



# LONG-TERM SUPERVISION ORDERS

## STANDARD OPERATING PRACTICES (SOP)

(700-21)



Issued under the authority of the Acting Commissioner  
of the Correctional Service of Canada

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## Authority

*Criminal Code of Canada*, sections [753.1](#), [753.2](#), [753.3](#), [753.4](#) and [760](#);  
*Corrections and Conditional Release Act*, sections [84.1](#), [99.1](#), [134.1](#), [134.2](#) and [135.1](#);  
*Corrections and Conditional Release Regulations*, subsection [161\(1\)](#).

## Cross-References

[National Parole Board Policy Manual](#),  
Standard Operating Practices, 700 series.

## Responsibilities

- 1 Institutional Heads and Area Directors, or equivalents, are responsible to ensure that planning of the offender's sentence is based on static and dynamic factors and within the timeframe of the sentence.
- 2 District Directors, or designates, are to ensure that mechanisms are established with provincial/territorial Attorneys General or designates in appropriate locations to deal expediently with breach of order charges.
- 3 Area Directors or equivalents are responsible to ensure appropriate management of the suspension and breach process.
- 4 In addition to their supervisory responsibilities and the management of the long-term supervision offenders, Parole Officers shall, upon recommendation by the NPB, present the case of breach of condition to the provincial/territorial Attorneys General or designates for consideration of laying a charge of breach of LTSO.

## Definitions

- 5 **Long-term offender** is a designation by the court under [section 753.1](#) of the *Criminal Code*. Offenders designated as long-term offenders receive a community supervision order which follows warrant expiry date (or earliest release date for provincial sentence), for a period not exceeding 10 years.
- 6 **Long-term supervision order** is an order imposed by the court. The offender who has received such an order is supervised in accordance with the CCRA. The long-term supervision order commences when the offender has finished serving all sentences for offences for which he or she had been convicted. The period of supervision to which the offender is subject at any time must not total more than 10 years.
- 7 **Attorney General** always refers to the provincial/territorial Attorney General or designate where the offender resides during the long-term supervision order.

## Overview

- 8 All offenders who are supervised in accordance with a long-term supervision order fall under federal jurisdiction.
- 9 Supervision of an offender subject to a long-term supervision order is in accordance with Standard Operating Practices [700-06](#).

## Suspension of Orders

- 10 As the offender has reached sentence expiration and **is no longer under a warrant of committal**, suspension of the order is an extraordinary measure and should only be considered when alternatives to manage risk in the community are deemed not to afford sufficient protection to public safety.
- 11 A suspension of a long-term supervision order by CSC or NPB is valid only for a period of 90 days. This 90-day period includes the first day of the offender's commitment to custody on the suspension warrant.
- 12 A decision to hold an offender subject to a long-term supervision order in custody past the 90-day period can only be made by the court following the laying of a charge of breach of condition under [subsection 753.3\(1\)](#) of the *Criminal Code*. The imposition of a sentence of imprisonment on a charge of breach of condition or on any other charge will also result in the offender's return to custody.
- 13 The charge must be related to a specific instance of a breach of release condition. An offender cannot be charged in order to prevent a breach of condition or to ensure the protection of the public.
- 14 The court would make a finding of guilty or not guilty based on the strength of evidence. If found guilty, the historical information concerning prior breaches or behaviour while under supervision could be used by the court in sentencing.
- 15 Unless CSC cancels the suspension, it must refer a suspended long-term supervision offender to the NPB for decision within 30 days ([subsection 135.1\(5\)](#) of the CCRA). The Board may direct referral in a shorter timeframe.

## Case Preparation for Long-Term Supervision

- 16 Prior to warrant expiry date, offenders subject to a long-term supervision order are eligible for all forms of conditional release. Depending upon circumstances, case preparation responsibilities will follow the standards relevant to the type of release, as per [SOP 700-07](#) or [SOP 700-10](#).
- 17 If the LTSO offender is provincially sentenced, the Community Parole Officer in the area closest to the provincial facility will:
  - a) interview the offender to complete the same preparation as the one required for federal cases (see paragraph 18 below);
  - b) make every reasonable and necessary effort to obtain all critical documents stipulated in [section 23](#) of the CCRA; and

- c) complete the criminal profile report;
  - d) verify the existence of outstanding charges or appeals, immigration status, and section 105 orders.
- 18 For offenders on conditional release, the Community Parole Officer shall forward the following reports to NPB at least three months prior to warrant expiry date (or expiration of sentence):
- an updated Correctional Plan Progress Report, if applicable;
  - an Assessment for Decision (Annex 700-21B) and if required a Community Strategy; and
  - any other relevant reports.
- 19 If the offender is federally incarcerated, refer to [SOP 700-07](#) for case preparation procedures, using the relevant directions for statutory release. If the offender is on conditional release, refer to [SOP 700-10](#) using the relevant directions for case preparation for day to full parole/statutory release.
- 20 If the offender has a detention order or is federally incarcerated for any other reason, the Institutional Parole Officer will complete a Correctional Plan Progress Report and request a Community Strategy from the offender's proposed release destination no later than six months prior to the offender's warrant expiry date. [CD 782](#) is applicable in these circumstances.
- 21 Offenders are bound by their release conditions even if they refuse to sign their long-term supervision order release certificate because they do not accept the conditions.

### **Special Conditions**

- 22 Special conditions that may have been imposed on parole or statutory release do not automatically carry over to the long-term supervision order. The Parole Officer shall refer the case to the NPB. The Board will review the case and, if necessary, impose special conditions on the order prior to warrant expiry date or in provincial cases prior to their earliest release date.
- 23 Special conditions shall be specific and exact as the consequences of a breach may lead to a charge under [section 753.3](#) of the *Criminal Code*. They shall also be clear and directly related to the offender's risk. The special conditions will be subject to scrutiny by the Crown Attorney if breaches are to be brought before the court.
- 24 In extraordinary circumstances, a special condition to reside in a community-based facility can be imposed by the NPB where it is deemed a necessary precaution to protect public safety. It should be noted that this is a more serious measure than imposing residency on statutory release. The process, as outlined in Annex 700-21A, Application of the Condition to Reside in a Community-Based Facility for Long-Term Supervision Orders, shall be followed.

- 25 The special condition to reside in a community-based facility shall be subject to a review by the NPB **every 90 days**.
- 26 If the Board has reason to review the case six months or less before the long-term supervision comes into effect, and the necessary reports for long-term supervision have been submitted to the Board, special conditions in place on parole or statutory release may be continued to the LTSO period if their continuation is explicitly stated in the Board's decision.
- 27 NPB will normally require a hearing to impose or remove a residency condition for LTSO cases. A hearing is also required when the total period of residency reaches one year, and on the yearly anniversary thereafter, to continue the residency condition. Refer to the NPB policy regarding the specific requirements.

### **Procedures Following Breach of Condition(s) / Increase in the Level of Risk**

- 28 Upon receiving information that there is a potential increase in the level of risk, breach of condition, positive urinalysis, or the offender has refused or is incapable of providing a urine sample, the Parole Officer must immediately inform the person with designated authority. This case conference should be documented in the Casework Record within three working days.
- 29 When appropriate, the Parole Officer will interview the offender in person and/or other sources to gather an explanation for the behaviour; assess any motivation to rectify the situation; and discuss a work plan suitable for keeping the risk at an acceptable level.
- 30 The Parole Officer and the person with designated authority shall consider all reasonable alternatives to suspension in order to manage the offender's reintegration effectively, such as:
  - a) availability and suitability of additional treatment or programming to address risk factors;
  - b) availability and suitability of additional control measures to manage risk (e.g. increased reporting, increased urinalysis, curfews, etc.);
  - c) disciplinary interview;
  - d) directions and special instructions; and
  - e) amendment to special conditions.
- 31 Although all reasonable alternatives to suspension must be considered, the paramount consideration in this decision-making process must remain the protection of society, both in the short and long term. If risk is assessed as unmanageable, the suspension process must be initiated.
- 32 If a suspension warrant is not issued, the Parole Officer will complete a Correctional Plan Progress Report to document the actions taken to manage the offender's risk in the community within **30 days** of the Parole Officer becoming aware of an increase in risk or breach of condition.

- 33 Refer to Annex 700-21C for the Correctional Plan Progress Report Content Guidelines.

### **Suspension of a Long-Term Supervision Order**

- 34 The procedures for suspending a long-term supervision order are as follows:
- issue a warrant of suspension and apprehension;
  - re-incarcerate the offender;
  - conduct a post-suspension interview;
  - review the Correctional Plan Progress Report; and
  - cancel the suspension or refer to NPB.
- 35 When a member of the Board or a person designated, by name or by position, by the Chairperson of the Board or the Commissioner, is satisfied that:
- an offender has breached a condition of the order, or
  - it is reasonable to prevent a breach of the order, or
  - it is necessary to protect society,

the member or person may, by warrant, suspend and authorize the apprehension and commitment of the offender. The feasibility of all reasonable alternatives to maintain the offender in the community shall be assessed to their fullest possible extent.

- 36 In the event of suspension of the offender, the person with designated authority shall ensure that the Board receives a copy of the suspension warrant **within the first working day following the suspension.**

### **Issuing a Warrant for Suspension and Apprehension**

- 37 The process of issuing a suspension warrant of a LTSO is the same as the process used for other conditionally released offenders. The information is entered on the Offender Management System and distributed in the same manner as a parole suspension warrant.
- 38 The process, once a warrant has been executed for an LTSO offender, differs significantly from the processes currently in place for suspended day, full and statutory release offenders.
- 39 Following the issuance of a suspension warrant, the Parole Officer shall provide all available information to the police that will assist in the timely apprehension of the offender.
- 40 The manager of the operational unit shall ensure that there is a system in place that guarantees regular efforts are made to locate an offender at large. These efforts shall be documented in the Casework Record.
- 41 The designated person also has the authority to withdraw warrants of suspension before they are executed.

- 42 The person who issued the suspension warrant or another person with designated authority shall ensure that the offender's suspension status is resolved as quickly as possible within the timeframes set out in [subsection 135.3](#) of the CCRA.
- 43 **CSC loses jurisdiction** if action is not taken to either cancel the suspension or refer the case to the NPB by the thirtieth day. This results in the offender's immediate release from custody.

#### **Options for Committal after Warrant of Suspension has been Issued**

- 44 **The suspension and committal to a community residential facility**, while it requires a warrant, allows an alternative that is less restrictive than return to secure custody. The Community Residential Facility Director must agree to such a measure. When the assessment of the offender suggests that this measure is adequate to control risk, this becomes a viable option. Voluntary residency or the use of a special condition to reside are alternatives that are feasible in these circumstances.
- 45 **The suspension and committal to a mental health facility** requires the involvement of psychological and psychiatric professionals. The admission of the offender to the facility shall be approved by the facility before the warrant is issued.
- 46 **The suspension and committal to custody** follows the same process as the commitment of an offender under a warrant of committal.

#### **Procedures Following Execution of a Suspension Warrant**

- 47 A person with designated authority shall cancel the suspension or refer the case to the NPB as soon as possible, but no later than prior to the thirtieth day after the offender's commitment to custody.

#### **Post-suspension Interview**

- 48 Upon execution of the warrant, the assigned Parole Officer will conduct a post-suspension interview with the offender to:
- a) inform the offender of the reasons for the suspension;
  - b) give the offender an opportunity to explain his or her conduct;
  - c) discuss with the offender the alternatives, including details of possible release plans, in order that the plans may be further investigated prior to referral to the Board for a decision;
  - d) inform the offender of his or her right to have a hearing before the NPB and to have an assistant present;
  - e) inform the offender of his or her right to be notified at least 15 days in advance of the hearing of the relevant information that the Board will take into consideration; and

- f) obtain the completed waiver form ([NPB 79](#)).
- 49 If the offender was suspended as a result of new charges, the Parole Officer must provide the offender with the charter warning prior to obtaining information concerning the charges.

### **Review Correctional Plan Progress Report**

- 50 If the case is being referred to NPB for decision, the Correctional Plan Progress Report must be reviewed and updated, if necessary to change any ratings.
- 51 In cases where the offender is apprehended in a different region or area from the one in which the suspension warrant is issued, the office responsible for supervising the offender shall update the Correctional Plan Progress Report if necessary. If ratings do not require a change, the office responsible for supervising the offender shall complete a summary of the progress on supervision in a Casework Record. The updated Correctional Plan Progress Report or Casework Record shall be completed within five working days of the execution of the warrant. The supervising Parole Officer and the Parole Officer assuming responsibility in the new location shall maintain close communication on the matter.

### **New Charges**

- 52 New charges are not necessarily sufficient grounds to suspend. Unlike a regular parole supervision case, the offender on a LTSO is not serving a custodial sentence. A Peace Officer may lay charges without being required to adhere to CSC administrative procedures.
- 53 When the circumstances leading to the suspension are related to a new offence, and the offender remains in the community following a cancellation of the suspension, the Parole Officer in the community shall update the criminal profile (see SOP 700-04, "Offender Intake Assessment and Correctional Planning", section on Criminal Profile Review and Update, for content guidelines). The Parole Officer in the community shall inform the Sentence Manager of the releasing institution, or the current institution if the offender has been reincarcerated, of the outstanding charge. If the offender is returned to the penitentiary, the update of the criminal profile is the responsibility of the Parole Officer in the institution.
- 54 **A new custodial sentence** for criminal convictions causes an interruption of the order. The LTSO offender serves any new sentence in a federal institution even if it is less than two years. Placement in a provincial or territorial facility under an exchange of services agreement is possible but the case remains federal responsibility. The remnant of the original LTSO then commences on expiry of the new sentence unless the court orders changes or the long-term supervision is terminated. The case is subject to all normal case preparation during this sentence.
- 55 **A new non-custodial sentence** is served concurrently with the long-term supervision order.



- 56 The normal suspension procedures will apply when a new conviction is registered against an offender. If cancellation of suspension is being considered, consultation with the Sentence Manager should occur so as to verify the consequences of such a decision in light of the additional sentence.

### **Cancellation of Suspension by CSC**

- 57 Notwithstanding the prescribed 30-day timeframe, the suspension period should be limited to the time required to investigate and prepare an alternate release plan, including the conditions under which the offender can reasonably be returned to the community.
- 58 The most common circumstances for cancelling a warrant of suspension include the following:
- a) new information modifies the risk assessment;
  - b) new information modifies the reasons for the suspension;
  - c) a new release plan reduces the risk to the community to an acceptable level; and
  - d) loss of jurisdiction due to late referral.
- 59 To permit the release of the offender, the person with designated authority shall forward to the head of the institution holding the offender the order of cancellation or suspension of long-term supervision or an electronically transmitted copy of this notice.
- 60 Where a person with designated authority  **Cancels**  the suspension, the NPB must be informed of this decision as soon as possible but  **no later than the next working day** . Notification to NPB is accomplished by providing the copy of the order of cancellation.
- 61 The person with designated authority has the authority to cancel a suspension, except if the suspension was issued by NPB or if the case has already been referred to the NPB.
- 62 The decision by CSC to cancel the suspension will be documented in a Correctional Plan Progress Report  **within three working days**  of processing the order of cancellation. Refer to Annex 700-21C for the Correctional Plan Progress Report Content Guidelines.

### **Referral to the NPB for Decision**

- 63 A referral to NPB for a post-suspension decision should be as soon as possible but no later than prior to the thirtieth day after the offender's commitment to custody.
- 64 The Assessment for Decision must be accompanied by the  **Reasons for Suspension**  form, the Correctional Plan Progress Report, if updated and the Community Assessment if completed.

- 65 Possible CSC recommendations and NPB decision options for LTSO cases are as follows:
- suspension cancelled;
  - suspension cancelled with conditions altered;
  - suspension cancelled with release delayed to participate in programming;
  - referral to the Attorney General (of province or territory where offender is located) with a recommendation to lay information to charge the offender under [section 753.3](#) of the *Criminal Code*.
- 66 **Revocation** of the long-term supervision order is not a decision option under the law.
- 67 The Assessment for Decision which is forwarded to the NPB **shall** include an assessment of the case and a recommendation. The assessment must be based on information available at the time of the completion of the report and should specifically address the risk posed by the offender.
- 68 Where applicable, the risk of the offender committing further offences involving violence or sexual offending must be analyzed and commented on in the Assessment for Decision report.
- 69 A loss of jurisdiction will occur, making it necessary to release the offender immediately, if:
- a) the Assessment for Decision does not include an assessment of the case and a recommendation; or
  - b) the referral is not submitted to the NPB within the specified timeframes.
- 70 The Assessment for Decision shall be concise and focus on the essential elements of the case, avoiding repeating information already reported in the Community Assessment, if completed. The Board shall be referred to this document. However, the Parole Office must ensure that the information required pursuant to the NPB pre-release and post-release decision policies has been considered.
- 71 If, after the Assessment for Decision has been forwarded to the NPB, additional information is received which would modify the initial recommendation, and the Board has not yet rendered a decision on the case, a **new** Assessment for Decision based on the additional information must be forwarded to the Board, including the new recommendation. If the additional information does not modify the initial recommendation, it should be documented in an addendum to Assessment for Decision and forwarded to the Board.
- 72 After CSC submits a recommendation to NPB, the Board shall normally review the case as soon as possible (within 30 days), and make a decision to cancel the suspension or recommend that CSC pursue laying an information to charge the offender with an offence under [section 753.3](#) of the *Criminal Code*.
- 73 In cases where the offender is apprehended in a different region or area from the

one in which the suspension warrant is issued, the area or region in which the offender was apprehended is responsible for completing the Assessment for Decision. The supervising Parole Officer and the Parole Officer responsible for completing the Assessment for Decision shall maintain close communication on the matter.

- 74 The suspension warrant is valid for a period of 90 days from the date it is executed and the NPB cannot, by law, extend it by decision. If a charge is laid under [section 753.3](#) of the *Criminal Code*, the suspension warrant expires.
- 75 Detention review is not applicable, as the offender is not serving a custodial sentence. Detention criteria do not legally apply once the offender commences an LTSO.

### **Content**

- 76 Content guidelines for the Assessment for Decision remain the same as for suspensions of offenders on day parole, full parole or statutory release. The content guidelines are set out in [Annex 700-10A](#).

### **Direct Charge by Police or Crown Under Section 753.3 of the *Criminal Code***

- 77 The police or Crown Attorney may in certain circumstances directly charge an offender with a breach of LTSO under [section 753.3](#) of the *Criminal Code* prior to CSC recommending "laying of information" and/or a decision by NPB in this regard. The offender is considered to be charged when he or she is taken before a court or issued process by police.
- 78 Upon receiving information that the police or Crown Attorney has decided to directly charge an LTSO offender with a breach, the Parole Officer must inform the person with designated authority. This case conference will be documented in a Casework Record within three working days.
- 79 If the police or Crown Attorney has directly charged an offender under [section 753.3](#) of the *Criminal Code*, the Parole Officer will complete a Correctional Plan Progress Report to advise the NPB of the pending charge(s). This report will be provided to the NPB within 30 days of the notification of the charge.
- 80 When the offender is already in custody as a result of a suspension warrant and the police or Crown Attorney decides to charge the offender with a breach of LTSO, the suspension warrant becomes invalid. The offender is thereafter held in custody on the strength of the provincial remand warrant unless bail is granted. If no recommendation has yet been submitted by CSC, the Parole Officer will provide the NPB a copy of the Correctional Plan Progress Report prior to the thirtieth day of the offender's commitment to custody.
- 81 In the event that CSC has already submitted a recommendation for laying of information, the NPB will be notified of the direct charge within one working day via e-mail or telephone. This notification will ensure that the NPB is aware that their decision regarding the laying of information is no longer required. A

Correctional Plan Progress Report will be completed within 30 days of the notification of the charge.

- 82 The offender's release from custody on bail for the breach does not preclude CSC's ability to suspend the offender for any other situation that would indicate the risk level is unmanageable.

### **Post-suspension Hearing**

- 83 The suspended offender receives a post-suspension hearing unless he or she waives that right. The form entitled "Waiver" ([NPB 79](#)) shall be completed at the time of the post-suspension interview if the offender wishes to waive the post-suspension hearing or waive the right to be provided with information.
- 84 If feasible, the offender's Parole Officer in the community should attend the hearing. Otherwise, another officer with a thorough knowledge of the case shall attend the hearing. The officer attending the post-suspension hearing is responsible for obtaining all information pertaining to the offender's term of supervision and the circumstances leading to the suspension.
- 85 Where NPB orders cancellation of the suspension, the Board can:
- reprimand the offender in order to warn him or her of the Board's dissatisfaction with his or her behaviour while being supervised;
  - alter the conditions of the long-term supervision; and
  - order the cancellation not to take effect until the expiration of a specified period ending on a date not later than the end of the 90 days in order to allow the offender to participate in a program that would help ensure that society is protected from the risk of the offender re-offending.

### Laying of Information for a Breach Charge

- 86 Pursuing a breach of order charge under the *Criminal Code* can only be done if a breach of condition has occurred. CSC would have to provide the Attorney General or designate with sufficient evidence that would allow the Attorney General or designate to prove beyond a reasonable doubt that the offender failed to comply with or abide by a condition in order to proceed with the charge.
- 87 As the suspension warrant expires 90 days from the date it is executed, once the NPB recommends the charge be pursued, the Attorney General or designate is responsible to bring the case before the court to deal with the issue of bail or remand in custody. The offender would be released from custody on the ninetieth day unless there is a court order remanding him or her in custody.
- 88 To retain a suspended LTSO offender in custody past the ninetieth day from the date of execution of the warrant, the Attorney General or designate must lay a charge before the court and an order to remand the offender to custody shall have been subsequently rendered.
- 89 There may be variations in the process used by a jurisdiction to charge offenders. Some jurisdictions use a formalized charge approval process where as others allow the police to lay the information resulting in a charge.
- 90 Once the offender is charged with an offence under [section 753.3](#) of the *Criminal Code*, the suspension warrant expires and unless a remand order is made by the courts, the offender must be released back on the LTSO.
- 91 CSC information delivered to the Attorney General or delegate for consideration as to proceeding with a breach of order charge shall, at a minimum, consist of the following:
- a copy of the NPB decision;
  - a copy of the relevant Assessment for Decision;
  - the relevant Correctional Plan Progress Reports;
  - documented proof of the existence of the long-term supervision order;
  - and
  - a copy of the long-term supervision order release certificate.
- 92 The description of the breach provided to the Attorney General or delegate must be clear and precise. A breach of a long-term supervision order is an indictable offence under the *Criminal Code* and can result in a custodial sentence not exceeding 10 years.
- 93 Parole Officers involved in the supervision of a long-term supervision order case where a breach of order charge is being laid may be required to testify in court.

**Application by the Parole Officer for a Reduction of a Long-Term Supervision Order**

- 94 The case shall be submitted to the NPB utilizing the Assessment for Decision report and shall address specifically the grounds that the offender no longer presents a substantial risk of re-offending and, thereby, no longer represents a danger to the community.
- 95 Once the application to reduce or terminate a long-term supervision order has been approved by the NPB, the applicant shall also give notice of this application to the Attorney General.

**Application by the Offender for a Reduction of a Long-Term Supervision Order**

- 96 The offender can make an application directly to the court for a reduction or termination of the long-term supervision order. The onus of proof is on the applicant. Upon request of the Attorney General or designate or court, the Parole Officer shall provide an Assessment for Decision report addressing the offender's risk of re-offending.

Acting Commissioner,

Original signed by:

Simon Coakeley

## ANNEX 700-21A

### APPLICATION OF THE CONDITION TO RESIDE IN A COMMUNITY-BASED FACILITY FOR LONG-TERM SUPERVISION ORDERS

#### Overview

Long-term supervision order offenders are no longer serving a custodial sentence and the order must not become a vehicle for long-term community detention. Imposing a condition to reside in a community-based facility is a restriction of liberty that is greater than the situation of an offender serving the conditional release portion of a custodial term. The use of a condition to reside in a community facility must be restricted to those instances where it is the **only** alternative to manage risk in the community and thereby avoid returning the offender to secure custody and/or recommending that a criminal charge of breach of conditions be laid [[subsection 753.3\(1\) of the Criminal Code](#)]. The NPB retains authority to extend or remove a residency condition for offenders subject to a long-term supervision order. Evidence must be presented to the NPB that will enable the Board members to form the conclusion that the offender presents a substantial risk of committing serious harm or injury, but that this risk can be managed in the community with the imposition of a residency condition as opposed to the offender's return to custody.

The procedure outlined in the Standard Operating Practices on potential statutory release with residency preparation will apply when considering a recommendation for imposition of a special condition to reside in a community facility at warrant expiry. Form CSC/SCC 1218 is not required for long-term supervision cases.

#### Guidelines

- a) The Correctional Plan Progress Report at a minimum must contain the following:
  - an analysis of the offender's progress during his or her sentence in relation to his or her Correctional Plan;
  - an indication of unresolved criminal risk factors where progress has been insufficient to reduce risk; and
  - when the offender has been under supervision in the community, a full report and analysis of the offender's behaviour and circumstances during the release and an explanation of why the condition is recommended.
- b) The Community Strategy at a minimum must contain the following:
  - assessment of the current level of risk;
  - analysis of community support and any influences on reducing risk;
  - frequency of collateral contacts possible to assist in managing risk;
  - availability and appropriateness of community resources;
  - an assessment of why alternative supervision methods including increased contacts with the offender, curfews and electronic monitoring are inappropriate;

- a plan to address the risks identified by this recommendation for a condition to reside in a community-based facility. This plan must propose a strategy to reduce risk levels during the term of the condition, normally no longer than 90 days, to an extent that the offender should be manageable in the community at the termination of the condition.
- c) Assessment for Decision must include the following:
- a clear rationale for the condition to reside in a community facility with a well-established argument as to why such a condition is the only alternative to manage risk safely; and
  - clear benchmarks and plans to remove the condition to reside in the near future.

NPB will review every case where a condition to reside in a community-based facility has been imposed within 90 days of its coming into effect and, should the condition be extended, within any 90-day period thereafter. The Parole Officer must submit progress reports and updated supervision plans for each review to justify the removal or any extension of the condition.



## ANNEX 700-21B

### ASSESSMENT FOR DECISION CONTENT GUIDELINES – Long-Term Supervision Order

#### Purpose of Report

To prepare the assessment required for the supervision of an offender subject to a long-term supervision order who is:

- already in the community under day parole/parole/statutory release; or
- to be released from the institution at WED.

Include the following note:

*The reader should refer to the last Correctional Plan Progress Report to identify the offender's main static and dynamic factors as well as the progress that he or she has made. The reader should also refer to the Community Strategy prepared for this review in order to identify proposed supervision strategies and special conditions.*

**NOTE:** *If a Community Strategy is not required, the writer must add the CPPR content concerning the offender's progress and release plan in this area.*

#### Risk Assessment

This section should not contain excerpts of other reports, but instead should focus on risk analysis and conclusions. The assessment should include positive and negative factors that are pertinent to the current review, determined through the analysis of the following:

- **Probability of re-offending** – Determine the risk of re-offending by analyzing the General Statistical Information on Recidivism, the offender's reintegration potential and the progress he or she has made, as well as the offender's ability to control his or her offence cycle. The offender's frequency of offending and crime-free periods, as well as the results from his or her psychological and psychiatric assessments must also be analyzed.
- **Severity of re-offending** – Determine the severity of re-offending by taking into account the history of violent behaviour, the usual type of criminal behaviour, behaviour displayed in the institution, and offence descriptions found in police reports.
- **Risk management** – Explain how the proposed community strategy will allow (or not allow) the level of risk to remain acceptable to society and indicate how the proposed special conditions are necessary for proper risk management. If applicable, identify family violence concerns and how they will be managed upon release.
- **Offender's level of commitment** – Explain the offender's level of commitment (or lack thereof) to his or her supervision plan, taking into account his or her current attitude and overall ability to meet commitments while on different types of releases (parole, temporary absences, probation, bail).

- **Overall level of risk** – Determine an overall level of risk, taking into account the probability and seriousness of re-offending, risk management and the offender's level of commitment.

### **Special Conditions**

In addition, in the assessment for offenders under a long-term supervision order, the following must be taken into consideration:

- special conditions that may have been imposed on parole or statutory release do not automatically carry over to the long-term supervision order;
- special conditions shall be specific and exact as the consequences of a breach may lead to a charge under [section 753.3](#) of the *Criminal Code*;
- the special conditions shall be clear and directly related to the offender's risk and shall be subject to the scrutiny of the Crown Attorney if breaches are to be brought before the court;
- all special conditions must be time framed and shall be reviewed accordingly;
- the imposition of a special condition to reside in a community-based facility shall be recommended to the NPB only under **extraordinary circumstances** and once imposed, shall be reviewed every 90 days.

### **Dissenting Opinion**

Include all dissenting opinions from all staff members involved with case preparation, as well as the underlying reasons for them.

### **Final Recommendation**

Indicate any relevant details associated with the long-term supervision order (e.g. duration; destination; special conditions).

## ANNEX 700-21C

### CORRECTIONAL PLAN PROGRESS REPORT CONTENT GUIDELINES – Long-Term Supervision Order

#### Purpose of Report

- Breach of conditions and/or increase in the level of risk;
- Cancellation of suspension by CSC or;
- Where the police has directly charged an offender under [section 753.3](#) of the *Criminal Code* before CSC has submitted a recommendation to the NPB for a "lay of information" and/or prior to a decision by NPB.

In the Offender Management System, staff will need to select either "LTSO – Information Only" or "(753.3) Charges Laid by Police" from the "Purpose of Report" table in the Correctional Plan Progress Report.

#### Offender Progress Under Supervision

- Summarize the offender's progress on supervision since the most recent Correctional Plan Progress Report.

#### Circumstances Surrounding the Breach/Increase in the Level of Risk

- Details of the circumstances of the breach/increase in risk.

#### If Applicable, Reasons/Circumstances for the Suspension

- Was the release suspended for circumstances beyond the offender's control?
- The relationship between the present circumstances of suspension and the principle contributing factors.
- Previous suspensions during current sentence (number and brief description of circumstances).
- Results of the post-suspension interview, including the offender's explanation of the circumstances leading to suspension.

#### Offender's Attitude and Progress

- The offender's attitude toward supervision since release.
- The offender's progress in relation to his or her Correctional Plan.

#### Offender's Motivation

- Based on the offender's behaviour during supervision, assess his or her motivation to comply with release conditions in the future.

#### Other Information

- Other information from the community as applicable.

#### Actions Taken to Deal with Risk

- Assessment of current circumstances, and the actions taken to address the offender's risk.

**Release Plan**

- If applicable, anticipated post-suspension actions and the offender's reaction to them.
- If applicable, offender's new release plan and the rationale for cancelling the suspension.