant rates are declining (20% in the last 5 years), offenders are serving longer portions of their sentence behind bars before first release,<sup>1</sup> the majority of releases from a federal penitentiary are now by statutory release rather than day or full parole and the number of waived or postponed parole hearings has been increasing.<sup>2</sup> The Office continues to receive complaints regarding the quality of case management practices in which some inmates claim to have little or no contact with their assigned Institutional Parole Officer. Finally, the operating budgets to prepare offenders for resettlement and safely maintain them in the community have seen no new investments and are set to decline in real terms in 2014-15 and beyond.

These trends suggest there are systemic barriers to how and when offenders are returned to the community under supervision. Although the Correctional Service of Canada (CSC) is not the paroling authority, declining grant rates and the high number of waived/postponed parole hearings in particular speak to its capacity to adequately and efficiently prepare offenders for community release. Given these concerns, the Office undertook to investigate one important aspect of CSC's community operations – the role and function of Community Correctional Centres (CCCs). These facilities are operated by CSC and only accept federally sentenced offenders.

An investigation was completed over a 3-month period (January 2014-March 2014) with the following objectives:

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<sup>1</sup> Public Safety Canada, *Corrections and Conditional Release Overview Statistical Overview*, 2013.

<sup>2</sup> Over the past three years, the number of parole hearings that were waived increased by 23% and the number that were postponed increased by 46% (Parole Board of Canada, *Performance Monitoring Report, (2012-13)*).

- Provide an overall profile of the offender population residing in CCCs.
- Gather information about the experiences and challenges faced by offenders residing in CCCs.
- Review and assess CSC policy, procedures, programs, decisions and actions governing CCCs and in responding to the needs of offenders residing in these facilities.
- Assess barriers to safe, timely and effective reintegration.

## **METHODOLOGY**

The investigation included a literature review, data analysis and qualitative interviews with offenders residing and CSC staff working in CCCs. Site visits were conducted in each of the five regions (Atlantic: Carlton and Carlton Annex; Quebec: Sherbrooke; Ontario: Portsmouth, Keele and Hamilton; Prairie: Oskana; and Pacific: Chilliwack) to ensure both a national and regional perspective. CCCs were primarily selected based on the number of complaints made to the Office as well as their relative size (i.e. larger CCCs were favoured to provide more offenders the opportunity to participate), except for the Pacific region where there is currently only one CCC.

Notices were sent to and posted within each of the CCC's in advance of the Office's visit to inform both CSC personnel and offenders of the purpose of the visit and their opportunity to voluntarily participate in the investigation. In total, individual interviews were conducted with 25 offenders, some of whom had been residing at the CCC for up to 5 years and some who had only recently arrived. Individual and group interviews were also conducted with 29 CSC personnel representing a variety of positions (CCC Manager, Parole Officer Supervisor, Parole Officer, Programs Officer, Aboriginal Community Liaison Officer, Volunteer Coordinator, Police Liaison Officer, Employment Coordinator, and Reintegration Worker).<sup>3</sup>

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<sup>3</sup> As of April 1, 2014, all Parole Officer Supervisor positions in CCCs were changed to CCC Manager. As well the position of Police Liaison Officer was changed to Community Corrections Liaison Officer and the Employment Coordinator was changed to Community Employment Coordinator.

## ROLE OF COMMUNITY CORRECTIONAL CENTRES

CCCs are community-based residential facilities operated exclusively by CSC that accommodate offenders under federal jurisdiction conditionally released to the community. These releases include unescorted temporary absences, day parole, full parole, work releases, statutory release as well as those subject to long-term supervision orders. While CCCs are located within the community, they are designated minimum security institutions in policy,<sup>4</sup> though they are not required to conform to all institutional standards. These community-based facilities provide a very structured and secure living environment that incorporates the following activities:

- 24-hour supervision
- Monitoring by on-site Parole Officers
- Established curfews and leave privileges<sup>5</sup>
- Sign-in and sign-out procedures.



Some CCCs also offer additional programs and treatment resources, such as community correctional programming, employment assistance and volunteer opportunities, as well as access to community support and services (e.g. participation in Alcoholics Anonymous, religious-based groups). CCCs provide for an important structured transition period from full custody to a more independent community living environment. Residents are expected to contribute to and participate in the community, buy their own food, clean, cook, work, and volunteer.<sup>6</sup>

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<sup>4</sup> Commissioner's Directives 714 (*Community Correctional Centre Standards*) and 706 (*Classification of Institutions*).

<sup>5</sup> Curfews and leave privileges are often based on conditions established by the Parole Board of Canada when the offender is released to the CCC.

<sup>6</sup> CSC also contracts with more than 200 Community Residential Facilities (CRFs) across Canada. CRFs, or "half-way houses" as they are often referred to, are owned and operated by non-governmental organizations. They provide residential housing, counseling, monitoring and supervision of federal parolees. Many also offer programming for residents that may include life skills, substance abuse, employment and/or crisis counseling.

### *The role of CCCs has changed over the years*

The first federal CCCs were established in the 1960's and were meant to accommodate offenders at the end of their sentence on day parole or those who had been suspended.<sup>7</sup> Over time, the CCC offender population has changed dramatically from those on day parole to those serving full parole with a condition to reside to the current situation which largely consists of offenders on statutory release<sup>8</sup> or a long-term supervision order<sup>9</sup> (LTSO) with a residency condition imposed by the Parole Board of Canada (PBC).<sup>10</sup> At present, over half (55%) of offenders residing in a CCC are on statutory release, while 26% are on a long-term supervision order. Only 17% of the CCC population are on day parole; just 2% are on full parole.<sup>11</sup>

CSC research confirms that the use of the residency condition has been increasingly relied upon to manage the risk of offenders on statutory release<sup>12</sup> and long-term supervision orders.<sup>13</sup> Over the five year period from 2008/2009 to 2012/13, the number of residency conditions imposed or prolonged by the PBC for offenders on statutory release increased by one-third. In 2012/13, the PBC imposed or prolonged a residency condition on 42% of offenders on statutory release, an increase from 30% in 2008/09.<sup>14</sup>

While a residency condition can be useful in decreasing the risk to public safety in certain cases, it should not be viewed as the primary means of managing risk. Research suggests that assigning a residency condition to offenders with long term supervision orders may not be contributing significantly to the management of risk for these offenders.<sup>15</sup> Moreover, intensive supervision (i.e. imposing a residency condition) is not

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<sup>7</sup> CSC, *"The Way Forward: A Review of Community Correctional Centres"*. Community Reintegration Branch, Québec and Ontario Regions, 2011.

<sup>8</sup> In 1995, changes to the *Corrections and Conditional Release Act* permitted the Parole Board of Canada to add a condition of residency to the statutory release of offenders who are considered to be high risk of committing a serious violent offence.

<sup>9</sup> Certain offenders can be designated a long-term offender (LTO) if it is determined that a regular sentence will not be adequate to ensure public safety. The supervisory period for a LTO is referred to as a long-term supervision order which is mandated by the sentencing court and includes conditions, overseen by CSC, imposed by the Parole Board of Canada.

<sup>10</sup> See also CSC, *"Changes in the Profile of Offender Populations Residing in Community Facilities: 1998 and 2008"* (2011).

<sup>11</sup> CSC/PBC Data Warehouse: 2014-02-10

<sup>12</sup> CSC, *"Use of the Residency Condition with Statutory Release: A descriptive analysis"* (2000).

<sup>13</sup> CSC, *"Offenders with Long Term Supervision Orders Assigned Residency Conditions at Release"*, 2012.

<sup>14</sup> Parole Board of Canada, *"Performance Monitoring Report, 2012-2013"*.

<sup>15</sup> CSC, *"Offenders with Long Term Supervision Orders Assigned Residency Conditions at Release"*, 2012.



enough, by itself, to reduce recidivism.<sup>16</sup> Intensive supervision may increase the rate of return to custody primarily as result of breaches of release conditions, not a new offence.

The present investigation found that the support and guidance provided by CCC staff, correctional programming and opportunities to work, volunteer and participate meaningfully in the community were central to helping offenders return to the community without reoffending. These enablers can be accessed without a condition of residency. More research is required to identify cases in which a residency condition is the most appropriate tool to manage risk in a necessary and proportionate manner (i.e. least restrictive means) consistent with the *Corrections and Conditional Release Act (CCRA)*.

## **PROFILE OF OFFENDERS RESIDING IN CCCs**

Offenders residing in a CCC represent a small proportion (6%) of the total community offender population as there are a limited number of beds available in CCCs across the country (474). Just over one-third of residents are in the Quebec region;<sup>17</sup> Ontario has the second largest CCC population at 26%. There are currently only three federally sentenced women residing in a CCC.<sup>18</sup>

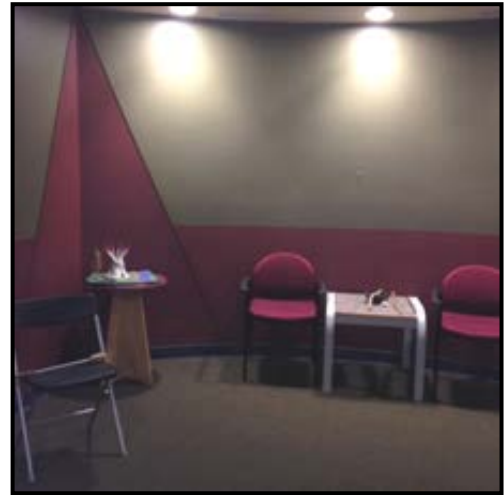
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<sup>16</sup> Petersilia, J. & Turner, S. (1993). Intensive probation and parole. In M. Tonry (ed.), *Crime and Justice, A review of the research*, volume 17. Chicago: The University of Chicago Press.

<sup>17</sup> Six of the sixteen CCCs and 184 of the 474 beds are located in Quebec.

<sup>18</sup> Martineau CCC (QUE) is the only facility that dedicates beds (4) for women with mental health needs.

Aboriginal offenders are disproportionately overrepresented in CCCs. In 2013/14, Aboriginal offenders represented 17% of the community supervision population, but 19.4% of those residing in a CCC.<sup>19</sup> Over the past five years, Aboriginal offenders released on statutory release (having served two-thirds of their sentence) have been overrepresented among offenders assigned a residency condition by the PBC.<sup>20</sup> In a CCC environment where supervision and monitoring is especially close, these outcomes are particularly concerning given that Aboriginal offenders are far more likely to be returned to prison on a technical breach of their conditions of release compared to non-Aboriginal offenders.<sup>21</sup>



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<sup>19</sup> Corporate Reporting System: 2014-06-08

<sup>20</sup> CSC/PBC Data Warehouse: 2014-04-25. See also CSC, *“At Risk for Residency: A Profile of Statutory Release Offenders with a Residency Condition”*, (2012)

<sup>21</sup> CSC, *“Aboriginal Corrections Accountability Framework: 2013/14 Mid-Year Report”*

## PROFILE OF COMMUNITY CORRECTIONAL CENTRES

- The CSC operates 16 Community Correctional Centres (CCCs) across Canada (Atlantic: 4; Quebec: 6; Ontario: 3; \* Prairie: 2; Pacific: 1) with a total bed capacity of 474 (Atlantic: 84; Quebec: 184; Ontario: 105; Prairie: 70 and Pacific: 31).
- In 2012/13, there were approximately 7,750 federally sentenced offenders supervised in the community, 439 (6%) of whom resided in a CCC.
- Over the past 10 years, CCCs have generally been operating below capacity except for those in Ontario which have been over-capacity for the past 4 years.
- Some CCCs accommodate offenders with special needs. For example, Martineau CCC in Quebec accommodates offenders with mental health needs and Chilliwack CCC in the Pacific region has 3 beds for older offenders including those with a chronic illness and/or palliative care needs. Of the 474 beds in CCCs across Canada, 76 are accessible (16%).

### Costs

- In 2012/13, the 16 CCCs operated on an annual budget of \$30M, which represents 12.1% of the total community corrections budget (\$247M in 2012/13) and 1.1% of the overall CSC budget (\$2.7B in 2011/12\*\*). The total allocation for CCCs has remained constant over the last 3 years.\*\*\*
- In 2012/13, the annual average cost to accommodate an offender in a CCC was \$72,333 compared to \$31,534 to supervise an offender in the community (includes parole supervision and community-based residential facility beds). In 2011-12, the annual average cost of keeping an inmate incarcerated was \$117,788 per year.\*\*\*\*

\*Hamilton CCC in Ontario will close December 31, 2014 and there are currently no plans to replace it.

\*\*Public Safety Canada, *“Corrections and Conditional Release Statistical Overview,”* 2013.

\*\*\* Revised financial information was provided by CSC (August 15, 2014) after the printing of the OCI’s 2013-14 Annual Report. As such, some of the financial numbers in this report do not correspond to those in the Annual Report. For example, the Annual Report states that CCCs operate on an annual budget of \$17M, however this amount only included the community supervision component whereas the \$30M reported here includes those costs as well as accommodation, heating, food, and maintenance costs. The financial data presented in this report should be considered as the most recent data available.

\*\*\*\* Public Safety Canada, *“Corrections and Conditional Release Statistical Overview,”* 2013.

### *A more complex and challenging population*

Compared to day parolees, the current CCC population is a more complex, diverse and challenging population in terms of overall risk and need profile. CSC data indicate that:

- 77% of those residing in a CCC were incarcerated for a Schedule I<sup>22</sup> (violent) offence, many of whom committed a sexual offence (37%).
- 8% had committed first or second degree murder.
- Nearly three-quarters of offenders transferred directly to a CCC from either a maximum or medium security institution, which means they had not successfully cascaded down to a minimum security institution.
- Many of these offenders have been previously denied both day and full parole.
- Three-quarters of offenders in a CCC are considered high risk to reoffend.
- 70% have high needs (e.g. employment, education, substance abuse, family/marital, community functioning).
- One-fifth is considered to have low motivation levels.
- Just over half are assessed as low reintegration potential.<sup>23</sup>

CSC staff also indicated during interviews that there are more offenders with mental health needs,<sup>24</sup> a greater number of elderly and palliative offenders, more offenders requiring prescription medications, increased representation of gang members and Aboriginal offenders as well as a growing number requiring assistance in multiple areas (e.g. addictions and mental health) that now reside in CCCs.

Despite these challenges, CSC research also suggests that the proportion of offenders residing in a CCC exhibiting some or considerable need in the areas of employment, education, family/marital and community functioning decreased significantly over the ten-year time period between 1998 and 2008.<sup>25</sup> So, while these offenders may present higher risk and need in certain areas, they appear to be faring better with respect to

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<sup>22</sup> Schedule I is comprised of sexual offences and other violent crimes excluding first and second degree murder (see the *Corrections and Conditional Release Act*)

<sup>23</sup> CSC Corporate Reporting System: 2014-03-16 and CSC/PBC Data Warehouse: 2014-02-10

<sup>24</sup> See also CSC, "Changes in the Profile of Offender Populations Residing in Community Facilities: 1998 and 2008", 2011.

<sup>25</sup> Ibid

those factors that are linked to successful reintegration.<sup>26</sup> This point was confirmed in interviews with both CSC staff and offenders where at least half (up to three-quarters in one CCC) of offenders were working, some were engaged in vocational training, most had completed both institutional and community programming, a few were continuing their education, and many were actively participating in support groups or volunteering in the community.<sup>27</sup> Over the last ten years, nearly three-fifths of offenders completed their supervision term successfully while residing in a CCC.<sup>28</sup> Day parolees residing at a CCC are the most likely to successfully complete their stay (84%) while approximately half of those on statutory release and nearly 60% of offenders on a LTSOs completed their community term successfully.<sup>29</sup>

### *Longer stays at CCCs*

The shift in the community population has resulted in longer periods of average stay for offenders. According to CSC, in 2012-13 offenders not serving a LTSO resided in a CCC on average for 150.2 days (approximately 5 months), where the number of days ranged from 1 to 1220 (just over 3 years). Offenders serving a long-term supervision order<sup>30</sup> can reside in a CCC for much longer periods of time, which was confirmed during interviews where offenders on an LTSO reported having lived at the CCC for up to five years. In 2012-13, offenders serving a LTSO resided in a CCC on average for 517.7 days



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<sup>26</sup> See Congressional Research Service, *“Offender Reentry: Correctional Statistics, Reintegration into the Community and Recidivism”*, February 2014.

<sup>27</sup> The CCCs visited in the Atlantic Region did not follow this trend as very few offenders were working, continuing their education or volunteering. This can partially be explained by the offenders residing in these facilities (e.g. many with mental health concerns, many elderly and disabled, and some who were very low functioning) as well as the higher unemployment rates in Nova Scotia. (According to Statistics Canada, the unemployment rate for Nova Scotia was 8.6% in January 2014 compared to 7% for Canada).

<sup>28</sup> Successful includes: day parole satisfied, transition from day parole to full parole, transition from day parole to statutory release, transition from statutory release to long-term supervision order, deported, supervision completed and currently being supervised.

<sup>29</sup> CSC/PBC Data Warehouse: 2014-02-10

<sup>30</sup> The long term offender designation came into effect in 1997 and allows judges the option of adding a period of community supervision of up to ten years to an offender’s primary sentence. Once in the community, many LTSO’s are required by the Parole Board of Canada to reside in a community-based facility.

(approximately 1.5 years), where the number of days ranged from 7 to 2663 days (just over 7 years). The shift to longer periods of stay has created obvious bed shortages whereby offenders released on day parole often end up staying in an institution waiting for a bed to become available.

## **DISCUSSION AND FINDINGS**

### **Barriers to Safe, Timely and Effective Reintegration**

In 2011, CSC conducted a review of CCCs which primarily focused on staff safety under the current staffing model. This review resulted in a “new vision” for CCCs, including guiding principles, a recommendation for an enhanced staffing model and number of other recommendations (e.g. policy amendments, security enhancements, enhancing shared services, etc.).<sup>31</sup> This work resulted in a number of important changes including the updating of policies to clarify CCC implications, the development of a National Handbook for offenders outlining the rules of the house and the creation of a reintegration worker with a job description specific to CCCs. Notwithstanding, the current investigation identified a number of areas where barriers continue to exist with respect to safe, timely and effective reintegration. Many of these issues have also been discussed in reviews, evaluations and consultations undertaken by CSC.<sup>32</sup>

#### *Readiness to transfer to a CCC*

While a few offenders interviewed for the investigation felt prepared for their transfer to a CCC, most stated that they did not feel ready prior to showing up at the CCC. For example, many stated that they did not have what would seem like simple resources, such as a birth certificate or health card, despite CSC policy which identifies that these documents are to be obtained as part of the release process from an institution.<sup>33</sup> As well, most offenders reported that they had not spoken to their institutional or

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<sup>31</sup> CSC, “*The Way Forward: A Review of Community Correctional Centres*”. Community Reintegration Branch, Québec and Ontario Regions, 2011.

<sup>32</sup> IBID, CSC, “Development of a Community Corrections Strategy: What We Have Heard”, July 2010. CSC, “*Report of the Evaluation of CSC’s Community Corrections Chapter 1: Correctional Interventions*”, (2011); *Chapter 2: Community Supervision Strategies and Staff Safety*”, (2012); *Chapter 3: Community Engagement*”, (2013).

<sup>33</sup> Commissioner’s Directive 712-4: *Release Process*

community Parole Officer about their plan for release to a CCC,<sup>34</sup> some were not aware if they had a community release plan on file<sup>35</sup> and some had not completed their institutional programming.<sup>36</sup> Most reported feeling vulnerable and disoriented during their first few days at the CCC. This was confirmed by CSC staff who stated that most offenders coming to a CCC are missing at least one piece of personal identification (e.g. birth certificate, social insurance number or health card) upon arrival.

#### Supply of medications upon arrival at a CCC

A Parole Officer reported a case in which an offender arrived at the CCC with only 3 days supply of medication after which he was expected to renew his prescription at a clinic. This case was particularly difficult as this offender was prescribed narcotics which walk-in clinics generally do not prescribe. As a result, he was told to go to the emergency department at the hospital to renew his prescription. However, he was not able to do this as the wait times at the local hospital were very long and would likely result in him breaching curfew. In the end, he waited in pain, to access a family physician.

Staff further indicated that the lack of adequate pre-release services and supports left many offenders in potentially vulnerable situations. For example, offenders frequently arrive without a provincial health card and only two weeks supply of medication after which they must access a clinic/family doctor to refill their prescription; however it can take 4-6 weeks to obtain a provincial health card. Overall, the investigation found some important gaps in terms of the transition of offenders from the institution to the community. CSC must ensure that a rigorous process is in place to ensure the smooth transition of offenders from institutions to the community. These measures could include increasing the use of unescorted temporary absences and work releases to CCCs

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<sup>34</sup> See also CSC, Evaluation Report "*Community Correctional Operations: Chapter 3: Community Engagement*", 2013 which found a need for improved communication between community parole officers and institutional parole officers to ensure a greater continuity of care, increase pre-release planning and more efficient distribution and use of resources.

<sup>35</sup> CSC staff confirmed that while many offenders may not have been aware, a community release plan was on file for each offender in the CCC.

<sup>36</sup> Interviews with both offenders and CSC staff indicated that it was quite common for offenders to arrive at the CCC not having completed their institutional programming. However, the experience in British Columbia is that most offenders now have completed their institutional programming prior to arriving at the CCC. This appears to be related to the introduction of the Integrated Correctional Program Model training in the Pacific region.

to better acquaint offenders with the facility and the community.<sup>37</sup> Providing offenders with a comprehensive handbook,<sup>38</sup> which includes not only the rules, but also community services available in their release location as well as a comprehensive pre-release planning strategy would be of further benefit.

Several offenders also discussed the difficulty of providing for themselves when arriving at a CCC, particularly those who were not immediately employed or could not work as a result of health issues. While CCC residents on day parole, statutory release and LTSO with residency who do not have access to an alternate revenue source can be provided with a living allowance to meet basic needs, the amount is meagre, particularly when the number of items offenders must purchase using their own resources are factored in (food, personal hygiene products, over the counter medications, transportation costs such as a bus pass).

Proposed changes to the maintenance allowance could mean that those residing in a CCC where meals are provided would receive \$5/day and those residing in a CCC where meals are

**Offender finances**

One offender reported that he no longer eats breakfast as he cannot afford three meals per day and has been unable to find employment.

Another offender with a residency requirement reported that he rarely saw his mother as she could not afford to travel and pay lodging to visit him and he did not have extra resources to help pay for her trip.

Several offenders reported difficulty affording a bus pass, which is essential to maintaining employment as many offenders worked some distance from the CCC and had no other means of transportation to get to work.

not provided would get \$10/day. The challenges that these individuals face are compounded by the fact that offenders residing in a CCC cannot access social services available to the general public (welfare, food banks, rebated transit pass programs, etc.). While CCC offenders who were employed were better able to manage their expenses, they reported difficulties in purchasing required clothing/materials for particular jobs (i.e. hard hats, steel-toed boots and tools for construction jobs or aprons and utensils for jobs as a cook/chef). Regardless of income, offenders pay a maximum weekly contribution toward food and accommodation in CCCs which provide food of

<sup>37</sup> One offender reported completing a work release to the CCC prior to moving into the CCC. The offender felt that this had been very beneficial and helped him feel more at ease when he moved in.

<sup>38</sup> While some CCCs had an offender handbook, they contained primarily information regarding the rules and regulations of the facility; there was little to no information about the community or services offered within the community.



\$57. In CCCs which do not provide food the maximum contribution toward the cost of accommodation is \$21 per week.<sup>39</sup>

### *Meeting the needs of vulnerable populations*

The needs of some of the most vulnerable populations (e.g. mentally ill, aging, and palliative) are not being adequately met in CCCs across the country. Of those facilities that were visited for the investigation, only about half had a nurse or social worker onsite full-time while the other facilities either shared this resource with another CCC or with the local parole office. Parole Officers often reported feeling responsible for assisting offenders with everything from ensuring medications are taken, to consulting with pharmacies/doctors for possible drug interactions, supporting

#### **Parole Officer Role Conflict**

One Parole Officer reported how she attempted to care for a terminally ill offender at the CCC, ensuring his shunt was not infected and was flushed regularly and that he did not show any signs of requiring hospitalization. She reported that she did not feel that she had the appropriate training or expertise to manage this.

Another Parole Officer reported calling the pharmacy to sort out the medications of one offender while trying to understand drug interactions and side effects as the offender had serious mental health concerns and could not manage this for himself. He too felt unprepared to manage these issues, but did not want to see the offender suspended or returned to prison because he did not take his medications.

offenders with serious mental health issues or providing care for aging, palliative and terminally ill offenders. This occurs despite policy that states “non-health services staff are not responsible to identify specific requirements regarding prescription medications.”<sup>40</sup>

It was clear from interviews with staff and offenders that having a nurse or social worker available at the CCC was a best practice. Some offenders reported that the nurse was pivotal in helping them learn to manage their own medications and they felt more confident that they could continue this practice on their own in the community. CSC staff also spoke about the importance of having nursing knowledge and experience readily available as many reported that they did not feel they were adequately trained or prepared to manage some of the most complex cases. While the objective of CCCs is

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<sup>39</sup> This does not apply to offenders on a long termsupervision order, whose source of income is employment in the community.

<sup>40</sup> CSC, *Medication Distribution and Administration Guidelines*

independent living for offenders, it is clear that the current population includes complex need individuals who are not getting the care or assistance they require. CSC must ensure adequate staff training that better equips them to provide guidance and assistance in managing this caseload. As part of this, CSC must also ensure sufficient access to professional expertise so CCC staff can appropriately manage these challenging cases. While sharing these resources with the local parole office may be necessary, employees in these positions should be required to spend time each week at the CCC.



#### **Meeting the needs of the most vulnerable**

In one of the CCCs visited, CSC staff reported that the lack of adequate mental health resources and knowledge in the CCC on a consistent basis resulted in a situation whereby an offender was suspended and returned to custody, not because he had breached his conditions or committed a new crime, but because the Parole Officers were unable to manage his mental health needs in the CCC. They believed that the offender would receive better care in an institution. While this action was perceived to have benefited the offender, it runs counter to effective reintegration practices and more importantly it is not consistent with legal or policy frameworks.

#### *Lack of consistency*

Recognizing that each CCC must adapt and adjust not only to the community but also to the offender population residing there, this investigation found some important discrepancies between CCCs. While all CCCs either offered programming within the CCC or through the local Parole Office, programming was not always available to offenders in the evening. This is concerning given the importance of obtaining and retaining employment at the same time as continuing correctional programming. Some offenders that were interviewed reported not having completed their community programming because they were employed and thus not able to participate in programming as it was only offered during the day at one site. By contrast, staff at another CCC appeared to go above and beyond to accommodate offenders who had a job by coming into work very early to complete programming or staying late. Options must be available to offenders

who are working so they can also continue their correctional programming as both elements are essential to successful reintegration.

The services available to offenders also differed among the CCCs visited. For example, some CCCs had an Employment Coordinator, Volunteer Coordinator, Aboriginal or Police Liaison Officer working at the CCC, while others accessed these resources primarily through the local Parole Office. Having access to these services and supports within the CCC was a best practice. For example, the CCC with an Employment Coordinator on site had a large proportion of offenders working while the one with a Volunteer Coordinator had forty volunteers (most had less than five). At CCCs where an Employment Coordinator was not on site, offenders that were interviewed were not aware that this service was available to them.

### *Discipline*

While the CCCs visited for the investigation had a Handbook that was provided to offenders upon arrival, several offenders reported that the rules were not consistently applied and consequences could differ among offenders. For example, one offender may be given a warning while another may lose certain privileges and yet another may experience the most severe consequence of being suspended and sent back to prison. Some reported incidents where one offender had constantly broken the rules but was never suspended whereas other offenders were for what they reported as more minor incidents. Offenders also repeatedly described feeling as though they were constantly “walking on egg shells” as they often were not sure where they stood with CCC staff if something were to happen. Many reported being constantly reminded of “how easy it is to suspend” them. Compounding this is the fact that when offenders are suspended, they are sent back to prison, often in segregation-like conditions, until a decision regarding revocation is rendered.<sup>41</sup> It is concerning that there appears to be discrepancies with respect to disciplinary decisions. Given the rights and liberties at stake in a potential return to prison, disciplinary decisions and measures must be subject to due process and include rigorous internal monitoring, quality control and accountability mechanisms.

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<sup>41</sup> When offenders on release are suspended they are kept in a temporary detention unit where conditions of detention, movement and association are often quite restricted.

## Community Outreach

CCCs and community corrections more generally have often struggled to garner support and confidence from the communities in which they operate. While crime trends in Canada have generally been on the decrease for the past 20 years,<sup>42</sup> the public continues to harbour misconceptions about crime, offenders and the criminal justice system.<sup>43</sup>



Many communities are strongly opposed to having correctional institutions (CCCs or prisons) or halfway houses located in their neighbourhood for various reasons - fear of escape, perceived levels of crime and decreased property values. These explanations have been termed the “Not in my backyard” or “NIMBY” effect. As a result, many CCCs and halfway houses are located in marginalized, low income industrial areas where local residents tend to be more transient and lack access to the resources necessary to challenge the siting of such institutions/facilities. This has also made it difficult to build new community facilities or re-locate existing ones despite the important role they play in reintegration.

As noted, many CCCs now house a large number of sex offenders, many of whom are serving a long-term supervision order. This kind of sentence makes it especially difficult for the CCC and these offenders to gain acceptance in the community. Most halfway houses in Canada do not accept these offenders, thus leaving CCCs as the only community-based option to house those with a residency condition. The media often highlight stories of high profile offenders returning to communities making it much more difficult for them to obtain employment, volunteer or even be out in public.

The extent to which CCC staff was involved in community outreach and engagement varied greatly. Some CSC staff reported that the CCC was the “best kept secret” in the community, while staff from another reported having engaged in almost continuous

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<sup>42</sup> Statistics Canada. (2013). *Police-reported Crime Statistics in Canada, 2012*.

<sup>43</sup> The Sixth National Criminal Justice Symposium on Public Confidence in the Criminal Justice System, “Re-Inventing Criminal Justice: The Sixth National Symposium”. Ottawa, Ontario: January 2014.

outreach with business and community groups and were even considering hosting an open house to further educate the community about who they are and what they do. Widespread consultations and partnerships with community groups emerged as a clear best practice in this investigation. The CCC that worked very closely with the community had the most offenders working, volunteering and participating in community. While it may be easier or even preferable to remain anonymous within the community, these partnerships and connections are essential to successful reintegration.

There is a need for more and varied strategic partnerships with communities, groups and service providers (i.e. cultural groups, trades associations, educational organizations, service groups and other levels of government including municipalities).

Such partnerships can be helpful in reducing stigma, recruiting volunteers, debunking myths and facilitating resettlement. There is a need to involve community partners earlier in the release planning process and for community providers to have stabilized and predictable funding. There is also an identified need for CSC to develop an integrated national public

#### **Importance of community partnerships**

In June 2010, the *Limiting Pardons for Serious Crime Act* came into force which extended the ineligibility period for pardon applications to five years for summary conviction offences and to 10 years for indictable offences. It also makes those convicted of sexual offences against minors and those who have been convicted of more than three indictable offences ineligible to attain a pardon. As well, the cost to apply for a pardon was increased as of March 2012 from \$150 to \$631.

Almost all offenders interviewed reported that their biggest challenge was finding a job while having a criminal record, particularly as employers are increasingly asking for a criminal record check prior to hiring.

engagement and partnership strategy with respect to CCCs. This could include creating an inventory of community services and partners that are available, an outreach strategy, identifying gaps in partnerships (e.g. cultural groups), a public awareness plan that educates and informs community members, and a timetable for monitoring and reporting on these activities.

In their 2013-14 *Report on Plans and Priorities* CSC identified “productive relationships with increasingly diverse partners, stakeholders, and others involved in public safety” as

an organizational priority.<sup>44</sup> This priority calls for stronger levels of coordination and collaboration among CSC partners, stakeholders and Canadians. The plans for realizing this priority however, are still rather vague and largely undeveloped. This investigation found that there is much more work to do in terms of clarifying how partnerships with community groups and organizations will be established, strengthened or maintained or how the Service intends to benefit from the expertise of these groups. For example, the Federal Community Corrections Strategy Framework for Action (FCCS) identified three general activities under the theme of collaboration:

1. Build relationships with criminal justice partners/stakeholders.
2. Provide a range of accommodation options.
3. Provide employment and employability opportunities and services.

The Action Plan states that the Annual Report will contain a “Best Practices in Community Corrections” section that will highlight new and innovative approaches to community corrections.<sup>45</sup> The first FCCS Annual Report was developed in 2013 and is currently awaiting final approval.

From a community engagement perspective, CSC has also committed some funds to conduct outreach activities:

- The outreach fund (\$50,000) which is provided to CSC staff to develop and implement initiatives that provide information and awareness about CSC.
- The Speakers Bureau which is an online database used to connect Canadians with CSC staff who can speak to their community or organization.
- Corrections in Canada: An Interactive Timeline is a site that provides a historical overview of corrections in Canada.

Finally, while CSC has nearly 9,000 volunteers across the country who are involved in a range of activities (e.g. tutoring, social and cultural events, faith-based services), they are not a substitute for strong partnerships with community groups, organizations and services which offer transitional housing, outpatient care, treatment and addiction services.

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<sup>44</sup> CSC Report on Plans and Priorities, 2013/14.

<sup>45</sup> CSC, *Federal Community Corrections Strategy: Framework for Action*. (August 2013).

## *Budgets and Funding*

CCCs face significant resource pressures. As one CSC staff member stated, “We are resourced based on an independent living model, however this is not the type of clientele that are sent to us.” CCCs operate on an annual budget of \$30M (representing 12.1% of the community corrections budget and 1.1% of the overall CSC budget). Many CSC staff reported insufficient resources (both financial and human) for mental health care services, effective supervision and risk management in particular, but also for activities such as community outreach and the management of special need offenders. Some staff talked about funding that needed to be renewed every year leaving them wondering whether those funds would be available in subsequent years. Still others talked about “...robbing Paul to pay Peter” referring to the fact that money is often moved from one initiative to balance the budget in another area.

Despite limited resources, it was clear from interviews with both staff and offenders that there is a tremendous amount of good and important work being done by a very committed CSC team. Parole Officers discussed several instances of going well beyond their “work description” to help offenders succeed. For example, many reported:

- Helping offenders with mental health challenges particularly in terms of managing medication and/or money.
- Others had picked offenders up from jobs because they could not find a ride back to the CCC in time to meet curfew.
- Several reported organizing events involving key community members/groups on their own time and using their own resources to purchase snacks for the event.
- Some have tried to learn some Inuktitut to better communicate with Inuit offenders.

Likewise, virtually all offenders interviewed commended the work of community staff and provided numerous examples of their dedication, enthusiasm and determination.

CCCs recently experienced yet another reduction in funding as a result of CSC’s contribution to the Government of Canada’s Deficit Reduction Action Plan (DRAP). As of April 1, 2014, CSC will increase the ratio of Parole Officers to offenders from 1 to 8 to 1 to 13 and decrease the minimum number of times a Parole Officer must meet with an offender each month from 8 to 4 for higher risk offenders and from 4 to 2 for those with

a lower risk. At all of the sites visited these changes meant that each CCC would be losing at least one staff member, most often a Parole Officer, though some may also lose a support staff member as the number of support staff is tied to the number of parole officers. While each CCC would gain a new position (a Reintegration Worker), it is not a full time equivalent position. All in all, nationally, the financial impact of the implementation of this DRAP measure results in the reduction of 14.9 full-time equivalent positions, a reduction of \$1.1 M in salaries, and \$20K in O&M (operating and maintenance).

Some Parole Officers expressed concerns that four 'official' meetings each month would be insufficient to manage the risk of many of their high-risk clientele. Almost all Parole Officers interviewed stated that they would continue to meet with offenders at least eight times each month, which is possible only because they are located within the CCC. Community staff will once again try to do what they believe is necessary (i.e. continue to manage the risk of offenders at the same level) with fewer resources. Moreover, Parole Officers will have additional offenders on their caseload as a result of the increases in the ratios. They feel public safety may be compromised by these new staffing and resourcing funding levels.

The impact on offenders is likely to be significant as the support and guidance they currently receive will decrease. Many offenders interviewed talked about the importance of meeting with their Parole Officer and the assistance they provided on a daily basis. Moreover, Parole Officers expressed concern for those offenders who must be directly accompanied in the community as there would be considerably less time for this kind of close supervision.

The percentage of resources allocated to community corrections is declining (and is already insignificant compared to spending on institutional corrections). Delivering effective programs in the community can be done much more inexpensively than maintaining an offender in an institution. CSC must ensure sufficient and sustained funding for community corrections including CCCs and ensure that it is a priority. "Investments in prisons, without a complimentary investment in rehabilitation and



reintegration programs, do not produce a significant reduction in recidivism. They may in fact compound the problem.”<sup>46</sup>

### *Monitoring and reporting*

CSC recently completed an extensive evaluation of community corrections which examined five main themes ((1) continuum of care, (2) risk assessment and case preparation, (3) supervision of offenders in the community, (4) community staff safety and (5) community engagement and collaboration).<sup>47</sup> As part of its 2014-2017 Audit Plans, CSC has commenced an audit of the Management of Community Accommodations for Offenders, including CCCs.<sup>48</sup> However, the investigation found scant evidence to suggest that performance measures specific to CCCs were being monitored or reported.<sup>49</sup> Continuous monitoring and reporting are the basis for sound decision-making, particularly when it relates to modifying budgets and resources, but also in terms of identifying barriers, benchmarking successes and identifying areas where improvement is required.

### **Best Practices**

There are various approaches to supporting and facilitating the re-entry and social reintegration of offenders into the community. While there are few evaluations that identify specific offender reintegration interventions that could be considered a best practice, it is possible to identify key characteristics of interventions and approaches that appear to be effective in helping offenders reintegrate and in reducing rates of recidivism. The most successful community interventions focus on higher risk offenders, are intensive in nature, start during institutional placement and are delivered mostly in

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<sup>46</sup> United Nations Office on Drugs and Crime, *“Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of offenders”*, 2012.

<sup>47</sup> CSC, *“Report of the Evaluation of CSC’s Community Corrections Chapter 1: Correctional Interventions”*, (2011); *Chapter 2: Community Supervision Strategies and Staff Safety”*, (2012); *Chapter 3: Community Engagement”*, (2013).

<sup>48</sup> In 2011 a review of CCCs was conducted (see CSC, *The Way Forward: A Review of Community Correctional Centres*, (2011)).

<sup>49</sup> In 2012-13 CSC began monitoring 30 performance indicators on an annual basis to gauge performance of the various community corrections activities but none appear to be related specifically to the performance of CCCs.

the community.<sup>50</sup> They also strike a balance between supervision and assistance, provide a continuum of assistance from incarceration, to release and beyond and involve close collaboration between justice, health (including mental health services, substance abuse prevention and drug treatment), education, social services (e.g. vocational training, employment assistance, and transitional housing), and community-based organizations.<sup>51</sup> While CSC has a number of programs that have shown positive results in terms of reducing rates of recidivism, there is a need to expand this work and ensure they identify and utilize the best approaches and practices. CSC should conduct a thorough and comprehensive analysis of international community corrections best practices.

## CONCLUSION

Based on the report's findings, six recommendations were made in the Office's 2013-14 Annual Report regarding Community Correctional Centres and included the following:

- 1. I recommend that CSC develop a comprehensive pre-release planning strategy that includes mandatory meetings between offenders and their institutional and community parole officer, a process to ensure an offender's official documents (birth certificate and health card) are available prior to release, and a handbook identifying programs, services and supports available in the release community.**
- 2. I recommend that every CCC have consistent access to the necessary resources, including nurses, social workers and psychologists, to ensure access to appropriate services and care.**
- 3. I recommend that CSC develop a national training plan specific to employees working in CCCs.**
- 4. I recommend that CSC develop a national partnership strategy for CCCs which includes creating an inventory of services and partners that are available, identifying gaps in partnerships (e.g. cultural groups), a communications plan that**

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<sup>50</sup>See United Nations Office on Drugs and Crime, *"Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of offenders"*, 2012. Public Safety Canada, *"The Social Reintegration of Offenders and Crime Prevention"*, 2007.

<sup>51</sup> See United Nations Office on Drugs and Crime, *"Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of offenders"*, 2012. Public Safety Canada, *"The Social Reintegration of Offenders and Crime Prevention"*, 2007.

**educates and informs community members, and a timetable for monitoring and reporting on these activities.**

- 5. I recommend that CSC conduct an operational audit of resources allocated to community corrections and CCCs specifically. The outcome of this audit should help inform the development of renewed monitoring and reporting strategy for CCCs.**
  
- 6. I recommend that CSC establish a working committee with the Parole Board of Canada to examine best practices and guidelines regarding the appropriate use of residency conditions for offenders released on statutory release and offenders on a long-term supervision order.**

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