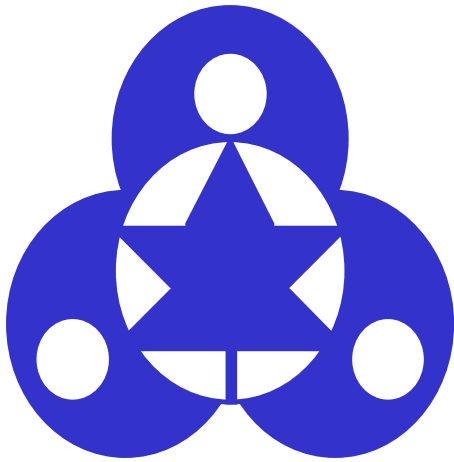


Community Protection and the Release Of the Federally Incarcerated Detained Offender



July 15, 2005

Presented by

**Pacific Region National Joint Committee
Of Senior Criminal Justice Officials**

**With the
Support of the**

**British Columbia Association
Of Chiefs of Police**

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Introduction

Over the last several years the Pacific Region of the National Joint Committee of Senior Criminal Justice Officials (NJC) has dedicated considerable energy to the issue of the release of the federally incarcerated, detained offender who is released to the community at the expiration of sentence. The goal of this collaborative effort has been to enhance both the pre and post offender release process consistent with the purpose of the federal correctional system, which is to contribute to the maintenance of a just, peaceful and safe society.

This goal is consistent with the respective mandates of the partnered agencies and departments that have been key contributors to both this initiative and this document. The goal is also consistent with the Mission of the National Joint Committee:

The promotion of effective partnerships to improve the administration of criminal justice in Canada.

Some of the key milestones to this initiative are highlighted below.

- 2002 07 04 Pacific Region NJC Workshop Surrey District III RCMP entitled: **Enhancing Community Protection in the Release of the Warrant Expiry Date (WED) Offender**
- 2002 09 30 Report entitled: **Enhancing Community Protection in the Release of the Warrant Expiry Date (WED) Offender** submitted to the Correctional Service of Canada Regional Management Committee
- 2002 11 21 At the National NJC meeting held in Ottawa the Pacific Region NJC made a presentation to the National Committee on **Enhancing the Release of the WED Offender**
- 2004 01 29 Report completed entitled: **Warrant Expiry Date (WED) File Review** - All WED Referrals from 03 01 01 to 03 12 23 referred to the High Risk Offenders Identification Program by CSC
- 2004 10 07 Presentation to the Crown Police Liaison Committee in Victoria – **Demystifying the WED Process**
- 2005 02 09 **The Release of the Detained Offender: A System and Community Response** panel presentation made at the partnered Richmond conference entitled: **Community Protection is Paramount: Coordinating the System's Response to High Risk Offending**
- 2005 06 10 Draft document consultation with "key players" completed.

Acknowledgements

The contributions to this initiative and to this document of the following individuals are acknowledged and greatly appreciated. From the **Criminal Justice Branch, Ministry of the Attorney General**, Roger Cutler, Lisa Falloon, Gregory Fitch, Robert W. G. Gillen QC, Gregg Goodfellow, Samantha Hulme, Ron Hurt, Carolyn Kramer, and Terry Schultes; **Oak Bay Police Department**, Ben Andersen; **Vancouver Police Department**, Dan Dureau, Jamie Graham, Doug LePard, Leslie McKellar (ret.) and Barbara Morris (ret.); **Abbotsford Police Department**, Ian Mackenzie; **RCMP**, Greg Chiarot, Neil Duncan, Matt Logan, Al MacIntyre, Mike McCarthy, Laura Malo, and Don Smith; **National Parole Board**, Lynn Bergeron, Evelyn Blair and Fraser Simmons (ret.); **Public Safety and Emergency Preparedness Canada**, Robert Cormier and Tanya Rugge; **Circles of Support and Accountability**, Andrew McWhinnie; **Police Services Division, Public Safety and the Solicitor General**, Kevin Begg and Sam MacLeod; **BC Corrections**, Steve Howell, Derek Tangedal, Rob Watts, and Dave Wilmot; **Correctional Service of Canada**, Gerry Ayotte, Heather Bergen, R.E. Bob Brown, D.J. (Don) Demers, Teal Maedel, and Shelly Pylypiak.; and formerly with the **Security Programs Division, Ministry of the Attorney General**, Jim Edwards.

Special Thanks !

Resourcing for this initiative deserves special attention. Police Services Division, BC Ministry of Public Safety and Solicitor General and the Correctional Service of Canada (CSC) made significant contributions. Special thanks go to Assistant Deputy Minister and Director of Police Services Division **Kevin Begg**, Policing and Community Safety Branch, Ministry of Public Safety and Solicitor General, and the former CSC Acting Regional Deputy Commissioner, **Heather Bergen** and the current CSC Regional Deputy Commissioner, **D.J. (Don) Demers**.



**Correctional Service
of Canada**



**Police Services Division
Public Safety and Solicitor General**

REB

2005 07 15

Executive Summary

The primary purpose of this document is to provide a detailed handbook for key players within the criminal justice community in British Columbia who play an active role in community protection – to assist them, when appropriate, with their involvement in either the pre or post offender WED release process.

More specifically, the objectives of this booklet are to:

- Identify who are the warrant expiry date (WED) offenders.
- Provide background information and statistics on the detention and release process for WED offenders.
- Identify and describe the roles that are played by the various components of the criminal justice system in the release and monitoring, where appropriate, of the WED offender.

Report Structure

The document is divided into four chapters. These encompass the procedures taken by key players from the time the Correctional Service of Canada (CSC) initiates a recommendation to the National Parole Board (NPB) for detention, notifies the police about a WED offender's release, until the eventual reduction of the individual's monitoring in the community. The initial chapter identifies the WED offender. The middle two chapters address the key roles that are played by the various players while the fourth chapter contains the appendices, which support this document.

Chapter 01 – Who is the WED Offender? This initial chapter briefly identifies how a federal offender becomes a “WED offender” via the detention provisions of federal legislation - the Corrections & Conditional Release Act (CCRA Sections 129 to 132). This section also provides relevant statistical data and an initial road map that federal authorities follow from reception to warrant expiry date for the WED offender.

Chapter 02 – Working With Agencies and Partners to Prepare for Release Critical agencies and partners involved in the pre WED offender release process are highlighted in this chapter. Agencies and partners such as: CSC (institutions and parole offices), the High Risk Offenders Identification Program, the High Risk Recognizance Advisory Committee, Crown Counsel, BC Corrections, and a community based group founded to work with high risk WED sex offenders – Circles of Support and Accountability (CoSA).

This chapter explains and illustrates the various responsibilities and processes of these critical agencies. Various methods of interaction amongst the agencies will be highlighted. The respective consultations and discussions are deemed critical in determining which WED offenders require specific responses to enhance the protection of the community and the minimization of further harmful behaviour.

This chapter illustrates the current decentralized involvement in British Columbia of both Crown Counsel and the police. A proposed centralized model for the Crown and police that evolved through the consultative process utilized for the preparation of this document is highlighted for consideration.

Chapter 03 – Monitoring the Released WED Offender This Chapter describes the processes and strategies available to monitor and manage, where appropriate, those WED offenders once they are released – strategies and guidelines designed to ensure the highest level of community protection.

Chapter 04 – Appendices The final chapter contains legislative references, a glossary of key terms and acronyms, a definitions section, the “CoSA Protocol” and a section on Provincial resources and treatment programs to manage risk.

Limitations

In February 2005 a partnered conference entitled, **Community Protection is Paramount: Coordinating the System’s Response to High Risk Offending** was held in Richmond, British Columbia. This was a cooperative venture of the BC Crime Prevention Association, the BC Association of Chiefs of Police and the Pacific Region of the National Joint Committee. Although an extremely successful two-day conference, it highlighted that the collective scrutiny of criminal justice practitioners and the community needs to be ever vigilant to ensure continued enhancements to the “system”. It is hoped that this document contributes to the continuous journey.

This document addresses the release of WED offenders from federal institutions in BC to communities in BC. It is anticipated that the next edition of this document will also address:

- The release of WED offenders to communities in BC from federal institutions outside of BC.
- Conditionally released offenders already in the community approaching WED.
- Offenders approaching the end of their federally supervised long term supervision orders.

In the event that one of the above noted situations arises and is of concern, contact with the Correctional Service of Canada’s staff person responsible for this portfolio is recommended. The current contact person is:

Shelly Pylypiak, CSC Project Officer, Regional Headquarters
Seconded to RCMP “E” Division, Behavioural Sciences Group
604 598 4571 & cellular **604 999 9773**
pylypiaksm@csc-scc.gc.ca

This document and the interagency cooperation that was in evidence during this “journey” are “steps in the right direction”. A heightened commitment to operational interagency cooperation and enhanced inter regional and interprovincial/territorial cooperation is deemed to be a critical next step.

Chapter 01: Who is the WED Offender?

(A) Who is the WED Offender?

The WED offender is a federal offender who has been detained by the National Parole Board and as a result serves the entire court sentence in custody. For example if the offender receives a six year court sentence he or she would not be released back to the community until the entire sentence had been served. The offender would be released at the warrant expiry date (WED).

(B) What is detention?

The Correctional Service of Canada can refer an offender serving a sentence for a serious offence to the National Parole Board for detention review if they feel that the offender is likely to commit an offence causing death or serious harm to another person, a sexual offence involving a child or a serious drug offence before the expiration of the offender's sentence. If the Board determines that the offender is likely to commit an offence causing death or serious harm to another person, a sexual offence involving a child or a serious drug offence before the expiration of the offender's sentence, the offender can be detained until the sentence expires (warrant expiry date).

(C) What is the role of the Correctional Service of Canada (CSC)?

The **Correctional Service of Canada** administers sentences of convicted offenders sentenced to imprisonment for two or more years. CSC also prepares offenders for their return to the community. CSC provides services across the country to offenders within correctional institutions and in the community.

Their Mission reads "The Correctional Service of Canada, as part of the criminal justice system and respecting the rule of law, contributes to the protection of society by actively encouraging and assisting offenders to become law-abiding citizens, while exercising reasonable, safe, secure and humane control."

(D) What is the role of the National Parole Board (NPB)?

The **National Parole Board** is an independent administrative body, which grants, denies and controls the conditional release of inmates from federal penitentiaries (sentences of two years or more) and recommends the exercise of the Royal Prerogative of Mercy and the granting of pardons. In addition, NPB exercises the same powers and responsibilities, with the exception of the granting of temporary absences, for provincial inmates in provinces and territories without their own parole boards. Quebec, Ontario and British Columbia have provincial parole boards (custodial sentences of under two years)

Their Mission reads "The National Parole Board, as part of the criminal justice system, makes independent, quality conditional release and pardon decisions and clemency recommendations. The Board contributes to the protection of society by facilitating, as appropriate, the timely integration of offenders as law-abiding citizens."

(E) How Prevalent is Detention?

Table A. below highlights the number of cases referred for detention to the National Parole Board by the Correctional Service of Canada and the parole board's decision. The data covering an eight year period distinguishes among the five regions. As noted NPB in the Pacific Region, over the eight years, agreed with CSC's referral recommendation in just over 89% of the cases. This concordance rate represents the 426 decisions to detain the offender from the 477 referrals made by CSC.

Table A - Detention by Year and NPB/CSC Region

	Atlantic		Quebec		Ontario		Prairies		Pacific	
	Referred	Detained	Referred	Detained	Referred	Detained	Referred	Detained	Referred	Detained
1994/95	44	39	54	52	165	151	112	107	67	59
1995/96	47	41	71	65	136	130	186	172	90	76
1996/97	56	52	72	66	114	107	138	130	82	76
1997/98	54	48	78	73	59	58	86	82	58	51
1998/99	32	24	50	44	46	44	72	70	56	51
1999/00	17	14	40	38	54	52	79	75	33	30
2000/01	32	31	43	41	56	54	51	46	47	43
2001/02	32	30	48	46	72	66	75	75	44	40
Total	314	279	456	425	702	662	799	757	477	426

Source: NPB as of April 14, 2002

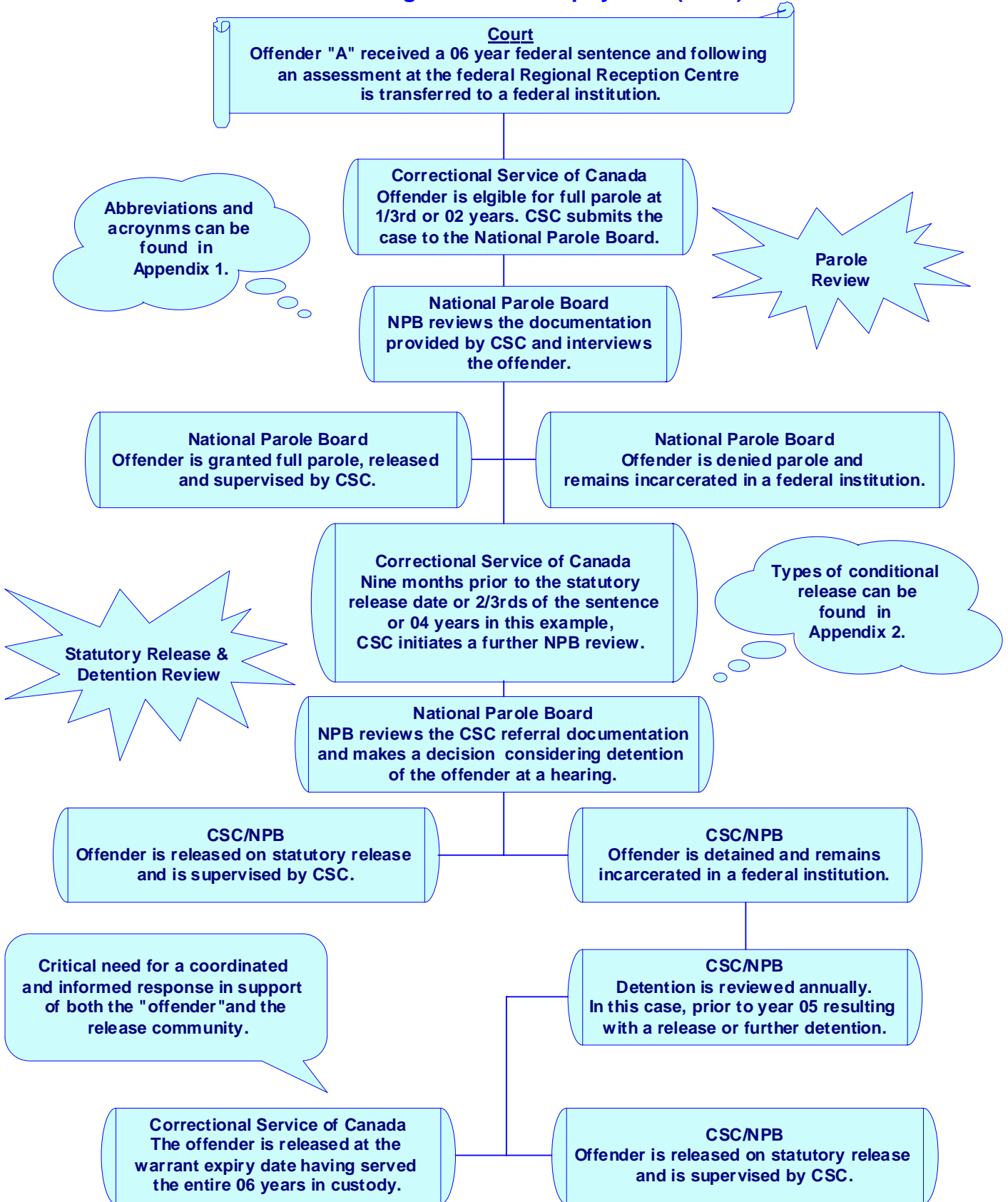
Further analysis of the detention process and referral outcomes covering the thirteen year period commencing in fiscal year 1991/1992 can be found later in this document in **Graph A - Detention Reviews and Outcomes 1991 – 2004.**

The outcome of the initial detention review for aboriginal offenders vs. non-aboriginal for the same thirteen year period can also be found later in the document as **Table B.**

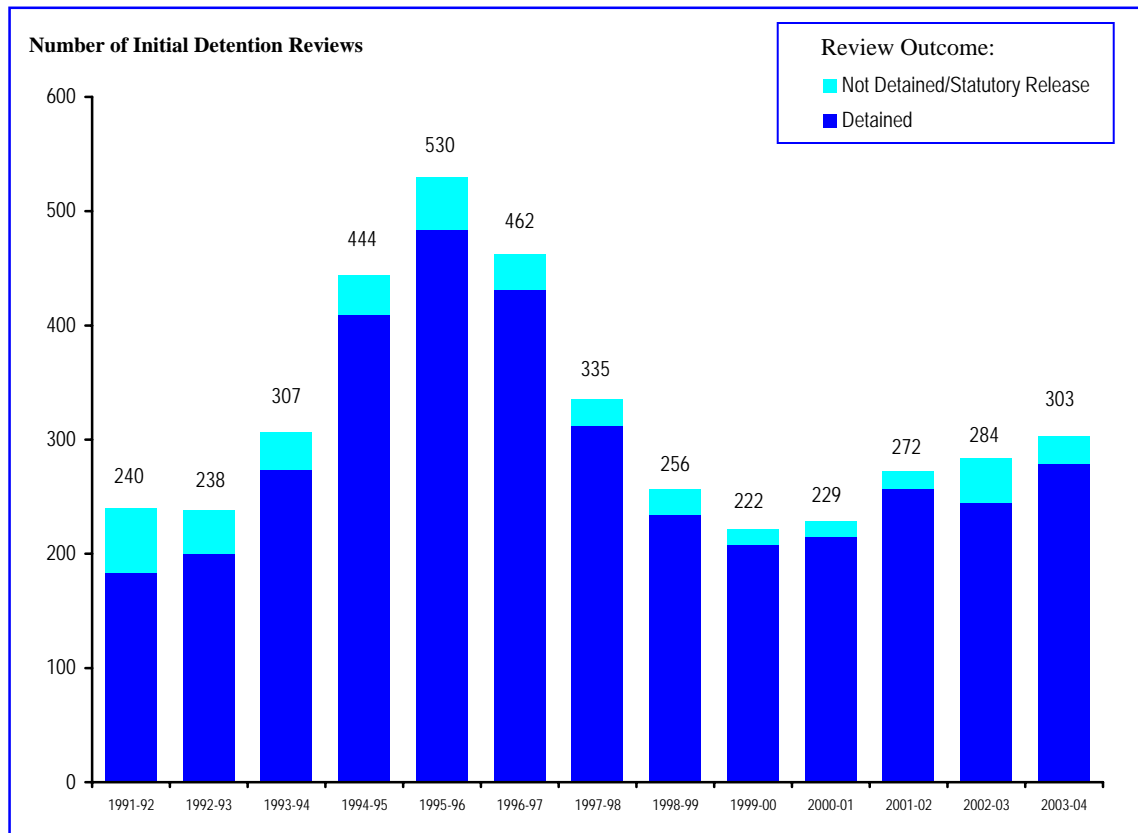
(F) What Would the “Road Map” to Release at WED Look Like?

Flowchart A represents offender “A” who received a 6 year federal sentence for sexual assault. The schematic follows the offender from the date of sentencing until the expiration of the court sentence or the release from federal custody at warrant expiry date. In this case the offender serves the entire sentence in federal custody. During the 6 year sentence key recommendations are made by the Correctional Service of Canada (CSC) and key decisions are made by the National Parole Board (NPB) concerning various forms of conditional release.

Flowchart A "Road Map" Sentencing to Warrant Expiry Date (WED)



Graph A - Detention Reviews and Outcomes 1991 - 2004



Source: National Parole Board as reported in the Public Safety and Emergency Preparedness Canada December 2004 publication *Corrections and Conditional Release Statistical Overview* ([entire publication](#))¹

- The number of initial detention reviews reached a peak in 1995-96, then declined until 1999-00 and has increased in the last four years.
- Out of 4,122 initial detention reviews since 1991-92, 90.6% have resulted in a decision to detain.
- Since 1999-00, 17 women have been referred for detention and 13 were detained.
- Since 1999-00, Aboriginal offenders have accounted for 30.3% of all offenders detained. During this period, Aboriginal offenders accounted for an average of 15.4% of the total federal offender population, and 17.7% of the incarcerated federal offender population.

¹ http://www.psepc-sppcc.gc.ca/publications/corrections/Stats2004_e.asp

**Table B - Outcome of Initial Detention Reviews
Aboriginal vs. Non Aboriginal 1991 to 2004**

Year	Detained				Statutory Release				Total		Total
	Abor	Non	Total	%	Abor.	Non	Total	%	Abor.	Non	
1991-	40	144	184	76.7	14	42	56	23.3	54	186	240
1992-	53	147	200	84.0	12	26	38	16.0	65	173	238
1993-	76	198	274	89.3	8	25	33	10.7	84	223	307
1994-	96	314	410	92.3	8	26	34	7.7	104	340	444
1995-	143	341	484	91.3	13	33	46	8.7	156	374	530
1996-	106	325	431	93.3	10	21	31	6.7	116	346	462
1997-	78	234	312	93.1	9	14	23	6.9	87	248	335
1998-	80	154	234	91.4	3	19	22	8.6	83	173	256
1999-	80	128	208	93.7	3	11	14	6.3	83	139	222
2000-	68	147	215	93.9	6	8	14	6.1	74	155	229
2001-	69	188	257	94.5	2	13	15	5.5	71	201	272
2002-	80	165	245	86.3	14	25	39	13.7	94	190	284
2003-	68	211	279	92.1	8	16	24	7.9	76	227	303
Total	1,037	2,696	3,733	90.6	110	279	389	9.4	1,147	2,975	4,122

Source: National Parole Board as reported in the Public Safety and Emergency Preparedness Canada December 2004 publication *Corrections and Conditional Release Statistical Overview*

The “**Road Map**” illustrated “in general” the release process for the detained or WED offender. The relevant referral and detention numbers have been provided for consideration. This begs the question: what is the impact over a 12 month period for CSC institutions in the Pacific Region? The following captures a moment in time and forecasts the number of WED offenders that were destined for WED release from Pacific Region institutions for three distinct 12 month periods.

As noted, for the 05/06 twelve month period 25 WED offenders were due to be released, for 03/04 twelve month period 26 offenders were due to be released, and for 02/03 twelve month period 26 offenders were due to be released.

Table C - CSC Pacific Region as of March 2005

Institution	# Detained	Due Out Next 12 Months
Fraser Valley	1	0
Mission Institution	12	4
Kent Institution	5	1
Pacific Institution/RTC	16	9
Matsqui Institution	2	1
Mountain Institution	18	10
Regional Total	54	25

CSC Offender Management System was the source for this information

Table D - CSC Pacific Region as of June 2003

Institution	# Detained	Due Out Next 12 Months
Mission Institution	23	10
Kent Institution	09	04
Regional Health Centre	06	02
Matsqui Institution	05	04
Mountain Institution	17	06
Regional Total	60	26

CSC Offender Management System was the source for this information

Table E - CSC Pacific Region as of June 2002

Institution	# Detained	Due Out Next 12 Months
Mission Institution	07	03
Kent Institution	12	07
Regional Health Centre	04	02
Matsqui Institution	06	05
Mountain Institution	14	09
Regional Total	43	26

CSC Offender Management System was the source for this information

The above numbers represent the WED offenders that were due for release to the community from Pacific Region institutions over a 12 month period. The numbers do not include the number of WED releases forecasted for release from the remaining four CSC Regions. It is also significant to highlight that the forecasted releases were not necessarily to communities in British Columbia.

To assist with identifying a more accurate appreciation of the impact of WED releases to British Columbia communities from all federal institutions in the five CSC Regions a more in depth review was completed for the calendar year 2003. This resulted with the completion on 2004 01 29 of the following report entitled: ***Warrant Expiry Date (WED) File Review - All WED Referrals from 03 01 01 to 03 12 23 referred to the High Risk Offenders Identification Program by CSC.***

**Table F WED File Review - All WED Referrals
2003 01 01 to 2003 12 23
High Risk Offenders Identification Program
Criminal Justice Branch Vancouver**

Facility	#	Regional #
Kent Institution	05	
Matsqui Institution	05	
Mission Institution	09	
Mountain Institution	08	
Regional Health Centre	01	
William Head Institution	01	
Pacific Region		29
Drumheller Institution	01	
Edmonton Institution	01	
Saskatchewan Institution	02	
Prairie Region		04
Collins Bay Institution	01	
Kingston Penitentiary	01	
Ontario Region		02
Port Cartier Institution	01	
Quebec Region		01
Atlantic Region		Nil
National Total		36

The above numbers represent the WED offenders from all federal institutions over a 12 month period whose release plans involved a return to a BC community.

Chapter 02 - Working with Agencies & Partners - the Pre Release Process

(A) Partners Involved

- CSC Institutions
- RCMP
- National Parole Board (NPB)
- High Risk Offenders Identification Program (HROIP)
- Circles of Support & Accountability
- CSC Parole Offices
- Municipal Police
- Crown Counsel Criminal Justice Branch
- High Risk Recognizance Advisory Committee (HRRAC)
- BC Corrections

(B) Supporting Organizations

- BC Association of Chiefs of Police
- BC Association of Municipal Chiefs of Police
- Pacific Region National Joint Committee of Senior Criminal Justice Officials

(C) Correctional Service of Canada (WEB Access)²

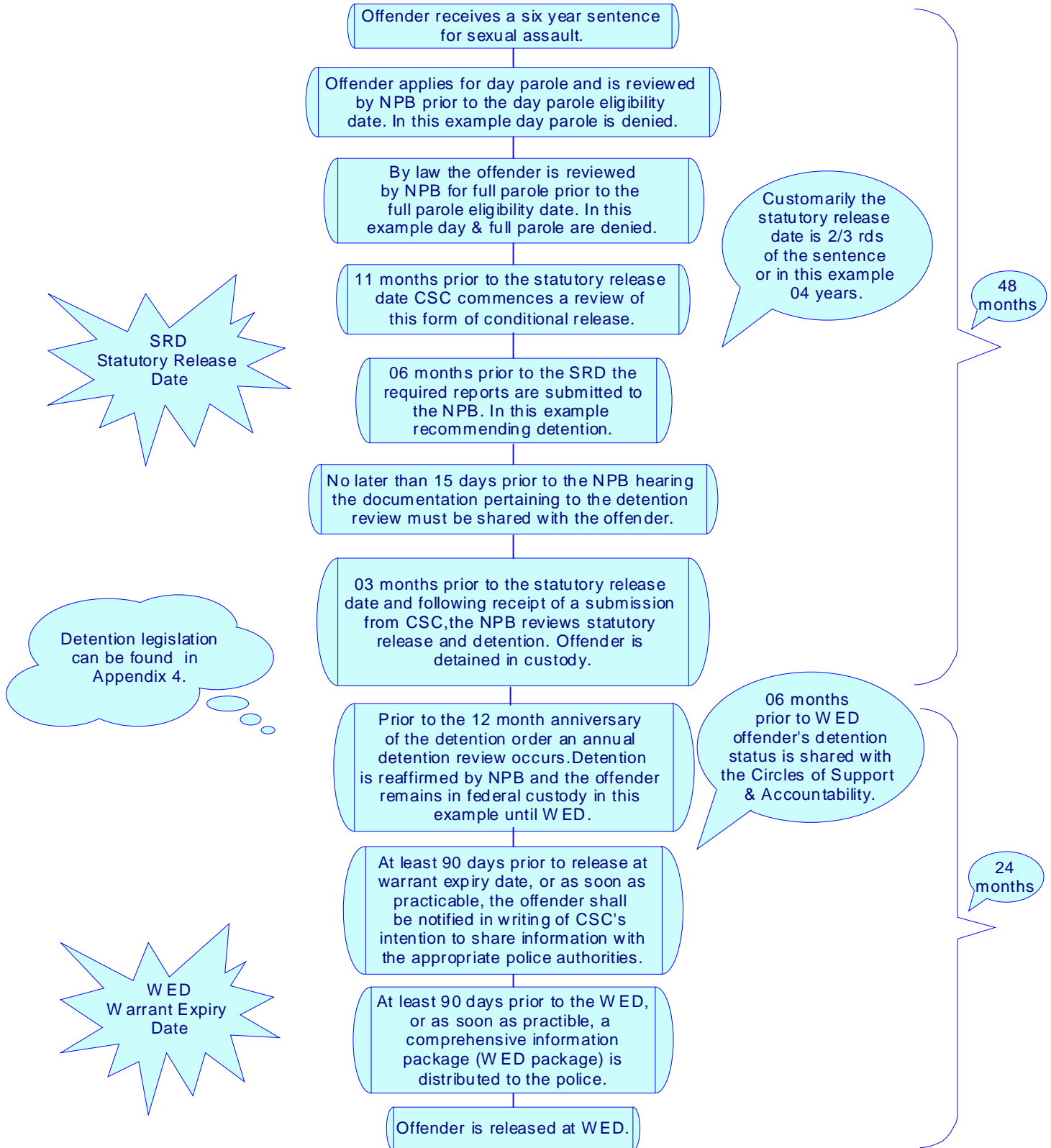
As part of the Criminal Justice System, the primary responsibility of the Correctional Service of Canada (CSC) is to contribute to the protection of society. To accomplish this objective, CSC assesses risk and identifies offenders believed to pose a threat to the safety of the public. If CSC has reasonable grounds to believe that an offender is likely to commit a violent crime or sexual offence after his/her warrant expires, CSC is obligated to provide all relevant information to the police and/or any body authorized by the CSC to supervise offenders. Warrant Expiry Date information packages are provided in a timely manner to appropriate agencies at the anticipated offender destination. CSC assist in the interpretation of CSC documents and actuarial tools used to identify crime cycles and risk assessments. CSC attempts to facilitate the acceptance of offenders in need of support and restrictions. CSC believes that working together and sharing relevant information with other Criminal Justice System and support agencies is a positive preventative measure that assists in ameliorating the threat posed to the public by high risk offenders.

Flowchart A highlighted the “**Road Map**” that a detained offender who had received a six year sentence for sexual assault would follow from reception to release at WED. It was also stated that during the 6 year sentence key recommendations would be made by the Correctional Service of Canada (CSC) and key decisions would be made by the National Parole Board (NPB) prior to the detention decision and release at WED.

Flowchart B below further highlights the CSC process, while **Flowchart C** highlights the NPB process.

² http://www.csc-scc.gc.ca/text/home_e.shtml

Flowchart B – Correctional Service of Canada - Detention & Release at Warrant Expiry Date



(D) National Parole Board ([WEB Access](#))³

The National Parole Board reviews cases, which the Correctional Service of Canada refers to them with a recommendation that the offender not be returned to the community on statutory release.

The Board's role is to determine if the offender is likely, during the final third of the sentence, to commit:

- an offence causing death or serious harm (severe physical injury or severe psychological damage) to another person;
- a sexual offence involving a child; or
- a serious drug offence.

The Board has the option to detain that offender until the end of the sentence or add specific conditions to the statutory release plan. If an inmate is detained, the Board must reconsider release once a year and either confirm the detention or release the offender onto statutory release (including to a halfway house).

• Determining Serious Harm

When determining whether an offender caused serious harm to a person, Board members will consider the following:

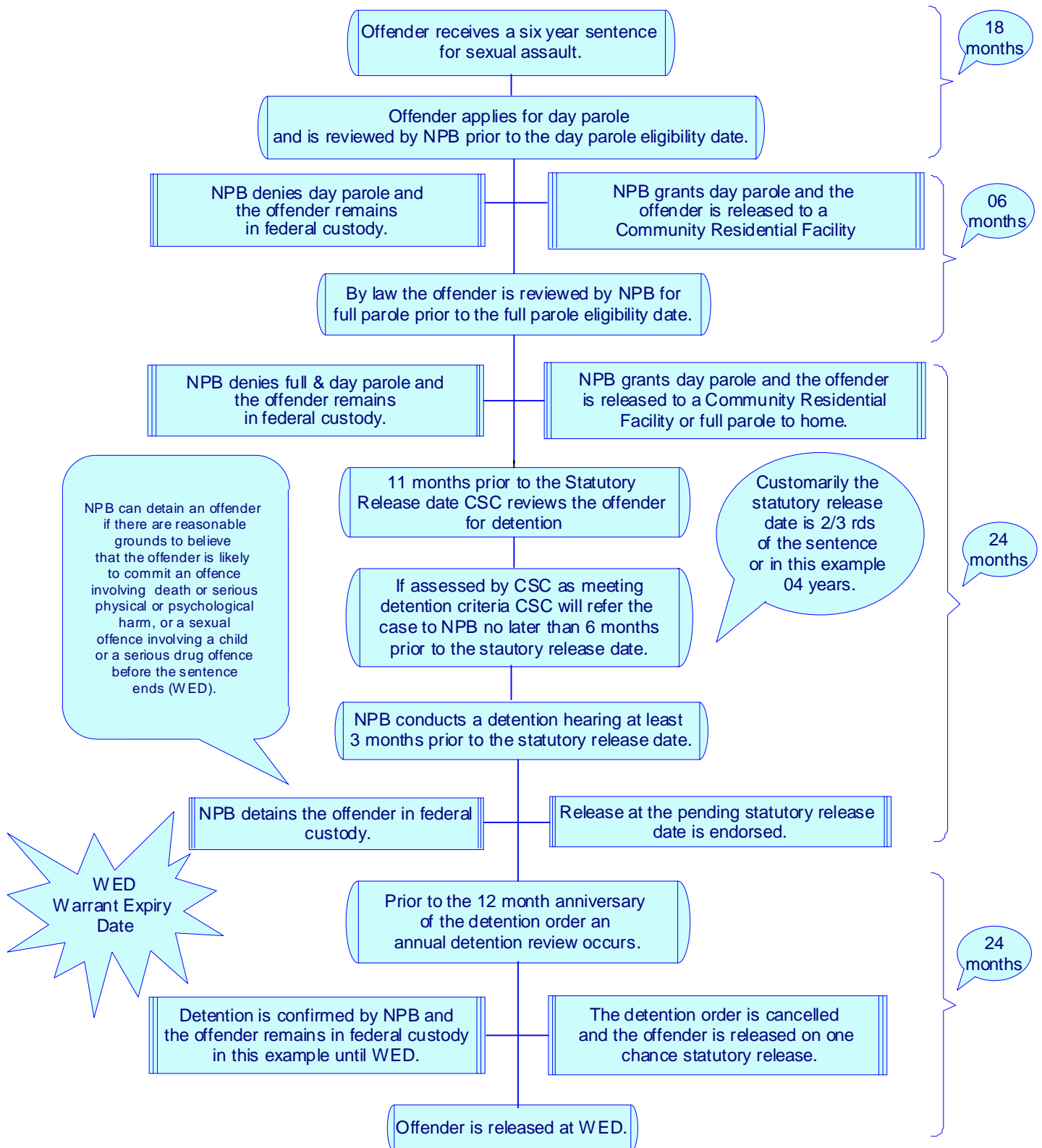
- An offence which results in physical or psychological disability, incapacitation, disfigurement, or serious reduction in quality of life, where the result is permanent or long-term in nature, should, unless exceptional circumstances exist, be regarded as having satisfied the "serious harm" criterion;
- it is not necessary that an offence have a permanent or long-term effect on the victim in order to satisfy the "serious harm" criterion. For example, if a victim is severely beaten, but recovers completely from the beating, it is still possible for that offence to be considered to have caused "serious harm";
- the extent of injury to the victim, as assessed or indicated by medical care sought or required;
- the nature of the offence and the circumstances surrounding it, and in particular whether it involved brutality, excessive force, viciousness, or deviant sexual behaviour;
- the use of a weapon to harm or threaten the victim;
- whether or not the victim was subject to prolonged or repeated abuse or terror;
- any particular vulnerability of the victim, such as being very young, aged, infirm, helpless, or handicapped.

NPB guidelines for the assessment of the psychological damage aspect of serious harm can be found as Appendix 1, Chapter 6 of the NPB Policy Manual. ([WEB Access](#))⁴

³ http://www.npb-cnrc.gc.ca/infocntr/policym/man_06_e.htm#a

⁴ http://www.npb-cnrc.gc.ca/infocntr/policym/man_06_e.htm#l

Flowchart C National Parole Board and the Detained Offender



(E) Municipal Police in British Columbia

Municipal Police Departments receive WED packages from CSC and deal with them as a serious matter. To different degrees, dependant on the frequency of occurrence, departments provide investigators to take responsibility for these investigations. The packages will arrive and be assigned to an investigator. The facts will be taken into consideration and a file created. The impact on the community as well as the needs of the offender will be taken into consideration when the review is conducted. When appropriate a recommendation will be made to Crown for a Section 810.1 or 810.2 release order to the end of ensuring conditions are placed on the person coming into the community. The investigator may conduct in depth interviews with the high risk offender as well as other investigative steps to ascertain the appropriate conditions that will be requested. If the High Risk Recognizance Advisory Committee (HRRAC) has already taken this step the officer will review the conditions and ascertain the appropriateness of the request. Once the order is in place the file will be held by the police agency and the investigator will monitor the file and offender until the order expires. Should it be needed a new application will be made prior to expiry.

(F) RCMP “E” Division [\(WEB Access\)](#)⁵

The RCMP, under its mandate to promote safe communities, has two primary roles or responsibilities in responding to Warrant Expiry Date Releases.

The first is on notification by CSC that a WED offender is to be released. The detachment at the receiving jurisdiction, or if offender’s destination is unknown, the detachment that has jurisdiction of the releasing institution shall conduct an investigation using all available information as to what risks the offender may pose to the public. This will usually involve a request to HRRAC to provide a comprehensive review. The investigation should establish the offender’s history, current emotional state, what threat the subject poses to the potential victims or the community at large and what measures could be imposed on the offender to assist with his/her reintegration into the community. Police will put the material into a Report to Crown Counsel laying out the evidence, the witnesses to support the application and recommended conditions that provide for the adequate protection of the community. Police will then recommend that Crown seek an application under the appropriate s. 810 provision of the Criminal Code and ensure process is served on offender. The police should in most cases talk with the offender about the s. 810 application explaining to him, so he understands what it is about.

The second role played by RCMP is after the court has placed a WED offender on a recognizance. The subject is entered by police onto CPIC with the enforceable conditions for the law enforcement community at large. The further police roles involve enforcing an order by detection and investigation of possible

⁵ http://www.rcmp-grc.gc.ca/bc/home/index_e.htm

violations, the collection of evidence for subsequent prosecution of alleged breaches.

- **RCMP Behavioural Sciences Group (BSG)**

The Behavioural Sciences Group (BSG) within the “E” Division Major Crime Section is the first step toward implementing the RCMP Operations Model for combating the predatory violence (criminal sexual acts, hate/fear-based crimes, thrill/psychopathic violence) prevalent in BC. The BSG creates the organizational infrastructure necessary to integrate existing and new teams into a strategically-focussed intelligence-led operational group capable of collecting information, creating intelligence, assessing strategic targets, implementing operational plans, and evaluating the results of operations focussed on predatory criminals.

- **BSG Immediate Objectives**

- To establish strong leadership for integrating existing and new teams into a strategically-focussed and intelligence-led group targeting the high volume sexual and non-sexual predators at large in BC.
- To create a single point of accountability for improvement in the overall performance and management of the units involved (ViCLAS, Profiling, Threat Risk Assessment, Sex Offender Registry and Integrated Sexual Predatory Operations Teams – project or full-time).
- To create a focal point for comprehensive assessments of predatory violence and centre-of-excellence able to provide advice on policy and training.
- To create a single point of contact for creating solid partnerships with our policing partners, Crown Counsel, Provincial and Federal Corrections (CSC), non-government organization (rape crisis centres, medical professionals, etc.)
- To create a single point of contact for the National Policy Centre and Provincial Government concerning BC’s participation in the National Sex Offender Registry.
- To create a single point of contact for taking advantage of new and emerging technologies for improving our ability to collect, collate, analyse and share intelligence.

- **BSG Long Term Benefits**

- To develop intelligence on predatory sex offenders and violent psychopaths operating at large in BC.
- To create seamless integration of the existing and future multi-disciplinary expertise available on sexual predators and psychopaths.
- To integrate systems (i.e. BC PRIME, ViCLAS and the Sex Offender Registry).
- To establish quality assurance protocols for the continual evaluation of the progress, impact and outcomes of the tactical operations against sexual predators and violent psychopaths.

- To create the capacity to set operational priorities based on a solid threat and risk assessment of individual predators through sound psychological and threat assessment tools.

(G) De-centralized Police Pre Release Process

The following is a suggested step by step process that could be utilized by police upon receipt of a CSC initiated WED release package. The decentralized process is the current practice in British Columbia. The responsibility for proceeding is with the police jurisdiction in the location where the offender is to be released. When the destination is not known, the police jurisdiction that is responsible for the institution that is to release the offender, by default assumes responsibility.

1. You will receive a package from the Correctional Service of Canada (CSC). Included in this package you will find the following:
 - a current photograph
 - Risk assessment report prepared for the original detention review
 - Copy of the National Parole Board (NPB) decision from the original detention hearing
 - Risk assessment report for the most recent annual review
 - Copy of the NPB decision form the most recent annual review
 - Copies of available psychiatric and/or psychological reports related to detention and the assessment of risk
 - Any information with respect to potential victims and any information shared with actual victims
 - Any other relevant documentation that the CSC institution believes will assist police in developing their plan for the case.
2. Inform Crown Counsel concerning the receipt of the WED package.
3. Call the federal institution from where the inmate is to be released and:
 - speak to the Institutional Parole Officer (IPO) responsible for the offender's case and the institutional Security Intelligence Officer (SIO, formerly the IPSO or Institutional Preventive Security Officer) concerning any security concerns, who was allowed to visit, who does the inmate have contact with.
 - set up an appointment to interview the inmate (inmate should be advised that he has the right to have legal counsel present).
4. Check with the High Risk Offenders Identification Program (HROIP) and review:
 - any existing files.
 - any archived files.

5. Obtain a copy of original police report, Report to Crown Counsel (RTCC).
6. Complete all necessary police checks such as:
 - Police Information Retrieval System (PIRS).
 - Canadian Police Information Centre (CPIC).
 - National Crime Data Bank (NCDB).
7. Where possible, contact a member of the inmate's immediate family - are they going to provide support?
8. A High Risk Recognizance Advisory Committee (HRRAC) case review is only a recommendation. If there are reasons you feel an 810.01 or .02 is not necessary articulate this in the file.
9. Create an RTCC in chronological order from present to past history. Include the following:
 - CSC history,
 - NPB decisions,
 - Psychological and psychiatric reports,
 - police recommendations.
10. Attend court.
11. Walk warrant through process.⁶
12. Court process - either signs 810 or sets court date (provisions of 810 will be placed on bail until hearing). Refer to **Flowchart G - Recognizance**
13. Consider a media release.
14. Notify police agency of jurisdiction where inmate intends to reside.
15. Send a copy of the recognizance to the police agency of jurisdiction.
16. Notify Violent Crime Linkage Analysis System (ViCLAS).

A centralized pre release police and Crown Counsel process for the province remains under active consideration.

(H) High Risk Offenders Identification Program (HROIP) – Ministry of the Attorney General

The High Risk Offenders Identification Program is a Criminal Justice Program in British Columbia designed to assist Crown Counsel with Dangerous Offender, Long Term Offender Applications, Section 810.1 and 810.2 CCC Recognizance, general sentencing and bail applications. HROIP facilitates information sharing between Crown Counsel, Police, Corrections and Forensic Psychiatric Services.

⁶ This is common police language for proceeding or actually walking the RTCC through the charge approval process. Police recommend a charge with approval the responsibility of Crown Counsel.

Information includes circumstances from previous convictions or stays of proceeding, Provincial and Federal (CSC) correctional file information concerning previous incarcerations and professional assessments that might have been conducted i.e. Forensic Psychiatric Services. HROIP maintains close contact with all justice partners in the sharing of information.

The HROIP alerts the justice community of an interest in an individual by “flagging” computer systems. The computer systems used for “flagging” are “JUSTIN, CPIC and CORNET”. Hardcopy files are retained at the Vancouver office of HROIP for Court Declared Dangerous Offenders, Long Term Offenders, Section 8101. and 810.2 CCC Recognizance, repeat violent offenders identified as “potential” Dangerous Offenders and violent offenders currently before the court for sentencing. The type of information held on HROIP files is a current Criminal Record, Photo, Police Reports to Crown Counsel, Pre-Sentence Reports, Forensic Psychiatric Assessment Reports, Correctional Progress Summary Reports, Dangerous Offender and Long Term Offender Assessment Reports and some transcripts such as a Judge’s Reason for Sentencing.

In 1996, each Province and Territory in Canada adopted a similar program operating under each Provincial Attorney General. The national umbrella program is called the National Flagging System for High Risk Violent Offenders. Under this flag all Criminal Justice Agencies (nationally) are being alerted that the offender should be considered for a Dangerous Offender Application. The criteria for flagging the offender is based on the opinion of a provincial program that if the offender is convicted of a further serious personal injury offence, there will be a reasonable prospect that he or she would be declared a Dangerous Offender or Long Term Offender. Offenders flagged under this national umbrella are flagged on CPIC to facilitate a national flag. (B.C. currently has identified approximately 380 offenders that meet these criteria.) B.C. also has another 1000 offenders flagged as provincial violent offenders, who are presently assessed as potential Dangerous Offenders if they continue to offend violently.

(I) BC Corrections Branch – Ministry of Public Safety & Solicitor General

The BC Corrections Branch of the Ministry of Public Safety and Solicitor General is comprised of two functional divisions. The Adult Custody Division is responsible for administering warrants of remand/detention and custodial sentences of less than two years in Provincial Correctional Centres. The Community Corrections and Corporate Programs Division provides supervision, case management and risk-based interventions to offenders who are bound by orders for community supervision, including: Bail, 810 Recognizances, Probation, Conditional Sentences and Provincial Parole. Probation Officers in the Community Corrections Division also investigate and prepare reports for the Court and the BC Board of Parole related to sentencing options and conditional release.

- **High Risk Recognizance Advisory Committee (HRRAC)**

The High Risk Recognizance Advisory Committee or HRRAC is intended to enhance public safety, through greater awareness and control of sexual and violent offenders who are considered to pose a high risk to re-offend. Established initially in 1999 as the Community Notification Advisory Program (CNAP), the committee assists justice agencies to determine whether an offender's presence in the community warrants:

1. Further court-ordered supervision through application for a s.810.1 or s.810.2 Recognizance under the *Criminal Code*; and/or
2. Public disclosure regarding the offender's presence in the community.

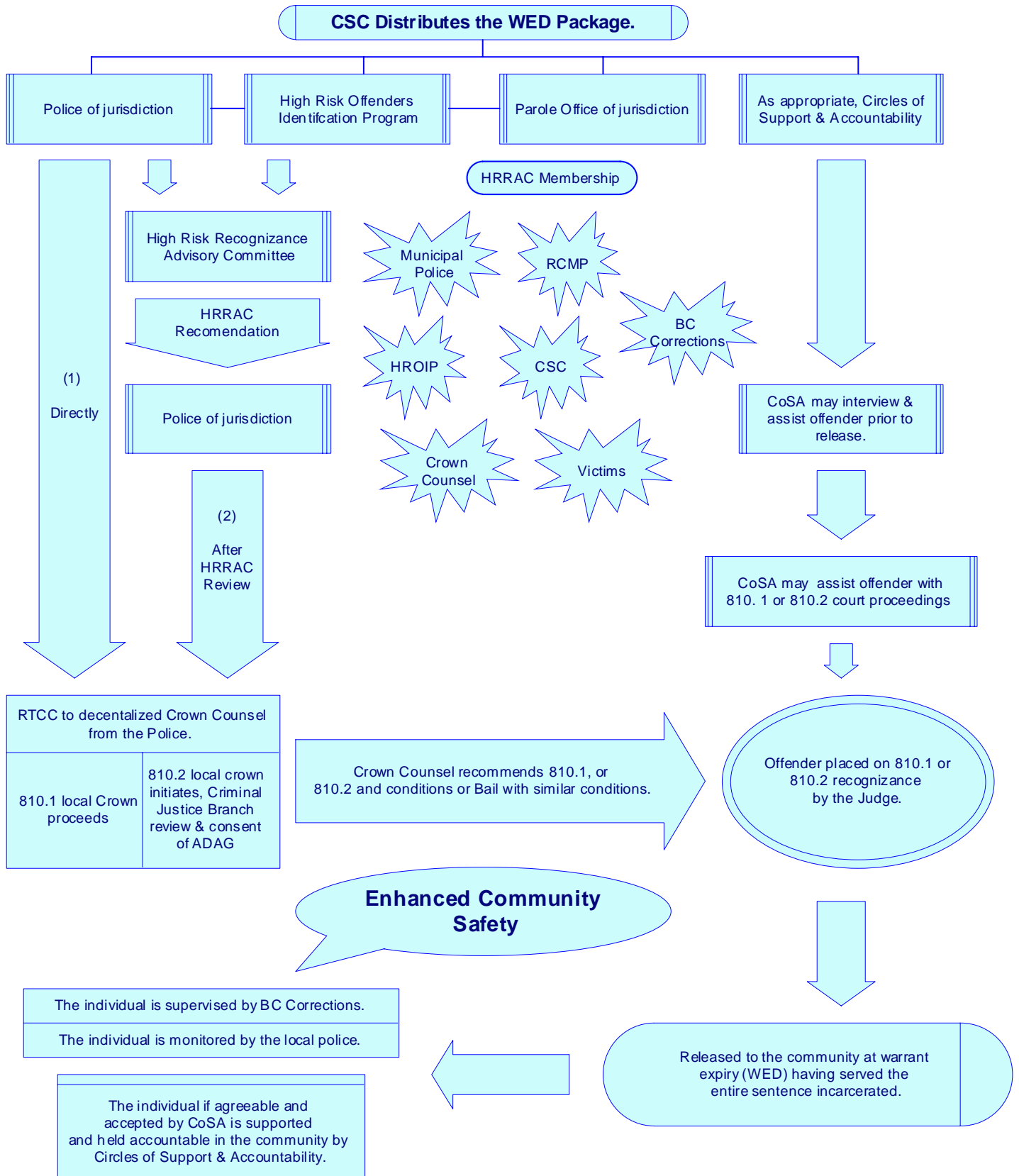
The Corrections Branch, Ministry of Public Safety and Solicitor General is responsible for the administration of the HRRAC program. The committee structure includes representatives from a broad range of related justice agencies, including: RCMP, RCMP Behavioural Sciences Group, Municipal/City Police, Correctional Service Canada (CSC), Crown Counsel, Victim Safety Unit and the High Risk Offender Identification Program (HROIP) of the Criminal Justice Branch.

Sexual and violent offenders are referred to the program primarily via the police and/or the HROIP following their receipt of the CSC WED release package. The High Risk Offender Program Analyst of the BC Corrections Branch prepares a comprehensive case review report for every referral received, utilizing information from CSC progress records, Reports to Crown Counsel, pre-sentence reports, forensic assessments, psychiatric and psychological reports, and Community Corrections files. The committee reviews the report and makes recommendations regarding the appropriateness of application for a s.810.1 or s.810.2 Recognizance, and the potential for notification of the public.

In the event an application for an 810.1 or 810.2 Recognizance is recommended by HRRAC, the recommendations and supporting documentation are forwarded to the appropriate police agency for preparation of a Report to Crown Counsel. HRRAC recommendations are not binding, however, and the final decision to submit a Report to Crown Counsel rests with the police agency.

The Corrections Branch also maintains its own policy requiring that application for an 810.1 or 810.2 Recognizance be considered prior to warrant/community provincial supervision expiry, if an offender remains a high-risk to re-offend and presents a danger to public safety. These applications are generally carried out independently from HRRAC, however, consultations regarding high-risk offenders can be conducted via the Corrections Branch High Risk Offender Program Analyst.

Flowchart D - Current Decentralized Pre Release Sharing of Case Specific Information



(J) Crown Counsel - Criminal Justice Branch

- **s. 810.1 (Sexual) or s. 810.2 (Serious Personal Injury Offence) Orders**

Section 810.1⁷ and **Section 810.2**⁸ orders are specialized Peace Bonds for up to one year, although repeat orders may be granted.

There is a designated Crown Counsel at the Criminal Justice Branch Headquarters in Vancouver, responsible for providing assistance to Crown Counsel throughout the province and liaising with other agencies on behalf of the Branch, on issues relating to the areas of 810, 810.1 and 810.2 recognizances. This Crown Counsel also typically receives the 810.2 applications from the local Crown Offices and refers them to the Assistant Deputy Attorney General for his consent.

This designated Crown attends the HRRAC meetings although the participation is not an endorsement of the committee's recommendation, as it is the Assistant Deputy Attorney General who currently provides consent to a proceeding under section 810.2. It is also within the discretion of the individual Crown Counsel in the relevant jurisdiction to pursue applications under section 810, 810.1 and to make decisions regarding the appropriate bail and recognizance decisions.

- **Optional conditions under s. 810.1 may include but are not limited to:**

- prohibition from engaging in any activity that involves contact with persons under the age of 14 years including using a computer and prohibition against attending a public park, swimming area, daycare centre, school ground, or playground.

- **Optional conditions under s. 810.2:**

- keep the peace and be of good behaviour, any other “reasonable conditions”, firearms, weapons and explosives prohibition, report to police or correctional authority.

(K) Circles of Support & Accountability (CoSA)

CoSA is a community-based group of professionally supported volunteers, usually drawn from local faith communities. Their task is to assist men and women convicted of sex offences who are released from prison at the end of their sentences with little or no community support. The volunteers are well screened and trained, mature individuals whose ultimate goal is safe, integrated communities with no more victims. The offenders they support are usually considered to be at high risk to reoffend sexually, and as such, have been

⁷ <http://laws.justice.gc.ca/en/C-46/45360.html#section-810.1> and see Appendix 5

⁸ <http://laws.justice.gc.ca/en/C-46/45360.html#section-810.2> and see Appendix 5

detained in custody by the National Parole Board until the end of their sentence. Most are subject to conditions imposed under section 810 CCC, and many are the subject of community notifications upon their release.

The ideal pre-release offender involvement for CoSA would be six months prior to the expiration of the offender's sentence (warrant expiry date). As evidenced by the **2004 08 13 CSC/CoSA Sharing of Information Protocol (Appendix 6)** such notification and sharing of information has been agreed to in the Pacific Region. Offender consent is also required to proceed with any pre release involvement by CoSA.

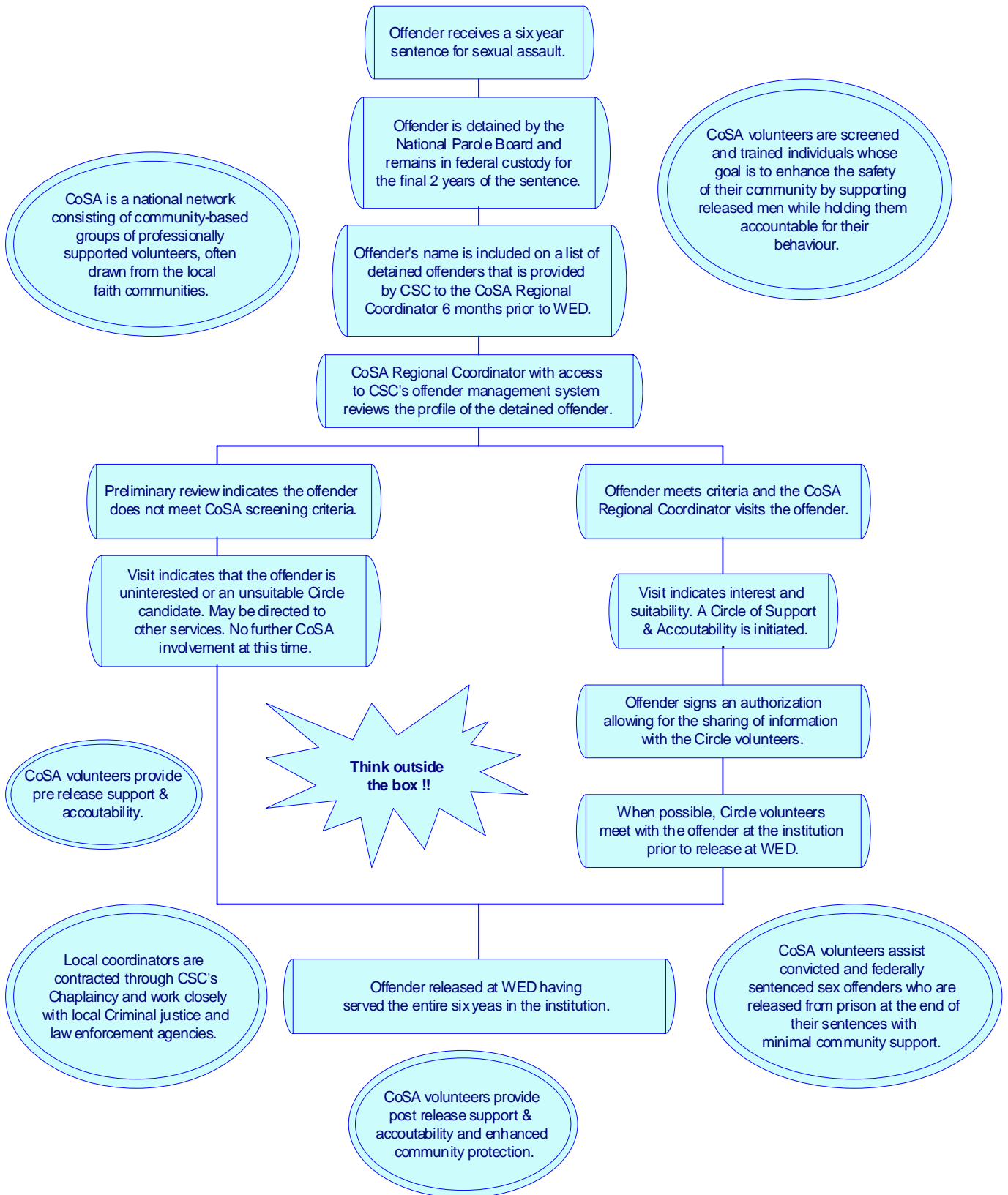
(L) Flowcharts E, F, and G

The following three pages will provide schematics that will address the:

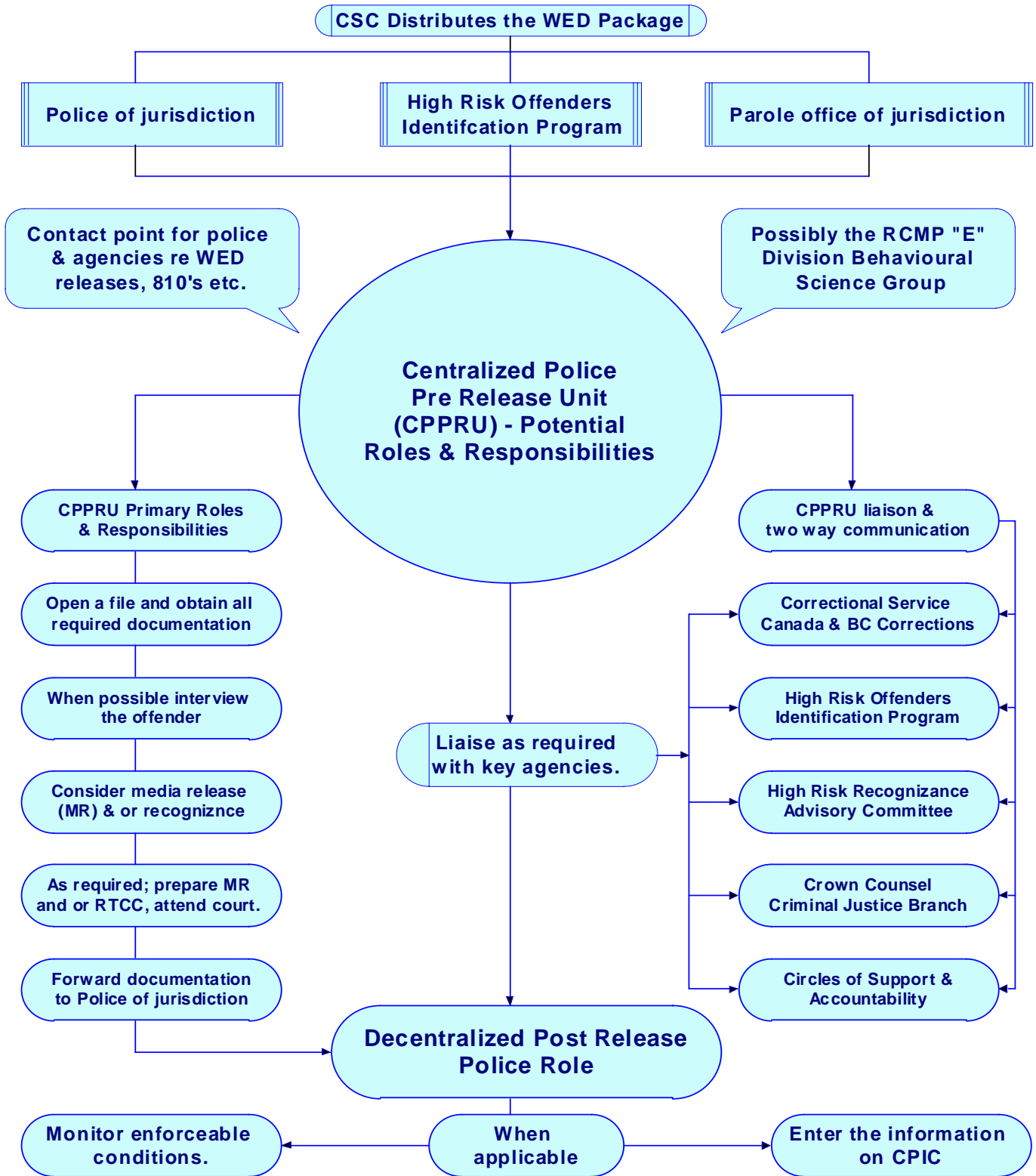
- CoSA WED process - **Flowchart E - Circles of Support and Accountability**
- A representation for a centralized police process - **Flowchart F – Potential “Centralized Police Model⁹” - Pre & Post Involvement With the WED Offender**, and
- A third process that the police initiate and that CoSA can with the consent of the offender become involved in - **Flowchart G – Recognizance - s. 810.1 and s. 810.2**

⁹ As noted this Flowchart is a **possible representation** of a centralized police model. Criminal Justice Branch, Ministry of the Attorney General is supportive of a centralized Crown Counsel model. Further collaborative discussion on “centralization” with all key players is anticipated in the near future.

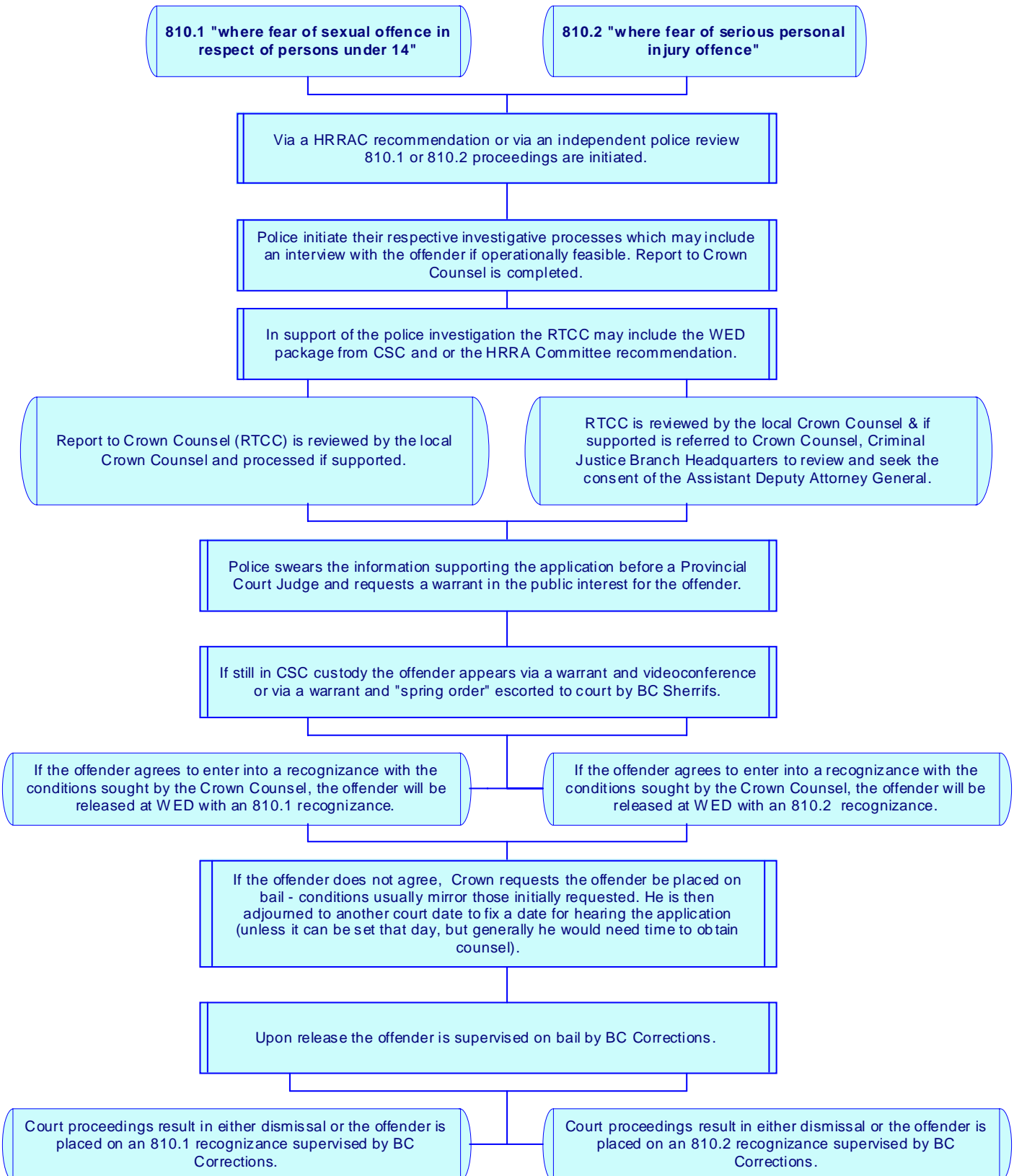
Flowchart E Circles of Support and Accountability



Flowchart F – Potential “Centralized Police Model” - Pre & Post Involvement With the WED Offender



Flowchart G - Recognizance s. 810.1 and s. 810.2



Chapter 03 - Monitoring the Released WED Offender

(A) BC Corrections Branch – Ministry of Public Safety & Solicitor General

- **Supervision of 810 Recognizance by the BC Corrections Branch**

The Community Corrections Division provides supervision of the following 810 Recognizances at the direction of the court:

- 810 CCC – Fear of Personal Injury or Damage to Property
- 810.1 CCC – Fear of Sexual Offence Against Person Under Age 14
- 810.2 CCC – Fear of serious personal injury offence.

Offenders are assessed for risk throughout the duration of their order and are supervised consistent with BC Community Corrections policy for risk-based case management and the program interventions available for sentenced offenders. This includes the coordination of supervision with local police agencies and the assignment of probation staff trained in the dynamics of sexual and violent offending.

Offenders subject to 810.1 and 810.2 Recognizances generally present a high-risk to re-offend and require intensive supervision and intervention, which often extends well beyond the duration of their substantive sentences. A recognizance order issued under either ss.810.1 or 810.2 cannot exceed twelve months. As a result, repeated, annual applications for a new 810 order may be required for long-term, high-risk offenders who pose a risk to public safety.

- **Provincial Resources and Treatment Programs to Manage Risk**

The Corrections Branch provides Core programs and treatment programs to offenders in both community and institutional settings. Core programs are designed to reduce re-offending by promoting long-term changes in the thinking, skills and lifestyles of offenders that are known to contribute to crime. To ensure these programs are an effective adjunct to the risk-based case management practices of the Corrections Branch, they are targeted at medium and high risk offenders and delivered by trained Corrections staff and contractors in a standard and complementary manner.

Corrections staff who deliver Core programs draw on an additional foundation of training and skills in the dynamics of relapse prevention, motivational interviewing, and mentally disordered offenders, which supports ongoing case management of offenders throughout the course of supervision.

For further information concerning the resources and programs please refer to **Appendix 7**.

(B) Police Post Release Process

As noted above the police are also directly involved following the release of the WED offender to the community. If placed on a recognizance by the court the subject will be supervised by BC Community Corrections and monitored as required by the police. In other provinces, both the supervisory role and the monitoring role are the responsibility of the police.

The subject is entered by police onto CPIC, which would include highlighting the enforceable conditions for the law enforcement community at large. The post release process addresses the enforcement of the order by detection and investigation of possible violations, the collection of evidence and subsequent prosecution of alleged breaches.

(C) Police Integrated Sexual Predator Observation Teams (ISPOT)

The "Enforcement" phase in Partnerships-Assessment-Selection-Training-Enforcement (PASTE) is conducted by 10-person surveillance teams who have special training in surveillance techniques and in understanding predatory sex offenders and their crime cycles. The teams target the predators that have been assessed and selected by the Integrated Sexual Predator Intelligence Network (ISPIN). They focus on the predators who are in a crime cycle, make arrests at the appropriate time and work with the RCMP Behavioural Sciences Group (BSG) Psychology to present a Crown Report. The RTCC depicts the behavioural progression toward another victim and recommends sanctions and conditions upon release. PASTE and ISPIN are initiatives of the RCMP BSG.

(D) Circles of Support & Accountability – Post Release

In British Columbia, CoSA groups are located in the Fraser Valley, the Lower Mainland and on Vancouver Island. These groups are supported through the Chaplaincy Division of the Correctional Service of Canada. These groups are co-ordinated through a Regional Co-ordinator contracted by CSC Chaplaincy for this purpose. Contact information is contained below. These groups are part of a loose affiliation of similar CoSA projects located in every major urban centre in Canada.

Canadian research (Wilson and Picheca, 2004)¹⁰, has compared two matched groups of sex offenders released at Warrant Expiry. There were 60 offenders in each group. Offenders were matched on variables such as age, type of sex offence, risk assessment (Static-99; RRASOR - rapid risk assessment for sexual offense recidivism) and date of release. As well, the groups did not differ on treatment history. One group of offenders had a CoSA while the other did not

¹⁰ R.J. **Wilson** and J.E. **Picheca**, "Circles of Support and Accountability: Engaging the Community in Sexual Offender Risk Management," in B. Schwartz (ed.), *The Sex Offender*, vol. 5 (New York: Civic Research Institute, in press).

(CoSA and Non-CoSA groups). Sexual, violent and general recidivism was assessed as an outcome variable over a follow-up period ranging from 3 – 124 months (mean range was between 52 and 54 months post release). The group with a CoSA reoffended with a sexual offence (conviction) at a rate 50% below that of the non-CoSAs group (5 offenders re-convicted versus 10 in the non-CoSAs group). The difference between expected and actual recidivism is significant for the CoSAs group only. There is a significant difference between the two groups in terms of violent recidivism (i.e. less for the CoSA group), and a trend towards significance in terms of general recidivism. These results are unprecedented in the literature for sex offenders in the high risk categories.

For further information contact:

Regional Co-ordinator (Western)

Andrew McWhinnie

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1-250-881-1151

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Chapter 04 - Appendices

Appendix 1 - Abbreviations and Acronyms

ADAG	Assistant Deputy Attorney General
BB*	Breaking Barriers
BCACP	BC Association of Chiefs of Police
BC PRIME	BC Police Records Information Management Environment
BSG	RCMP Behavioural Sciences Group
CACP	Canadian Association of Chiefs of Police
CCC	Criminal Code of Canada
CCRA	Corrections and Conditional Release Act
CCRR	Corrections and Conditional Release Regulations
CPIC	Canadian Police Information Centre
CJB	Criminal Justice Branch, Ministry of the Attorney General
CNI	Criminal Name Index
CORNET*	BC Corrections Integrated offender management information system for institutional and community corrections.
CoSA	Circles of Support and Accountability
CPIC	Canadian Police Information Centre
CSC	Correctional Service of Canada
DP	Day Parole
DPED	Day Parole Eligibility Date
ETA	Escorted Temporary Absence
FMCC*	Ford Mountain Correctional Centre
FAC	Firearms Acquisition Certificate
FP	Full Parole
FPED	Full Parole Eligibility Date
FPSC*	Forensic Psychiatric Services Commission
HRO	High Risk Offender
HROIP	High Risk Offenders Identification Program
HRRAC*	High Risk Recognance Advisory Committee
IPIRS	Integrated Police Incident Reporting System
IPO	Institutional Parole Officer
ISPIN	Integrated Sexual Predator Intelligence Network (RCMP)
ISPOT	Integrated Sexual Predator Observation Teams (RCMP)
JUSTIN*	BC Integrated Justice System
LEIP	Law Enforcement Information Portal
NCDB	National Crime Data Bank
NJC	National Joint Committee of Senior Criminal Justice Officials
NPB	National Parole Board
OMS	Offender Management System (CSC)
PASTE	Partnerships Assessment Selection Training Enforcement (RCMP)
PCJ	Provincial Court Judge
RRASOR	Rapid Risk Assessment for Sexual Offense Recidivism
RCMP	Royal Canadian Mounted Police
RR*	Respectful Relationships Program
RTCC	Report to Crown Counsel
RVT*	Relationship Violence Treatment Program

SAM*	Substance Abuse Management Program
SIO	Security Intelligence Officer
SR	Statutory Release
SRD	Statutory Release Date
TA	Temporary Absence
UAL	Unlawfully at Large
UTA	Unescorted Temporary Absence
ViCLAS	Violent Crime Linkage Analysis System
VPD	Vancouver Police Department
VPP*	Violence Prevention Program
WED	Warrant Expiry Date

* BC Corrections Branch Treatment Resource, Affiliation or Initiative

Appendix 2 – Types of Release from Federal Custody

What types of release (excluding release at WED) are available to federal offenders?

Temporary absence:

- Usually the first type of release an offender may be granted.
- May be escorted (ETA) or unescorted (UTA).
- Granted so offenders may: receive medical treatment; contact with their family; undergo personal development and/or counselling; and participate in community service work projects.

Eligibility

- Offenders may apply for ETAs any time throughout their sentence.
- UTAs vary, depending on the length and type of sentence. Offenders classified as maximum security are not eligible for UTAs.
- For sentences of three years or more, offenders are eligible to be considered for UTAs after serving one sixth of their sentence.
- For sentences of two to three years, UTA eligibility is at six months into the sentence.
- For sentences under two years, eligibility for temporary absence is under provincial jurisdiction.
- Offenders serving life sentences are eligible to apply for UTAs three years before their full parole eligibility date.

Day parole:

- Prepares an offender for release on full parole or statutory release by allowing the offender to participate in community-based activities.
- Offenders on day parole must return nightly to an institution or a halfway house unless otherwise authorized by the National Parole Board.

Eligibility

- Offenders serving sentences of three years or more are eligible to apply for day parole six months prior to full parole eligibility.
- Offenders serving life sentences are eligible to apply for day parole three years before their full parole eligibility date.
- Offenders serving sentences of two to three years are eligible for day parole after serving six months of their sentence.
- For sentences under two years, day parole eligibility comes at one-sixth of their sentence.

Full parole:

- Offender serves the remainder of the sentence under supervision in the community.

- An offender must report to a parole supervisor on a regular basis and must advise on any changes in employment or personal circumstances.

Eligibility

- Most offenders (except those serving life sentences for murder) are eligible to apply for full parole after serving either one-third of their sentence or seven years.
- Offenders serving life sentences for first-degree murder are eligible after serving 25 years.
- Eligibility dates for offenders serving life sentences for second-degree murder are set between 10 to 25 years by the court.

Statutory release:

- By law, most federal inmates are automatically released after serving two-thirds of their sentence if they have not already been released on parole. This is called statutory release.
- Statutory release is not the same as parole because the decision for release is not made by the National Parole Board.
- Offenders serving life or indeterminate sentences are not eligible for statutory release.
- The Correctional Service of Canada may recommend an offender be denied statutory release if they believe the offender is likely to:
 - commit an offence causing death or serious harm to another person;
 - commit a sexual offence involving a child; or
 - commit a serious drug offence before the end of the sentence.

Probation and parole are completely different

Probation is a sentence imposed by a judge, usually instead of, but sometimes in addition to, a term of imprisonment. It allows the person to live in the community under the supervision of a probation officer. Probation is exclusively under the jurisdiction of the provinces and is not used for federal offenders serving sentences of two years or more.

Parole is part of a sentence and may be granted only by a board of parole*. It always includes an initial period of imprisonment following which the offender may live in the community for the remainder of the sentence, under the supervision of a parole supervisor and under certain conditions. Failure to abide by these conditions could mean the offender is returned to prison.

* Ontario, Quebec and British Columbia also have parole boards, which have jurisdiction only over those offenders serving sentences of less than two years in those provinces.

Appendix 3 - Public Safety & Emergency Preparedness Canada Responds to Frequently Asked Questions ([WEB Access](#))¹¹

Q. What is a Warrant Expiry Date?

A Warrant Expiry Date (WED) is the date the criminal sentence officially ends, as imposed by the courts at the time of sentencing.

Offenders who reach Warrant Expiry Date after completing their entire sentence are no longer under the jurisdiction of Correctional Service Canada (CSC). Neither CSC nor the National Parole Board (NPB) can lengthen or shorten a court sentence.

Q. Where are offenders released? Where will they live?

CSC makes every effort to determine where an offender will reside and, in virtually all cases, knows the offender's destination.

In cases that CSC doesn't have that information, an information package on the offender is forwarded to the district office where the offender was convicted as well as where the offender was incarcerated in order for it to be transmitted to the police jurisdiction of that area.

Q . When are offenders released once they reach WED?

According to subsection 93(1) of the *Corrections and Conditional Release Act (CCRA)*, the actual release occurs during the daylight hours of the last regular working day (i.e. a day on which offices of the Public Service of Canada are open in that province) prior to the scheduled release date for offenders on statutory release or at warrant expiry.

Q. What is the earliest possible release date?

In accordance with section 93(2) of the CCRA, where the Institutional Head is satisfied that an offender's re-entry into the community on statutory release or at expiration of sentence will be facilitated by an earlier release than that provided for in paragraph 1, the Institutional Head may release the offender up to five days before the day on which the offender is entitled to be released.

The "up to five days" are counted back from, but not including, the last working day before the warrant expiry date.

Q. Is the public notified of offenders whereabouts once released?

CSC works in close collaboration with police forces. The decision to release and share information with the public about offenders released at warrant expiry rests with the province or territory where the offender relocates. Most jurisdictions have either implemented or drafted their own protocols or legislation regarding public notification. Police will be notified of the date and time of the release.

¹¹ http://www.psepc.gc.ca/publications/Corrections/offenders/faq_e.asp

Q. Do offenders simply walk out the door?

Every release is examined on a case-by-case basis and can vary from one release to another. For example, some offenders can arrange to have a family member pick them up at the perimeter of the penitentiary and provide them the transportation required. Others may have someone from a support group accompany them back to their destination. The logistics involved vary from one offender to another depending on their personal circumstances.

Q. Does CSC give money to offenders to help them out during the first few days of their release?

All money standing to the credit of an inmate is given to the inmate on the day of release. If the total of an inmate's current and savings accounts is less than \$50.00 on day of release, CSC will pay the inmate the difference between the account balance and \$50.00. (For example, if the balance is \$27.00, CSC would give the inmate \$23.00 to make up the difference).

Q. Does CSC provide transportation to released offenders?

If necessary, CSC covers the cost for the reasonable means of transportation required to return an offender to either the city where he was prosecuted or to a destination approved by CSC. The extent of the expenses must be within Treasury Board Secretariat guidelines.

Q. Will CSC facilitate an offender's re-entry into the community?

On Warrant Expiry Date, the offender is no longer under CSC's jurisdiction. There are various organizations in the community who help offenders to successfully reintegrate into the community.

Q. Can released offenders receive a passport?

As specified in sections 9 and 10 of the *Canadian Passport Order*, Passport Canada may refuse to issue a passport to an applicant who is deemed a national security risk, has been convicted of a passport-related criminal offence, is in jail, is on parole or probation and consequently forbidden to leave Canada, among other things.

Further details related to the Refusal of Passports and Revocation may be found in sections 9 and 10 of the [Canadian Passport Order](#)¹²

Q. Are there extra precautions taken when releasing a high profile offender?

All necessary steps are taken to ensure the safety of the public, staff and offenders. If there is a requirement for police assistance, CSC requests help from the police. Resources are in place to ensure safe reintegration for each offender.

¹² http://www.pptc.gc.ca/publications/order_admin_e.asp

Appendix 4 - Detention Legislation - CCRA Sections 129 to 132

Review of cases by service

129. (1) Before the statutory release date of an offender who is serving a sentence of two years or more that includes a sentence imposed for an offence set out in Schedule I or II or an offence set out in Schedule I or II that is punishable under section 130 of the *National Defence Act*, the Commissioner shall cause the offender's case to be reviewed by the Service.

Referral of certain cases to Board

(2) After the review of the case of an offender pursuant to subsection (1), and not later than six months before the statutory release date, the Service shall refer the case to the Board together with all the information that, in its opinion, is relevant to it, where the Service is of the opinion

(a) in the case of an offender serving a sentence that includes a sentence for an offence set out in Schedule I, that

(i) the commission of the offence caused the death of or serious harm to another person and there are reasonable grounds to believe that the offender is likely to commit an offence causing death or serious harm to another person before the expiration of the offender's sentence according to law, or

(ii) the offence was a sexual offence involving a child and there are reasonable grounds to believe that the offender is likely to commit a sexual offence involving a child before the expiration of the offender's sentence according to law; or

(b) in the case of an offender serving a sentence that includes a sentence for an offence set out in Schedule II, that there are reasonable grounds to believe that the offender is likely to commit a serious drug offence before the expiration of the offender's sentence according to law.

Referral of cases to Chairperson of Board

(3) Where the Commissioner believes on reasonable grounds that an offender who is serving a sentence of two years or more is likely, before the expiration of the sentence according to law, to commit an offence causing death or serious harm to another person, a sexual offence involving a child or a serious drug offence, the Commissioner shall refer the case to the Chairperson of the Board together with all the information in the possession of the Service that, in the Commissioner's opinion, is relevant to the case, as soon as is practicable after forming that belief, but the referral may not be made later than six months before the offender's statutory release date unless

(a) the Commissioner formed that belief on the basis of behaviour of the offender during the six months preceding the statutory release date or on the basis of information obtained during those six months; or

(b) as a result of any recalculation of the sentence under this Act, the statutory release date of the offender has passed or less than six months remain before that date.

(c) [Repealed, 1995, c. 42, s. 44]

Detention pending referral

(3.1) Where paragraph (3)(b) applies and the statutory release date has passed, the Commissioner shall, within two working days after the recalculation under that paragraph, make a determination whether a referral is to be made to the Chairperson of the Board pursuant to subsection (3) and, where appropriate, shall make a referral, and the offender is not entitled to be released on statutory release pending the determination.

Request for information by Board

(4) At the request of the Board, the Service shall take all reasonable steps to provide the Board with any additional information that is relevant to a case referred pursuant to subsection (2) or (3).

Deadlines for review by Board

(5) Where the case of an offender is referred to the Chairperson of the Board pursuant to subsection (3) during the six months preceding the statutory release date of the offender, or on or after that date, the Board shall

(a) if the case is referred to the Chairperson more than four weeks before that date, review the case pursuant to subsection 130(1) before that date;

(b) if the case is referred to the Chairperson during the four weeks preceding that date but more than three days before that date,

(i) review the case pursuant to subsection 130(1) before that date, if possible, or

(ii) make an interim review of the case before that date; or

(c) if the case is

(i) referred to the Chairperson on the statutory release date or during the three days preceding that date, or

(ii) referred to the Chairperson pursuant to paragraph (3)(b) after the statutory release date has passed,

make an interim review of the case during the three days following the day on which the case was so referred.

Interim review

(6) An interim review required by subsection (5) shall be made in the manner prescribed by the regulations.

Decision to review

(7) On completion of an interim review pursuant to subsection (5), if the Board is of the opinion, on the basis of all the information provided, that a sufficient case is made for a review pursuant to subsection 130(1), the Board shall conduct a review of the case as soon as is practicable and not later than four weeks after the case was referred to the Chairperson of the Board.

Delegation to provincial authorities

(8) The Commissioner may delegate to the correctional authorities of a province the powers of the Service and of the Commissioner under this section in relation to offenders who are serving their sentences in a correctional facility in that province.

Definitions

(9) In this section and sections 130 and 132,

"serious drug offence"

"serious drug offence" means an offence set out in Schedule II;

"sexual offence involving a child"

"sexual offence involving a child" means

(a) an offence under any of the following provisions of the *Criminal Code* that was prosecuted by way of indictment, namely,

(i) section 151 (sexual interference),

(ii) section 152 (invitation to sexual touching),

(iii) section 153 (sexual exploitation),

(iv) subsection 160(3) (bestiality in presence of child or inciting child to commit bestiality),

(v) section 170 (parent or guardian procuring sexual activity by child),

(vi) section 171 (householder permitting sexual activity by child),

(vii) section 172 (corrupting children),

(viii) subsection 212(2) (living off the avails of prostitution by a child), and

(ix) subsection 212(4) (obtaining sexual services of a child),

(b) an offence under any of the following provisions of the *Criminal Code* involving a person under the age of eighteen years that was prosecuted by way of indictment, namely,

- (i) section 155 (incest),
- (ii) section 159 (anal intercourse),
- (iii) subsections 160(1) and (2) (bestiality and compelling bestiality),
- (iv) section 271 (sexual assault),
- (v) section 272 (sexual assault with a weapon, threats to a third party or causing bodily harm),
and
- (vi) section 273 (aggravated sexual assault),
- (c) an offence under any of the following provisions of the *Criminal Code*, chapter C-34 of the Revised Statutes of Canada, 1970, as they read immediately before January 1, 1988, that was prosecuted by way of indictment, namely,
 - (i) section 146 (sexual intercourse with a female under 14),
 - (ii) section 151 (seduction of a female between 16 and 18), and
 - (iii) section 167 (householder permitting defilement),
- (d) an offence involving a person under the age of eighteen years under any of the following provisions of the *Criminal Code*, chapter C-34 of the Revised Statutes of Canada, 1970, as they read immediately before January 1, 1988, that was prosecuted by way of indictment, namely,
 - (i) section 153 (sexual intercourse with step-daughter),
 - (ii) section 155 (buggery or bestiality),
 - (iii) section 157 (gross indecency), and
 - (iv) section 166 (parent or guardian procuring defilement), or
- (e) an offence involving a person under the age of eighteen years under any of the following provisions of the *Criminal Code*, chapter C-34 of the Revised Statutes of Canada, 1970, as they read immediately before January 4, 1983, that was prosecuted by way of indictment, namely,
 - (i) section 144 (rape),
 - (ii) section 145 (attempt to commit rape),
 - (iii) section 149 (indecent assault on female), and
 - (iv) section 156 (indecent assault on male).

Determination of likelihood of offence

(10) In determining whether an offender is likely to commit an offence causing death or serious harm to another person, a sexual offence involving a child or a serious drug offence, it is not necessary to determine whether the offender is likely to commit any particular offence. 1992, c. 20, s. 129; 1995, c. 42, s. 44; 1998, c. 35, s. 117.

Review by Board of cases referred

130. (1) Where the case of an offender is referred to the Board by the Service pursuant to subsection 129(2) or referred to the Chairperson of the Board by the Commissioner pursuant to subsection 129(3) or (3.1), the Board shall, subject to subsections 129(5), (6) and (7), at the times and in the manner prescribed by the regulations,

- (a) inform the offender of the referral and review, and
- (b) review the case, and the Board shall cause all such inquiries to be conducted in connection with the review as it considers necessary.

Detention pending review

(2) An offender referred to in subsection (1) is not entitled to be released on statutory release before the Board renders its decision under this section in relation to the offender.

Decision of Board

(3) On completion of the review of the case of an offender referred to in subsection (1), the Board may order that the offender not be released from imprisonment before the expiration of the offender's sentence according to law, except as provided by subsection (5), where the Board is satisfied

(a) in the case of an offender serving a sentence that includes a sentence for an offence set out in Schedule I, or for an offence set out in Schedule I that is punishable under section 130 of the *National Defence Act*, that the offender is likely, if released, to commit an offence causing the death of or serious harm to another person or a sexual offence involving a child before the expiration of the offender's sentence according to law,

(b) in the case of an offender serving a sentence that includes a sentence for an offence set out in Schedule II, or for an offence set out in Schedule II that is punishable under section 130 of the *National Defence Act*, that the offender is likely, if released, to commit a serious drug offence before the expiration of the offender's sentence according to law,

(c) in the case of an offender whose case was referred to the Chairperson of the Board pursuant to subsection 129(3) or (3.1), that the offender is likely, if released, to commit an offence causing the death of or serious harm to another person, a sexual offence involving a child or a serious drug offence before the expiration of the offender's sentence according to law.

When order takes effect

(3.1) An order made under subsection (3) takes effect on the day on which it is made.

Effect of order where additional sentence

(3.2) Where, before the expiration of a sentence in respect of which an order under subsection (3) has been made, an offender receives an additional sentence and the date of the expiration of the sentence that includes the additional sentence as provided by subsection 139(1) is later than the date of the expiration of the sentence that the offender was serving before the additional sentence was imposed,

(a) the Board shall review the order at the time and in the manner prescribed by the regulations where, as a result of the additional sentence, the statutory release date has already passed or is within nine months after the day on which the offender received the additional sentence; and

(b) the order is cancelled where, as a result of the additional sentence, the statutory release date is nine months or more after the day on which the offender received the additional sentence.

Board's powers on review

(3.3) The Board shall, on completing a review under paragraph (3.2)(a)

(a) confirm the order to prevent the release of the offender until the expiration of the sentence in respect of which the order was made; or

(b) amend the order to prevent the release of the offender until the expiration of the sentence that includes the additional sentence as provided by subsection 139(1).

Detention pending review

(3.4) An offender in respect of whom an order, that is subject to review under paragraph (3.2)(a), has been made is not entitled to be released on statutory release before the Board renders its decision under subsection (3.3) in relation to the order.

Special order by Board

(4) Where the Board is not satisfied as provided in subsection (3) but is satisfied that

(a) at the time the case was referred to it, the offender was serving a sentence that included a sentence for an offence set out in Schedule I or II, or for an offence set out in Schedule I or II that is punishable under section 130 of the *National Defence Act*, and

(b) in the case of an offence set out in Schedule I or an offence set out in Schedule I that is punishable under section 130 of the *National Defence Act*, the commission of the offence caused the death of, or serious harm to, another person or the offence was a sexual offence involving a child,

it may order that if the statutory release is later revoked, the offender is not entitled to be released again on statutory release before the expiration of the offender's sentence according to law.

Order not to be released

(5) An offender who is in custody pursuant to an order made under subsection (3) or amended under paragraph (3.3)(b) is not eligible to be released from imprisonment under this Act except on a temporary absence with escort for medical purposes under Part I.

Where order for release revoked

(6) Where an offender is ordered under subsection (3) or paragraph (3.3)(b) not to be released and is subsequently released pursuant to an order made under subparagraph 131(3)(a)(ii) or (iii) and the statutory release is later revoked, the offender is not entitled to be released again on statutory release before the expiration of the offender's sentence according to law.

(7) [Repealed, 1995, c. 42, s. 45]
1992, c. 20, s. 130; 1995, c. 42, s. 45; 1997, c. 17, s. 26(F); 1998, c. 35, s. 118.

Annual review of orders

131. (1) The Board shall review every order made under subsection 130(3) within one year after the date the order was made, and thereafter within one year after the date of each preceding review while the offender remains subject to the order.

Board to inquire

(2) The Board shall cause such inquiries to be conducted in connection with each review under subsection (1) as it considers necessary to determine whether there is sufficient new information concerning the offender to justify modifying the order or making a new order.

Board's powers on review

(3) The Board, on completing a review under subsection (1), shall

- (a) with respect to an order made under subsection 130(3) or paragraph 130(3.3)(b),
 - (i) confirm the order,
 - (ii) order the statutory release of the offender subject to the condition that the offender reside in a community-based residential facility, psychiatric facility or, subject to subsection (4), a penitentiary designated pursuant to subsection (5), where the offender has been detained for a period during statutory release and the Board is satisfied that the condition is reasonable and necessary in order to protect society and to facilitate the successful reintegration into society of the offender, or
 - (iii) order the statutory release of the offender without such a residence requirement; or
- (b) with respect to an order made under subparagraph (3)(a)(ii),
 - (i) confirm or modify the order, or
 - (ii) order the statutory release of the offender without such a residence requirement.

Consent of Commissioner

(4) A condition under subparagraph (3)(a)(ii) that an offender reside in a penitentiary designated pursuant to subsection (5) is valid only if consented to in writing by the Commissioner or a person designated, by name or by position, by the Commissioner.

Designation

(5) The Commissioner may designate penitentiaries for the purposes of orders made under subparagraph (3)(a)(ii).
1992, c. 20, s. 131; 1995, c. 42, s. 46; 1997, c. 17, s. 27.

Relevant factors in detention reviews

132. (1) For the purposes of the review and determination of the case of an offender pursuant to section 129, 130 or 131, the Service, the Commissioner or the Board, as the case may be, shall take into consideration any factor that is relevant in determining the likelihood of the commission of an offence causing the death of or serious harm to another person before the expiration of the offender's sentence according to law, including

- (a) a pattern of persistent violent behaviour established on the basis of any evidence, in particular,
 - (i) the number of offences committed by the offender causing physical or psychological harm,
 - (ii) the seriousness of the offence for which the sentence is being served,
 - (iii) reliable information demonstrating that the offender has had difficulties controlling violent or sexual impulses to the point of endangering the safety of any other person,
 - (iv) the use of a weapon in the commission of any offence by the offender,
 - (v) explicit threats of violence made by the offender,
 - (vi) behaviour of a brutal nature associated with the commission of any offence by the offender,
- and
- (vii) a substantial degree of indifference on the part of the offender as to the consequences to other persons of the offender's behaviour;
- (b) medical, psychiatric or psychological evidence of such likelihood owing to a physical or mental illness or disorder of the offender;
- (c) reliable information compelling the conclusion that the offender is planning to commit an offence causing the death of or serious harm to another person before the expiration of the offender's sentence according to law; and
- (d) the availability of supervision programs that would offer adequate protection to the public from the risk the offender might otherwise present until the expiration of the offender's sentence according to law.

Idem

(1.1) For the purposes of the review and determination of the case of an offender pursuant to section 129, 130 or 131, the Service, the Commissioner or the Board, as the case may be, shall take into consideration any factor that is relevant in determining the likelihood of the commission of a sexual offence involving a child before the expiration of the offender's sentence according to law, including

- (a) a pattern of persistent sexual behaviour involving children established on the basis of any evidence, in particular,
 - (i) the number of sexual offences involving a child committed by the offender,
 - (ii) the seriousness of the offence for which the sentence is being served,
 - (iii) reliable information demonstrating that the offender has had difficulties controlling sexual impulses involving children,
 - (iv) behaviour of a sexual nature associated with the commission of any offence by the offender,
- and
- (v) a substantial degree of indifference on the part of the offender as to the consequences to other persons of the offender's behaviour;
- (b) reliable information about the offender's sexual preferences indicating that the offender is likely to commit a sexual offence involving a child before the expiration of the offender's sentence according to law;
- (c) medical, psychiatric or psychological evidence of the likelihood of the offender committing such an offence owing to a physical or mental illness or disorder of the offender;
- (d) reliable information compelling the conclusion that the offender is planning to commit such an offence; and
- (e) the availability of supervision programs that would offer adequate protection to the public from the risk the offender might otherwise present until the expiration of the offender's sentence according to law.

Idem

(2) For the purposes of the review and determination of the case of an offender pursuant to section 129, 130 or 131, the Service, the Commissioner or the Board, as the case may be, shall take into consideration any factor that is relevant in determining the likelihood of the commission of a serious drug offence before the expiration of the offender's sentence according to law, including

(a) a pattern of persistent involvement in drug-related crime established on the basis of any evidence, in particular,

(i) the number of drug-related offences committed by the offender,

(ii) the seriousness of the offence for which the sentence is being served,

(iii) the type and quantity of drugs involved in any offence committed by the offender,

(iv) reliable information demonstrating that the offender remains involved in drug-related activities, and

(v) a substantial degree of indifference on the part of the offender as to the consequences to other persons of the offender's behaviour;

(b) medical, psychiatric or psychological evidence of such likelihood owing to a physical or mental illness or disorder of the offender;

(c) reliable information compelling the conclusion that the offender is planning to commit a serious drug offence before the expiration of the offender's sentence according to law; and

(d) the availability of supervision programs that would offer adequate protection to the public from the risk the offender might otherwise present until the expiration of the offender's sentence according to law.

Corrections and Conditional Release Act Regulations Section 160

160. (1) Where the case of an offender is referred to the Board pursuant to subsection 129(2) of the Act or to the Chairperson of the Board pursuant to subsection 129(3) of the Act, the Board shall inform the offender, in writing, of

(a) the referral

(i) five months before the offender's date for statutory release, where the case is referred to the Board or to the Chairperson of the Board not later than six months before that date, or

(ii) in all other cases, as soon as practicable; and

(b) the date of a review to be held pursuant to subsection 129(5) or 130(1) of the Act as soon as practicable after the date of the review has been set by the Board.

(2) A review of the case of an offender by the Board pursuant to subsection 130(1) of the Act shall be held

(a) not later than three months before the offender's date for statutory release, where the case of the offender has been referred to the Board or to the Chairperson of the Board at least four months before that date; or

(b) in all other cases, not later than one month after the case has been referred to the Board or to the Chairperson of the Board.

(3) For the purposes of paragraph 130(3.2)(a) of the Act, the Board shall review the order made under paragraph 130(3)(a) of the Act within one month after the day on which the Board is notified that an offender has received an additional sentence referred to in subsection 130(3.2) of the Act. SOR/96-108, s. 3.

Appendix 5 - Criminal Code Updated to August 31, 2004

- Section 810.1 “where fear of sexual offence”
- Section 810.2 “where fear of serious personal injury offence”
- Section 811 “Breach of recognizance”

Where fear of sexual offence	<p>810.1 (1) Any person who fears on reasonable grounds that another person will commit an offence under section 151, 152, 155 or 159, subsection 160(2) or (3), section 163.1, 170, 171 or 172.1, subsection 173(2) or section 271, 272 or 273, in respect of one or more persons who are under the age of fourteen years, may lay an information before a provincial court judge, whether or not the person or persons in respect of whom it is feared that the offence will be committed are named.</p>
Appearances	<p>(2) A provincial court judge who receives an information under subsection (1) may cause the parties to appear before a provincial court judge.</p> <p>(3) The provincial court judge before whom the parties appear may, if satisfied by the evidence adduced that the informant has reasonable grounds for the fear, order the defendant to enter into a recognizance and, for a period fixed by the provincial court judge of not more than twelve months, comply with the conditions fixed by the provincial court judge, including a condition prohibiting the defendant from</p>
Adjudication	<p>(a) engaging in any activity that involves contact with persons under the age of fourteen years, including using a computer system within the meaning of subsection 342.1(2) for the purpose of communicating with a person under the age of fourteen years; and</p> <p>(b) attending a public park or public swimming area where persons under the age of fourteen years are present or can reasonably be expected to be present, or a daycare centre, schoolground, playground or community centre.</p>
Refusal to enter into recognizance	<p>(3.1) The provincial court judge may commit the defendant to prison for a term not exceeding twelve months if the defendant fails or refuses to enter into the recognizance.</p>
Judge may vary recognizance	<p>(4) A provincial court judge may, on application of the informant or the defendant, vary the conditions fixed in the recognizance.</p>
Other provisions to apply	<p>(5) Subsections 810(4) and (5) apply, with such modifications as the circumstances require, to recognizances made under this section. 1993, c. 45, s. 11; 1997, c. 18, s. 113; 2002, c. 13, s. 81.</p>
Where fear of serious personal injury offence	<p>810.2 (1) Any person who fears on reasonable grounds that another person will commit a serious personal injury offence, as that expression is defined in section 752, may, with the consent of the Attorney General, lay an information before a provincial court judge, whether or not the person or persons in respect of whom it is feared that the offence will be committed are named.</p>
Appearances	<p>(2) A provincial court judge who receives an information under subsection (1) may cause the parties to appear before a provincial court judge.</p> <p>(3) The provincial court judge before whom the parties appear may, if satisfied by the evidence adduced that the informant has reasonable grounds for the fear, order that the defendant enter into a recognizance to keep the peace and be of good behaviour for any period that does not exceed twelve months and to comply with any other reasonable conditions prescribed in the recognizance, including the conditions set out in subsections (5) and (6), that the provincial court judge considers desirable for securing the good conduct of the defendant.</p>
Adjudication	
Refusal to enter into recognizance	<p>(4) The provincial court judge may commit the defendant to prison for a term not exceeding twelve months if the defendant fails or refuses to enter into the recognizance.</p>

Conditions firearms	<p>(5) Before making an order under subsection (3), the provincial court judge shall consider whether it is desirable, in the interests of the safety of the defendant or of any other person, to include as a condition of the recognizance that the defendant be prohibited from possessing any firearm, cross-bow, prohibited weapon, restricted weapon, prohibited device, ammunition, prohibited ammunition or explosive substance, or all such things, for any period specified in the recognizance, and where the provincial court judge decides that it is so desirable, the provincial court judge shall add such a condition to the recognizance.</p>
Surrender, etc.	<p>(5.1) Where the provincial court judge adds a condition described in subsection (5) to a recognizance order, the provincial court judge shall specify in the order the manner and method by which</p> <p>(a) the things referred to in that subsection that are in the possession of the defendant shall be surrendered, disposed of, detained, stored or dealt with; and</p> <p>(b) the authorizations, licences and registration certificates held by the defendant shall be surrendered.</p>
Reasons	<p>(5.2) Where the provincial court judge does not add a condition described in subsection (5) to a recognizance order, the provincial court judge shall include in the record a statement of the reasons for not adding the condition.</p>
Conditions reporting and monitoring	<p>(6) Before making an order under subsection (3), the provincial court judge shall consider whether it is desirable to include as a condition of the recognizance that the defendant report to the correctional authority of a province or to an appropriate police authority, and where the provincial court judge decides that it is desirable for the defendant to so report, the provincial court judge may add the appropriate condition to the recognizance.</p>
Variance of conditions	<p>(7) A provincial court judge may, on application of the informant, of the Attorney General or of the defendant, vary the conditions fixed in the recognizance.</p>
Other provisions to apply	<p>(8) Subsections 810(4) and (5) apply, with such modifications as the circumstances require, to recognizances made under this section. 1997, c. 17, s. 9; 2002, c. 13, s. 82.</p>
Breach of recognizance	<p>811. A person bound by a recognizance under section 83.3, 810.01, 810.1 or 810.2 who commits a breach of the recognizance is guilty of</p> <p>(a) an indictable offence and liable to imprisonment for a term not exceeding two years; or</p> <p>(b) an offence punishable on summary conviction.</p>

Appendix 6 - CSC/CoSA 2004-08-13 Sharing of Information Protocol

Protocol for Sharing Information Between Circles of Support and Accountability and the Correctional Service of Canada (Pacific) on Offenders Approaching Their Warrant Expiry Date

This protocol was developed after consultation between the Correctional Service of Canada (Pacific) and the Regional Director of Circles of Support and Accountability (CoSA).

Role Statement

Circles of Support and Accountability is a national network consisting of community-based groups of professionally supported volunteers, often drawn from the local faith communities. Local coordinators are contracted through Correctional Service of Canada's Chaplaincy and work closely with local criminal justice and law enforcement agencies. Their task is to assist convicted and federally sentenced sex offenders who are released from prison at the end of their sentences with no community support. These volunteers are screened and trained individuals whose goal is to enhance the safety of their community by supporting released men while holding them accountable for their behaviour.

Protocol

- Six months prior to release the Correctional Service of Canada generates a monthly list of all offenders in the Pacific Region who are scheduled for release at their warrant expiry date (WED). This list is sent to the CoSA Regional Coordinator for review. The list does not discriminate sex offenders from other types of offenders.
- The CoSA Regional Coordinator reviews the list monthly to identify those sex offenders who are likely candidates for involvement with Circles of Support and Accountability. An effort will be made to make contact with these offenders through their Institutional Parole Officers or the institutional Chaplains to gauge interest in Circles of Support and Accountability at WED. In order to facilitate a safe reintegration, dialogue between institutional staff and the CoSA Regional Coordinator on the impending release of sex offenders is required.
- When these offenders are identified, pertinent file information, such as the information contained in the WED packages, will be shared with the CoSA Regional Coordinator three to six months prior to release.
- The CoSA Regional Coordinator, having enhanced reliability clearance, is provided routine access to CSC's Offender Management System and, as required, the offender Case Management file.

- Upon receipt of this information, the CoSA Regional Coordinator will meet with the offender to determine his interest in receiving the support of a Circle at WED and will begin to define the process. If the offender is willing to join a Circle, the CoSA Regional Coordinator will request the signing of an authorization allowing the disclosure of file information (e.g. WED Package) to CoSA volunteers. The Circle will then commence its work to bring the offender into the community as a "Core Member".
- The CoSA Regional Coordinator will notify the Institutional Parole Officer and/or Coordinator of Case Management that a Circle has been established and identify the contact person(s).
- The Institutional Parole Officer and/or Coordinator of Case Management will ensure that the establishment of a Circle, as an information item, is incorporated into the WED package and CoSA contact person(s) would be identified. If the Circle is established after the package distribution, the Institutional Parole Officer and/or Coordinator of Case Management will advise those who received the WED package that a Circle has been established and identify the CoSA contact person(s).
- The CoSA Regional Coordinator will ensure that contact persons with Circles of Support and Accountability have been security cleared to the "Enhanced Reliability" level in order to facilitate entry into institutions.
- Institutional Parole Officers and/or Coordinators of Case Management will facilitate a timely meeting between the Circles of Support and Accountability representatives and the offender. The facilitation would include entry into and, as required, an appropriate orientation to the institution.
- The Operational Unit Heads and CoSA Regional Coordinator are responsible for ensuring that CSC staff and CoSA volunteers are familiar with this protocol.

Notes:

1. Operational Unit Heads include Institutional Heads, District Directors, Area Directors and Directors of Community Corrections.
2. The sharing of offender information with the CoSA Regional Coordinator is supported by NHQ Legal Services.

2004-08-13

Appendix 7 - Provincial Resources and Treatment Programs to Manage Risk

1. Breaking Barriers (BB)

Breaking Barriers is a motivational program that supports behaviour change in offenders.

- Owned by Gordon Graham & Co. Inc. in the US.
- Delivered by staff in custody only.

Target Group: For offenders who need motivation and confidence to change attitudes, beliefs and behaviour in areas related to their criminal history.

Program Length: BB- A Cognitive Reality Model has 17 modules for a total duration of about 22 hours.

2. Violence Prevention Program (VPP)

- Addresses anger management and violence prevention.
- Delivered by staff in custody and community.

Target Group: Suitable for sentenced male offenders who have a criminal offence/history or behaviour pattern of assault and/or other violence (e.g. destruction of property) in which the victim is someone other than a spouse or intimate partner. The offence(s) or behaviour of this offender group usually results from anger, loss of emotional control, aggression, or lack of non-violent communication and problem-solving skills.

Program Length: 10 sessions of approximately 2 hours/session for total duration of 21 hours.

3. Substance Abuse Management Program (SAM)

- Pre-treatment educational program for substance abusers based on a harm reduction (as compared to abstinence) model.
- Delivered by Corrections staff in custody and community.

Target Group: Suitable for sentenced offenders who have alcohol or drug use problems.

Program Length: 2 modules each with nine 1.5 hour sessions for a total duration of 18 sessions or 27 hours.

4. Family Violence Program

There are two program components that address family violence:

(i) Respectful Relationships Program (RR)

- Pre-treatment program that precedes the Relationship Violence Treatment Program
- Delivered by Corrections staff in custody and community

Target Group: Suitable for sentenced male offenders who abuse their female partners.

Program Length: 10 sessions of 2.5 hours/session for a total duration of approximately 25 hours.

(ii) Relationship Violence Treatment Program (RVT)

This treatment component is distinct from staff delivered Core programs

- Adapted from the CSC's Family Violence Prevention Program
- Follows the Respectful Relationships Program Core Program
- Delivered by contracted service providers in the community and at Prince George Regional Correctional Centre and Kamloops Regional Correctional Centre

Target Group: Suitable for sentenced male offenders who abuse their female partners and who have completed RR. It is expected that all medium and high risk 'K-file' offenders will take both RR & RVT.

Program Length: 17 sessions of about 2 hours/session for a total duration of 34 hours.

RR & RVT = 27 sessions for a total of 58 hours

5. Sex Offender Treatment & Maintenance Program

There are two program components that address sex offenders:

(i) Sex Offender Treatment Program

- Partnered with Forensic Psychiatric Services Commission (FPSC)
- Corrections & FPSC jointly adopted the CSC's National Sex Offender Treatment Program.
- Delivered by FPSC contracted psychologists in the community.
- Delivered by Corrections Branch contracted psychologists at Ford Mountain Correctional Centre (FMCC) only.

Target Group: sentenced male sex offenders either in the community or in custody.

Program Length: 3 hours of group/week to a maximum of 5 hours/week for approximately 15 weeks (4 months).

(ii) Sex Offender Maintenance Program

- Owned by Correctional Service of Canada – is part of the National Sex Offender Treatment Program
- Follows treatment
- Delivered by probation officers (who supervise sex offenders) in the community
- Delivered by contracted service providers at FMCC

Target Group: sentenced male sex offenders either in the community or custody (FMCC only)

Program Length: depends on offender's risk, need, stability – minimal contact is once/month, but normally is once/week or once every 2 weeks – offender could attend during the entire period of supervision.

Note: A number of other programs are currently under development by the BC Corrections Branch and will be identified as they become available.