



# RELEASE PROCEDURES

## STANDARD OPERATING PRACTICES (SOPs)

(700-09)



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

2004-03-10

## **Authorities**

### *Corrections and Conditional Release Act*

- s. 25 (Information)
- s. 92-93 (Release of Inmates)
- s. 94(1) (Temporary Accommodation in Penitentiary)
- s. 129 (Detention)
- s. 131(3)(a) (Annual Review of Detention Order)

### *Corrections and Conditional Release Regulations*

- s. 161(1) (Conditions of Release)

## **Cross-Reference**

Commissioner's Directive 782 - Sharing Offender-Related Information

## **Effective Date of Directed Release Following Accelerated Parole Review**

- 1 When release on day parole is directed to an offender as a result of an accelerated day parole review, the offender is to be released during normal business hours on his or her actual day parole eligibility date.
- 2 When release on full parole is directed to an offender as a result of an accelerated parole review, the offender is to be released during normal business hours on his or her actual full parole eligibility date or during normal business hours on the first working day thereafter when the parole eligibility date falls on a holiday or weekend.
- 3 Should the day or full parole eligibility date fall on a weekend or holiday, the Institutional Head may consider granting an unescorted temporary absence prior to the established parole eligibility date should a delay in release create hardship for the offender, or to accommodate Community-Based Residential Facility (CBRF) admission requirements, or to facilitate transportation.

## **Effective Date of Release for Day Parole and Full Parole**

- 4 If an offender cannot be released on the eligibility date or the date specified by the National Parole Board (NPB), notification to the NPB shall immediately be made by the responsible Parole Officer, outlining the reasons for the delay and recommending a new release date.
- 5 Where the decision to grant a release is made on or after the eligibility date, the Board may specify the effective date of release.
- 6 Where the release date is scheduled more than two (2) weeks following the decision date, the Sentence Manager shall conduct a check for outstanding warrants of arrest just prior to the release. Where the police check reveals outstanding warrants, the Sentence Manager advises the responsible Parole Officer, who shall include this information with the submission of new information to the Board in order to make it available when determining whether or not the requirements for release can be met.

### **Effective Date of Release after Cancellation of a Warrant of Suspension or Revocation of Conditional Release**

- 7 When a warrant of suspension or revocation has been canceled, the institution shall commence release procedures without delay. As well, if a release has been revoked or terminated but results in an imminent release, the offender shall be released as soon as possible following receipt of the notification.

### **Effective Date of Release in Other Situations**

- 8 Actual release shall occur 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 to which the following applies:
- a) statutory release; and
  - b) warrant expiry.

### **Early Discretionary Release**

- 9 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 expiration of sentence will be facilitated by an earlier release than that provided for in paragraph 8, the Institutional Head may release the offender up to five days before the day on which the offender is entitled to be released. This does not imply that the offender must be awarded five days, but may be given any number of days between one and five as determined by the Institutional Head.
- 10 The "up to five days" are counted back from, but not including, the last working day before the statutory release date.
- 11 The offender shall submit a request in writing outlining the reasons for requesting early release, normally 30 days prior to the requested release date.
- 12 The decision to release an offender up to five days prior to his or her statutory release date or expiration of sentence shall normally be made at least 15 days before the requested date.
- 13 The offender shall be informed in writing of the reasons for a negative decision within 10 days of the decision being made.

### **Temporary Accommodation in Penitentiary Beyond Statutory Release**

- 14 In accordance with section 94(1) of the CCRA, eligible offenders may apply to remain temporarily in penitentiary beyond their statutory release date. Offenders must make their request in writing to the Institutional Head. The Institutional Head may authorize temporary accommodation in penitentiary beyond statutory release date in circumstances where there is an elevation in risk posed by the offender.

- 15 Circumstances where a request may be approved include, but are not limited to the following:
- a) the offender is nearing completion of a program;
  - b) the offender has not finalized release plans;
  - c) the timing of the release at statutory release would result in a temporary elevation in risk, and the offender wishes to stabilize before being released to the community (for example, the offender may be experiencing anger after just having learned that his spouse, contrary to earlier commitments, is not prepared to receive him upon release.)
- 16 The Correctional Service of Canada (CSC) shall notify NPB as soon as possible of a decision to grant temporary accommodation. (Any offender who applies for temporary accommodation, should nevertheless be referred for detention if section 129 of the CCRA is met).
- 17 Offenders who remain in penitentiary under the temporary accommodation provisions retain their statutory release status even though they are deemed to be inmates under the *Act*.
- 18 An offender who has been granted temporary accommodation may subsequently request release. In such instances, the Board shall be informed immediately and the offender released on statutory release at the earliest practical time.

**Residency Ordered During Annual Review Following Detention Beyond Statutory Release (Subparagraph 131(3)(a)(ii) of the CCRA)**

- 19 All offenders released on statutory release with a residency order as per subparagraph 131(3)(a)(ii) of the CCRA to a Community-Based Residential Facility shall be accompanied to that facility unless the Institutional Head decides otherwise.
- 20 An offender ordered to reside in a designated penitentiary or a psychiatric facility shall be transferred to that facility. Annex 700-09A specifies those penitentiaries currently designated for the purposes of a residency order made under subparagraph 131(3)(a)(ii) of the CCRA.

**Post-Release Decision Policies**

- 21 Mandatory terms and conditions of release appear on the certificate of release. In accordance with subsection 161(1) of the *Corrections and Conditional Release Regulations*, mandatory terms and conditions are deemed to have been imposed by the Board with respect to any offender released on parole or subject to statutory release.
- 22 Any offender may make application to the Board in order to request that a term or condition of release be removed or varied. The Board will amend this condition upon application by, or on behalf of, the offender when it is no longer relevant, it impedes the release plan, or its amendment is justified by a change in the level of risk or in the measures needed to facilitate reintegration of the offender as a law-abiding citizen. CSC will provide a recommendation to the Board in these cases.

### **Certificates of Release**

- 23 Every offender released on statutory release, full parole or day parole shall receive a certificate of release. Prior to release, the offender shall sign the certificate to indicate that he/she understands and accepts the terms and conditions of the release. Where an offender being released on statutory release refuses to sign the certificate, he or she shall be released notwithstanding the refusal. The offender's refusal to sign shall be noted on the certificate; nevertheless, the conditions of statutory release shall apply.
- 24 **Certificates** - Separate certificates are issued for (a) full or day parole and (b) statutory release. Conditions are clearly identified on the certificate.

### **Issuing Certificates**

- 25 CSC shall be responsible for issuing certificates and shall:
- a. confirm all dates prior to completing the certificate;
  - b. verify that all details of the NPB's decision are accurately reflected on the certificate.
- 26 Releases shall normally take place during business hours on a regular work-day. Therefore, arrangements shall normally be made with the Board or the Institution for a week-day release date. Prior to issuing a *Statutory Release Certificate*, a final verification shall be made with the Sentence Manager to confirm release date and the latest sentence calculation. In the case of day parole to a CBRF, arrangements shall be made with the parole office staff to determine the day of admission prior to issuing the certificate.
- 27 Special conditions shall be noted on the certificate. If space is insufficient, special conditions shall be listed on an attached sheet that shall also be signed by the offender and witnessed by a staff member.
- 28 The offender is responsible for initiating contact with his or her parole supervisor immediately upon arrival.

### **Accompanying Documents**

- 29 On all occasions that a certificate is issued, the issuing office shall notify the supervision office, generally via electronic mail, of the basic offender data which shall include the date of release.
- 30 Residency and one-chance statutory release cases shall also be clearly identified in the electronic message.

### **Responsibilities for Release**

- 31 Prior to releasing an offender, CSC is responsible for ensuring that:
- a) the offender has signed the certificate of release;
  - b) an explanation is provided to the offender regarding the release conditions with emphasis on the offender's responsibility to report to a specific CSC Parole Office immediately upon arrival;

- c) the CSC supervising office receives written confirmation of time of departure, mode of transportation, and estimated time the offender is expected to report to that office;
  - d) the supervising office is advised immediately of any change in the date and time the offender is expected to report;
  - e) the offender is provided with an updated Identification Card;
  - f) the supervising office has been provided with a sufficient number of photographs to ensure distribution to appropriate community resources (e.g., police);
  - g) the release certificate is distributed to the appropriate authorities within the established timeframes; and
  - h) the Standard Profile is updated.
- 32 The operational unit preparing for the offender's release shall also be responsible for ensuring that pertinent documentation concerning the conditionally released offender is entered into Offender Management System (OMS) and that copies of all critical documents not available on OMS are forwarded to the supervision office so that advance preparations for the offender's arrival at the destination can be made. The supervision office is responsible for retrieving the pertinent information from OMS. The releasing unit shall ensure that critical documents not on OMS arrive at the receiving office well in advance of the offender's arrival.
- 33 The operational unit shall ensure that high profile offenders who will attract public attention or negative reaction from the community when they are released are well prepared for their release. The operational unit must sensitize these offenders to the possibility of negative public reaction and provide them with means to develop strategies or skills to use in reintegrating to the community. This may include counselling sessions with a psychologist, role playing of situations that may be encountered, effective management of stressful situations, anger management, the importance of maintaining a low profile, how to deal with and respond to the media, and information on and referrals to community support services and resources. Liaison with community officers is critical to provide offenders with continuity of service and support.
- 34 On the day of release, the releasing institution shall contact the supervision office confirming the following information:
- a) the time at which release was effected;
  - b) the mode of transportation being used; and
  - c) the estimated time of arrival of the offender.

### **Interregional Conditional Release**

- 35 Whenever an offender is released from an institution where the file is in a language different from the predominant language of the supervising office, it will be necessary for the releasing institution to ensure that the pertinent file information is translated before the release is effected. This information should include, but not be limited to, the following:
- a) the Correctional Plan;
  - b) the most recent Correctional Plan Progress Report and Assessment for Decision; and
  - c) any information that would significantly affect the potential interventions with the offender such as the program performance report on offenders, and any current psychological/psychiatric report.

**Warrant Expiry (Refer to Commissioner's Directive 782, Sharing Offender-Related Information)**

- 36 When an offender is about to be released at warrant expiry, CSC should carefully assess the case to determine whether or not the individual may, on release, pose a threat to any person(s) or to the public at large. If there are reasonable grounds to believe that the individual does pose a threat, the CSC must give to police all information under its control that is relevant to the perceived threat. The information must be provided to the police 90 days prior to the offender's warrant expiry date.
- 37 To facilitate the sharing of information with the police, the releasing institution shall prepare a comprehensive information package consisting of relevant existing file information.
- 38 Offenders wishing to make representations as to the contents of the information package shall be advised that only comments related to the relevancy of information as it relates to the threat they pose to any person will be considered. Offenders should make their representations on the Notification of Provision of Information to Police Prior to Warrant Expiry Date (form CSC 1225), attaching additional sheets, if necessary. The reports contained in the proposed release package will have been previously shared with the offender. However, in the event that the offender has lost or misplaced any report(s), staff shall, on request, provide the offender with duplicate copies of any missing document(s).
- 39 When preparing the information package, staff should ensure that only that information believed to be relevant to the threat posed to the safety of any person in the community is included. In making this determination, staff should take into consideration factors similar to those deemed relevant for detention reviews under section 132 of the CCRA.
- 40 The information package shall be submitted to the Institutional Head of the releasing institution for review. The Institutional Head shall review any representations made by the offender regarding the contents of the package, and make the final decision with respect to the information included in the package.
- 41 The information provided to police by the Service must be determined on a case-by-case basis. Generally, the information should include a summary of past offences (including the way in which the crimes were committed), a profile of the victim(s) and an explanation of why the Service believes the offender to be dangerous. Discussions with police should identify the need to include any further particulars as well as the identity of other agencies and departments with whom the information should be shared. The decision to release and share information with the public about offenders released at warrant expiry rests primarily with the police.
- 42 Staff at the releasing institution are responsible for determining the area parole office with jurisdiction over the offender's release destination. All possible attempts shall be made to determine the offender's destination, including a review of last known residence, significant visitors, etc. Where the destination cannot be determined, the information package shall be sent to the area parole office with jurisdiction in the area where the offender's most recent offence took place. Where multiple destinations are possible, the information package shall be forwarded to relevant area parole offices, along with a clear indication of who has received the material.

- 43 The Area Director shall compile a warrant expiry release package, which shall contain the information identified by the Institutional Head of the releasing institution.
- 44 It may be difficult to determine which police force to notify if the destination of the released offender is not known. If it is expected that the offender will be going to a specific location, the police force in that location should be notified. If it is only known that the individual is going to a specific province, the force responsible for provincial policing should be notified.
- 45 For offenders who were detained, the releasing institution shall send notification, along with any relevant information not contained on OMS, to the parole office with jurisdiction over the release destination.

### **Removal From Canada**

- 46 Offenders being released for deportation or voluntary departure from Canada shall not be released until arrangements are made with Immigration or Justice officials as appropriate. These officials are responsible for escorting and arranging transportation to the designated country.
- 47 The offender shall be asked to sign the certificate of release. However, if the offender refuses, he or she can be released without consent in these circumstances.

Commissioner,

*Original signed by:*

Lucie McClung



**ANNEX 700-09A  
PENITENTIARIES DESIGNATED FOR THE PURPOSES OF A RESIDENCY  
ORDER MADE UNDER SUBPARAGRAPH 131(3)(a)(ii) OF THE CCRA**

**ATLANTIC REGION**

Carlton Community Correctional Centre  
5853 College Street  
Halifax, N.S.  
B3H 1X5

Westmorland Institution  
4902A Main Street  
Dorchester, N.B.  
E4K 2Y9

Carlton Community Correctional Centre  
Annex  
2044 Gottingen Street, 5<sup>th</sup> Floor  
Halifax, N.S.  
B3K 3A9

Nova Institution for Women  
180 James Street  
Truro, N.S.  
B2N 6R8

Parrrtown Community Correctional Centre  
23 Carleton Street  
Saint John, N.B.  
E2L 2Z2

Newfoundland Community Correctional Centre  
531 Charter Avenue  
St. John's, NFLD  
A1A 1P7

**QUEBEC REGION**

Hochelaga Community Correctional Centre  
6905 Hochelaga Street  
Montreal, Quebec  
H1N 1Y9

Martineau Community Correctional Centre  
10345 St-Laurent Blvd.  
Montreal, Quebec  
H3L 2P1

Federal Training Centre  
6099 Levesque Blvd.  
St-Vincent-de-Paul  
Laval, Quebec  
H7C 1P1

Montée St-François Institution  
1300 Montée St-François  
St-Vincent-de-Paul  
City of Laval, Quebec  
H7C 1S6

Laferrière Community Correctional Centre  
202 St-Georges Street  
St-Jérôme, Quebec  
J7Z 4Z9

Ogilvy Community Correctional Centre  
435 Ogilvy Street  
Montreal, Quebec  
H3N 1M3

Ste-Anne-des-Plaines Institution  
244 Montée Gagnon  
Ste-Anne-des-Plaines, Quebec  
J0N 1H0

Archambault Institution  
242 Montée Gagnon  
Ste-Anne-des-Plaines, Quebec  
J0N 1H0

La Macaza Institution  
321 Chemin de l'Aéroport  
La Macaza, Quebec  
J0T 1R0

Sherbrooke Community Correctional Centre  
2190 Sherbrooke Street East  
Montreal, Quebec  
H2K 1C7

Marcel-Caron Community Correctional  
Centre  
825 Kirouac Street  
Quebec City, Quebec  
G1N 2J7

## ONTARIO REGION

Bath Institution  
P.O. Box 1500  
Bath, Ontario  
K0H 1G0

Portsmouth Community Correctional Centre  
508 Portsmouth Avenue  
Kingston, Ontario  
K7M 1V8

Beaver Creek Institution  
P.O. Box 1240  
Gravenhurst, Ontario  
P0C 1G0

Grand Valley Institution for Women  
1575 Homer Watson Blvd.  
Kitchener, Ontario  
N2P 2C5

Hamilton Community Correctional Centre  
3rd floor, 94 York Blvd.  
Hamilton, Ontario  
L8R 1R6

Pittsburgh Institution  
P.O. Box 4510  
Hwy. 15  
Kingston, Ontario  
K7L 5E5

Keele Community Correctional Centre  
2nd floor, 330 Keele Street  
Toronto, Ontario  
M6P 2K7

Frontenac Institution  
P.O. Box 7500  
Kingston, Ontario  
K7L 5E6

## PRAIRIE REGION

Bowden Institution  
P.O. Box 6000  
Innisfail, Alberta  
T0M 1A0

Okimaw Ohci Healing Lodge  
P.O. Box 1929  
Maple Creek, SK  
S0N 1N0

Grande Cache Institution  
Bag 4000  
Grande Cache, AB  
T0E 0Y0

Drumheller Institution  
P.O. Box 3000  
Drumheller, AB  
T0J 0Y0

Rockwood Institution  
P.O. Box 72  
Stony Mountain, Manitoba  
R3C 3A0

Grierson Centre  
Lower Level, 9530-101 Avenue  
Edmonton, AB  
T5H 0B3

Osborne Community Correctional Centre  
45 Edmonton Street  
Winnipeg, Manitoba  
R3C 1P8

Pê Sâkâstêw Centre  
P.O. Box 1500  
Hobbema, AB  
T0C 1N0

Oskana Community Correctional Centre  
1314 - 11<sup>th</sup> Avenue  
Regina, SK  
S4P 0G7

Edmonton Institution for Women  
11151-178<sup>th</sup> Street  
Edmonton, AB  
T5S 2H9

Riverbend Institution  
(prev. Saskatchewan Farm Institution)  
P.O. Box 160  
Prince Albert, SK  
S6V 5R6

## **PACIFIC REGION**

Ferndale Institution  
P.O. Box 50  
Mission, B.C.  
V2V 4L8

Kwikwèxwelhp Healing Lodge  
Harrison Mills, B.C.  
V0M 1L0

William Head Institution  
P.O. Box 4000  
Postal Station "A"  
Victoria, B.C.  
V8X 3Y8

Sumas Community Correctional Centre  
P.O. Box 248  
Abbotsford, B.C.  
V2S 4N9