



**National Joint Committee of
Senior Criminal Justice Officials
Pacific Regional**

**COMMUNITY PROTECTION AND THE RELEASE OF
THE FEDERALLY INCARCERATED DETAINED OFFENDER:
AN NJC CONFERENCE PROPOSAL**

BACKGROUND:

Federally incarcerated offenders detained to their warrant expiry dates are, by definition, likely to pose a significant risk to the community. Such offenders have been detained to warrant expiry because they have previously committed an indictable offence or offences causing death or serious bodily harm and there are reasonable grounds to believe that they are likely to commit a further offence involving death or serious harm to another person prior to the expiration of the sentence being served or, if convicted of a sexual offence involving a child, there are reasonable grounds to believe that they are likely to commit a sexual offence involving a child, prior to the expiration of the sentence being served.

Some federally incarcerated detained offenders will return to the community on warrant expiry without being treated. Where treatment has been attempted, it has proved unsuccessful in reducing the offender's risk to within tolerable levels.

The risk posed by offenders detained to warrant expiry is such that a premium is placed on systemic co-ordination and timely, effective and strategic intervention at both the pre-release and post-release stages. This involves co-ordination between the Correctional Service of Canada, police forces, prosecution services, provincial correctional branches (where appropriate, i.e. BC), post-release treatment services and community-based volunteer agencies that provide both pre-release and post-release support for the offenders. Although support for the offender is a key activity for these agencies, their respective mandates are also consistent with the overarching criminal justice goal of "safer communities".

The challenges posed by the offender detained until warrant expiry also requires co-operation as between provincial jurisdictions as an offender may be released to a community outside the province in which he or she is incarcerated or, alternatively, may travel to other provinces (with or without authority) and either breach the recognizance or commit other offences.

OBJECTIVE:

The objective of the conference is, through dialogue and information sharing, to establish a National Best Practices Strategy for the systemic management of federally incarcerated offenders who are released to the community having been detained until their warrant expiry.

LOCATION: Ottawa/Toronto/Vancouver?

DATE: February or March, 2006

SIZE: Approximately 200 attendees

APPROXIMATE COST: \$40,000.00?

PRIMARY TARGET AUDIENCE:

- CSC
- NPB
- Policing Agencies – federal/provincial/municipal
- Crown Counsel – federal/provincial
- Assessment and Treatment Community, including Community Mental Health Teams
- Provincial Corrections
- Community-Based Support Groups e.g. Circles of Support and Accountability (COSA)
- Provincial National Flagging System Representatives
- PSEPC Representatives
- NJC Executive from Each Region
- Police Board Representatives
- Citizens Advisory Committees

CONFERENCE MODEL:

No registration fee. Represented agencies to assume travel and accommodation costs associated with sending their delegates.

It is proposed that the conference be a mixture of lectures, panel discussions and break-out group work.

Each participating provincial jurisdiction would be obliged, three months prior to the conference, to submit, in a template to be developed by the conference organizing committee, a two page summary of current steps taken in their jurisdiction to manage

this category of offender at the pre-release and post-release stages. Submission of this information would be co-ordinated by the NJC Regional Chair or PSEPC through the representatives to the F/P/T High-Risk Offender Working Group. This information would, in turn, be shared with all participants and would form the basis of break-out group discussions to the end of identifying the key elements of a National Best Practice Model. Break-out groups, in their composition, would be reflective of the organizational and geographical diversity of the delegates. Each group would report back at the end of the conference on suggestions for a Best Practice Model. The conference organizing committee would, following the conference, prepare and release to all delegates a best practice strategy reflecting the discussion which occurred at the conference.

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In addition, where appropriate, law reform initiatives would be identified and referred for consideration to the F/P/T Working Group on High Risk Offenders.

A conference planner would be contracted to facilitate organizing this symposium.

Delegates would, on registration, receive a Programme Guide, a Reference Book containing the provincial templates, key legislative provisions and an NJC (Pacific Region) Report entitled, *“Community Protection and the Release of the Federally Incarcerated Detained Offender.”*

An evaluation of the conference would be undertaken.

POSSIBLE FUNDING AGENCIES: To be discussed.

POSSIBLE TOPICS:

- *Systemic Co-ordination at the Pre-Release Stage: Key Elements of a Best Practice Strategy*
- *National High Risk Offender Flagging System – provincial/ territorial co-ordinators*
- *The Application for a Judicial Restraint Order – achieving appropriate and enforceable conditions; process issues and inter-provincial co-operation where an offender is released from custody in one province but intends to reside in another.*
- *Post-Release Correctional Management of WED Offenders Subject to a s.810.1 or 810.2 Order*

- *Extra-Provincial Enforcement of s.810.1 and 810.2 Orders:
The Law and Practice*
- *Innovations in Policing: The British Columbia Perspective (ISPOT/ISPIN)*
- *Breaches of s.810.1 and s.810.2 Orders*
- *Innovations in Treatment: The Winnipeg Model*
- *Crime Cycles: Enhancing Public Protection by Recognizing the Importance of Offending Patterns*
- *Community Notification*
- *Community-Based Support Groups (COSAs)*
- *Looking Ahead: Applying the Best Practice Model to:*
 - a) *Conditionally released offenders in the community approaching WED; and*
 - b) *Long-term offenders approaching the end of their long-term supervision orders.*
- *Karla Holmolka: A Case Study*

Prepared and Approved for Release for
Discussion Purposes by the
National Joint Committee (Pacific Region)

Date: September 16, 2005